

Agenda

Ordinary Meeting of Council

Tallangatta Council Office

Tuesday 10 November 2015

This information is available in alternative formats on request

AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT THE TOWONG SHIRE COUNCIL, TALLANGATTA OFFICE ON TUESDAY 10 NOVEMBER 2015 COMMENCING AT 10.00 AM.

TABLE OF CONTENTS

1	Election of temporary chair	4
2	Opening Prayer.....	4
3	Councillor and Officer presence at the meeting.....	5
4	Apologies and granting of leave of absence	5
5	Declaration of pecuniary interest and/or conflict	5
6	Election of Mayor	5
6.1	Address by outgoing Mayor.....	5
6.2	Election of Mayor	5
6.3	Address by the Mayor.....	6
6.4	Election of Deputy Mayor.....	6
6.5	Mayoral and Councillor Allowance (07/05/0007-DCCS)	7
7	Appointment to Committees and Boards (07/05/0007-CEO)	7
8	Council Meeting Arrangements (07/05/0007-EA)	9
9	Confirmation of minutes	10
10	Petitions, joint letters and declarations.....	10
11	Assembly of Councillors	10
12	Open Forum.....	10
13	Organisational improvement.....	11
13.1	Finance Report as at 30 September 2015 (DCCS)	11
13.2	Occupational Health and Safety Report (06/04/0212-DCCS)	21
13.3	Domestic Wastewater Management Plan (03/02/0040-CEO).....	25
13.4	Office Closure 2015/2016 Christmas New Year Period (07/05/0007-EA)....	30
13.5	Action Sheet Reports (06/05/0010-EA)	32
13.6	Performance Reporting Graphs (DCCS)	32
14	Community wellbeing	33
14.1	Community Wellbeing Report (04/07/0055-DCCS).....	33
15	Asset management.....	40
15.1	Asset Management Report (01/07/0004-DTS).....	40
15.2	Fire Plug Maintenance (CEO)	42
16	Land-use planning	43
16.1	Quarterly Planning Performance Report (CEO).....	43
16.2	Planning Permit Application 2015/050 (147100-MP)	44
17	Environmental sustainability	74
17.1	Environment Sustainability Report (01/07/0004-DTS).....	74
18	Economic and tourism development.....	77
		2

18.1	Economic Development Report (05/01/0001-MED)	77
19	Councillor reports	77
20	Urgent business.....	77
21	Committee minutes.....	77
21.1	Upper Murray Business Inc [UMBI] (Cr Joyce)	77
21.2	MAV Emergency Management Committee (Cr Wortmann).....	77
21.3	Tallangatta Community Centre Advisory Committee (Cr Fraser).....	78
21.4	OHS Committee (06/04/0212-DCCS).....	78
22	Council policies (10/01/0007-CEO)	79
23	Sealing of documents.....	80
23.1	Section 173 Agreement – Agri Wealth Management Pty Ltd And Agriwealth Captial Ltd And Towong Shire (314755).....	80
24	Confidential.....	81
24.1	Section 173 Agreement – P Gadd and Towong Shire (219650).....	82
24.2	Annual resealing program (01/01/0445-DTS)	82

1 Election of temporary chair

Under section 72 of the Act the office of Mayor becomes vacant at 6am on the day of the election of the Mayor.

Council's Local Law No. 1 Meeting Procedures and Use of the Common Seal (section 8) provides:

At any meeting to elect the Mayor and Deputy Mayor any Councillor may be elected as a temporary chair to deal with the:

- (a) receipt of nominations for the election of Mayor and to conduct the election of Mayor in accordance with the provision of the Local Law;
- (b) fixing of allowances payable to the Mayor and Councillors;
- (c) presentation of any Annual Report from the outgoing Mayor.

RECOMMENDATION:

THAT A COUNCILLOR BE ELECTED AS TEMPORARY CHAIR.

2 Opening Prayer

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

3 Councillor and Officer presence at the meeting

4 Apologies and granting of leave of absence

5 Declaration of pecuniary interest and/or conflict

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

6 Election of Mayor

Under Section 71(1) of the Act the Councillors must elect a Councillor to be the Mayor of the Council, at a meeting of the Council that is open to the public.

6.1 Address by outgoing Mayor

It is normal practice at Towong Shire Council that the outgoing Mayor be given an opportunity to address the meeting at the conclusion of their term as Mayor.

RECOMMENDATION:

THAT THE OUTGOING MAYOR BE INVITED TO ADDRESS THE MEETING.

6.2 Election of Mayor

Any Councillor is eligible for election or re-election to the office of Mayor (s72).

Section 73 of the Act provides that the Mayor of a Council takes precedence at all municipal proceedings within the municipal district and the Mayor must take the chair at all meetings of the Council at which he or she is present (s73(1)).

RECOMMENDATION:

THAT COUNCIL ELECT THE MAYOR IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT (1989) AND COUNCIL'S LOCAL LAW NO. 1 (MEETING PROCEDURES AND USE OF THE COMMON SEAL).

6.3 Address by the Mayor

It is normal practice at Towong Shire Council that, upon election, the Mayor address the meeting.

RECOMMENDATION:

THAT THE MAYOR BE INVITED TO ADDRESS THE MEETING.

6.4 Election of Deputy Mayor

The Act is silent on the matter of the election of a Deputy Mayor. The Council may however elect a Councillor to be the Deputy Mayor.

A Deputy Mayor does not have any statutory role or function under the Act. It is merely a title bestowed on the Councillor so elected and does not mean the holder of the title can automatically deputise for the Mayor with regard to the Mayoral role, function and duties.

Deputy Mayor vs. Acting Mayor

Section 73(3) of the Act provides for the appointment of an acting Mayor where there is a vacancy in the office of Mayor, or the Mayor is absent, incapable of acting or refusing to act. It must be noted that the appointment of the acting Mayor is not a permanent appointment. An acting Mayor must be appointed each time there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act.

Unlike the Mayor who takes precedence at all municipal proceedings within the municipal district and must take the chair at all meetings of the Council at which he or she is present (s73(1)), the Deputy Mayor does not and cannot undertake either of these roles unless he or she has been appointed acting Mayor by the Council.

RECOMMENDATION:

THAT COUNCIL DETERMINE WHETHER A DEPUTY MAYOR IS TO BE APPOINTED.

6.5 Mayoral and Councillor Allowance (07/05/0007-DCCS)

At the time of writing changes to the Mayoral and Councillors had not been gazetted. It is expected that a report detailing any changes to allowances will be tabled at the December 2015 Council meeting.

7 Appointment to Committees and Boards (07/05/0007-CEO)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

COMMITTEE	2015	RECOMMENDED FOR 2016
Advisory Committee		
Audit Committee	Mayor (Substitute Cr Gadd)	
S.86 Committees		
Guys Forest Recreational Reserve	Cr Gadd	
Riverview Walwa Committee of Management	Cr Gadd	
External Boards		
North East Waste and Resource Recovery Group	Cr Joyce	
External Committees		
Alliance of Councils and Shires in the Upper Murray (ACSUM) Working Party	Crs Fraser and Joyce	
Corryong Cemeteries Trust	All Councillors	
High Country Councils Coalition (HCCC)	Mayor (Substitute Cr Joyce)	
Hume Region Local Government Network (HRLGN)	Mayor	
Lake Hume Land and On-Water Management Community Reference Group	Mayor	
Municipal Association of Victoria (MAV)	Cr Joyce (Substitute Cr Fraser)	

**TOWONG SHIRE COUNCIL
ORDINARY MEETING 10 NOVEMBER 2015**

COMMITTEE	2015	RECOMMENDED FOR 2016
MAV Emergency Management Committee	Mayor	
Municipal Emergency Management Plan	Mayor (Substitute Cr Scales)	
Municipal Emergency Management Plan	Mayor (Substitute Cr Scales)	
Municipal Fire Management Plan Committee	Mayor (Substitute Cr Scales)	
Murray Arts	Cr Gadd	
Murray Darling Association Region 1	Mayor (Substitute Cr Scales)	
Rural Councils Victoria	Mayor (Substitute Cr Fraser)	
Roadsafe North East	Cr Scales	
Timber Industry Roads Evaluation Scheme (TIRES)	Mayor (Substitute Cr Joyce)	
Timber Towns	Cr Gadd (Substitute CEO)	
Towong Alliance	Mayor	
Towong Shire Plantations Committee	Cr Gadd (Substitute Cr Fraser)	

Other Committees Council may wish to consider participating on include:

COMMITTEE	2015	2016
Bethanga Action Group (BAG)	Mayor (Substitute Cr Scales)	
Dartmouth Progress Association	Cr Scales	
Mitta Valley Advancement Forum (MVAF)	Cr Scales	
Upper Murray Business Inc (UMBI)	Cr Fraser (Substitute Cr Joyce)	
Upper Murray Tourist Association (UMTA)	Cr Fraser (Substitute Cr Scales)	

RECOMMENDATION:

THAT APPOINTMENTS TO COMMITTEES AND BOARDS AS PRESENTED BE CONFIRMED.

8 Council Meeting Arrangements (07/05/0007-EA)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background:

Council needs to determine its meeting arrangements and schedule for the remainder of the 2015/2016 year as well as the 2016-2017 municipal year.

Council's local law provides that the date, time and place for all Ordinary Council meetings be fixed by Council from time to time.

Ordinary Council meetings are held on the first Tuesday of the month commencing at 10am with meeting venues alternating between the Corryong and Tallangatta Council offices and every third meeting conducted offsite.

It is also proposed that there be no Ordinary Council Meeting held in January in order to accommodate staff and Councillor leave over Christmas and the New Year.

RECOMMENDATION:

THAT:

- 1. ORDINARY COUNCIL MEETINGS BE HELD ON THE FIRST TUESDAY OF EVERY MONTH (EXCEPTING PUBLIC HOLIDAYS) COMMENCING AT 10.00 AM ALTERNATING BETWEEN TALLANGATTA AND CORRYONG AND VARIOUS VENUES THROUGHOUT THE SHIRE; AND**
- 2. THE FOLLOWING MEETING DATES AND VENUES BE ADOPTED FOR ORDINARY COUNCIL MEETINGS FOR THE REMAINDER OF THE 2015 MUNICIPAL YEAR AND THE 2016 MUNICIPAL YEAR;**

DATE	LOCATION
1 DECEMBER 2015	DARTMOUTH
JANUARY 2016	NO MEETING
2 FEBRUARY 2016	CORRYONG COUNCIL OFFICE

DATE	LOCATION
1 MARCH 2016	TALLANGATTA COUNCIL OFFICE
5 APRIL 2016	MITTA VALLEY SPORTS COMPLEX
3 MAY 2016	CORRYONG COUNCIL OFFICE
7 JUNE 2016	TALLANGATTA COUNCIL OFFICE
5 JULY 2016	WALWA BUSH NURSING CENTRE
2 AUGUST 2016	CORRYONG COUNCIL OFFICE
5 SEPTEMBER 2016	TALLANGATTA COUNCIL OFFICE
4 OCTOBER 2016	BETHANGA MEMORIAL HALL
8 NOVEMBER 2016	CORRYONG COUNCIL OFFICE
5 DECEMBER 2016	TALLANGATTA COUNCIL OFFICE

9 Confirmation of minutes

6 October 2015 - Ordinary Meeting
20 October 2015 - Special Meeting

RECOMMENDATION:

THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 6 OCTOBER 2015 AND THE MINUTES OF THE SPECIAL MEETING HELD ON 20 OCTOBER 2015 AS CIRCULATED BE CONFIRMED.

10 Petitions, joint letters and declarations

11 Assembly of Councillors

A written record of the Assemblies of Councillors from 6 – 30 October 2015 is included at [Appendix 1](#).

RECOMMENDATION:

THAT THE INFORMATION BE NOTED.

12 Open Forum

13 Organisational improvement

13.1 Finance Report as at 30 September 2015 (DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Blair Phillips, Manager Finance.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

OPERATING RESULT

	Note	Sep-15 (Actual) \$'000	Sep-15 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %	2015/16 Full Year (Budget) \$'000	2015/16 Full Year (Achieved) %
Income	1	389	533	8,747	9,353	(606)	(6%)	15,081	58%
Expenditure	2	780	1,001	2,189	2,651	462	17%	14,019	16%
Surplus/ (Deficit)		(391)	(468)	6,558	6,702	(144)	(2%)	1,062	618%

Table 1: Operating Result

Note 1:

In the 2014/15 financial year an early payment of \$1.8 million was received for part of the 2015/16 Financial Assistance Grants allocation from the Victorian Grants Commission. This has resulted in receiving \$457,000 less per quarterly instalment than originally budgeted in 2015/16. This will be a permanent variance for 2015/16.

Council is yet to receive the funding of \$180,000 for the Corryong Swimming Pool upgrade. It is anticipated to be received when works commence in March 2016 (timing variance).

Note 2:

Expenses that are currently less than budget at this point in time include:

- Staff costs \$94,000 (timing variance)
(Currently operating at 62.5 EFT v Budget of 68.3 EFT)
- Grading \$85,000 (timing variance)
- Plant and equipment fuel \$40,000 (timing variance)
- Wyeeboo Multi Purpose Facility \$40,000 (timing variance)

Grant Income

	Note	Sep-15	YTD	YTD	YTD	YTD	2015/16	2015/16
		(Actual)	(Actual)	(Budget)	(Variance)	(Variance)	Full	Full
		\$'000	\$'000	\$'000	\$'000	%	Year	Year
							(Budget)	(Achieved)
							\$'000	%
Recurring	1	102	727	1,141	(414)	(36%)	5,418	13%
Non-Competitive		3	10	-	10	0%	-	0%
Competitive	2	61	159	393	(234)	(60%)	934	17%
Total		166	896	1,534	(638)	(42%)	6,352	14%

Table 2: Grant Income

Note 1:

In the 2014/15 financial year an early payment of \$1.8 million was received for part of the 2015/16 Financial Assistance Grants allocation from the Victorian Grants Commission. This has resulted in receiving \$457,000 less per quarterly instalment than originally budgeted in 2015/16. This will be a permanent variance for 2015/16.

Note 2:

Funding of \$180,000 has not yet been received for the Corryong Swimming Pool upgrade (timing variance).

Funding of \$79,000 has not yet been received for the Corryong Pre-School upgrade (timing variance).

Grants received Year-to-Date (YTD) are shown in the following table:

	\$'000
Recurring	
VGC General Purpose Funding	266
VGC Local Roads Funding	164
Library	103
Municipal Emergency Response Program	60
Maternal and Child Health	35
Weed Project	31
Corryong Pre School	19
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
Tallangatta Pre School	11
State Emergency Service Mitta	7
Berringa Pre School	5
Total Recurring Grants	727
Competitive and Non-Competitive	
Corryong Tennis Courts Grant	90
Magorra Park (DSE)	40
Pre-School Cluster	20
Community Access	10
Freeza Funding	6
Community Health and Wellbeing	3
Total Competitive and Non-Competitive Grants	169
Total Grants Received	896

Table 3: Grant Income received

Unexpended Grants and Restricted Funds

Where Council has received grants that are required to be expended in a specified manner, but the funds have not yet been expended, the grant is recognised as an unexpended grant or restricted funds. This identifies cash holdings that are required to be spent on a specified purpose and are not available for other Council priorities.

The following table provides a listing of current unexpended grants and restricted funds:

	\$'000
Unexpended Grants	
Tallangatta Integrated Community Centre	849
Country Roads and Bridges	305
Wyeeboo Multi Purpose Facility	123
Corryong Tennis Courts Grant	90
Community Access	82
Our Valley Our Future	58
Tallangatta Neighbourhood House	51
Flood Recovery Officer	42
Library	37
Weed Project	37
Local Gov Business Collaboration	32
High Country Rail Trail Upgrade (DSE)	28
The Narrows Project	20
Children Services Review	19
Freeza Funding	14
Health Promotions (Walk to School)	14
Bushfire Management Overlay	13
Improving Liveability of Older People	10
Fire Access Track Maintenance	1
Total Unexpended Grants	1,825

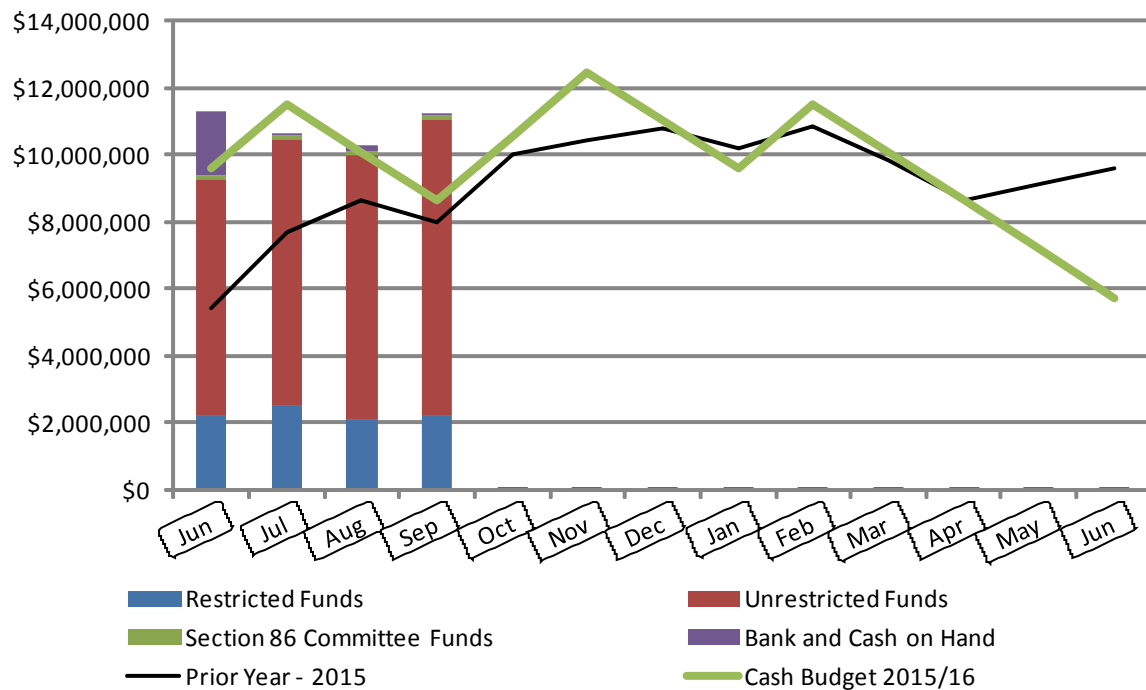
Table 4: Unexpended Grants and Restricted Funds

CASH POSITION

Cash on Hand

The cash position moved during the month as detailed below:

	Current Month Sep-15 \$	Prior Month Aug-15 \$	Variance	
			\$	%
Unexpended Grants	1,825,032	1,702,000	123,032	7.2%
Other Provisions and Reserves	425,706	425,706	-	0.0%
Restricted Funds	2,250,738	2,127,706	123,032	5.8%
Provision for Employee Entitlements	1,145,657	1,145,657	-	0.0%
Other Unrestricted Funds	7,657,980	6,717,542	940,438	14.0%
Total Unrestricted Funds	8,803,637	7,863,199	940,438	12.0%
Section 86 Committee Funds	136,246	136,246	-	0.0%
Total Investments	11,190,621	10,127,150	1,063,470	10.5%
Bank and Cash on Hand	975	173,124	(172,149)	-99.4%
Total Cash	11,191,596	10,300,275	891,321	8.7%
Average Interest Rate	2.75%	2.77%		



Investments

Investments were made up of the following at the month end:

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
16/06/2015	Term Deposit	NAB	1,007,479	2.87%	154 Days	A1+	17/11/2015
21/07/2015	Term Deposit	NAB	1,000,000	2.87%	182 Days	A1+	19/01/2016
16/09/2015	Term Deposit	NAB	2,000,000	2.85%	180 Days	A1+	16/03/2016
22/07/2015	Term Deposit	AMP	1,500,000	2.90%	271 Days	A1	18/04/2016
8/07/2015	Term Deposit	Bank of Queensland	1,000,000	2.95%	187 Days	A2	11/01/2016
25/06/2015	Term Deposit	ME Bank	1,000,000	2.95%	124 Days	A2	27/10/2015
26/06/2015	Term Deposit	WAW	828,032	2.85%	199 Days		11/01/2016
N/A	Online Saver	Westpac	2,718,864	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	136,246	4.68%	N/A		N/A
Total Investments			11,190,621				

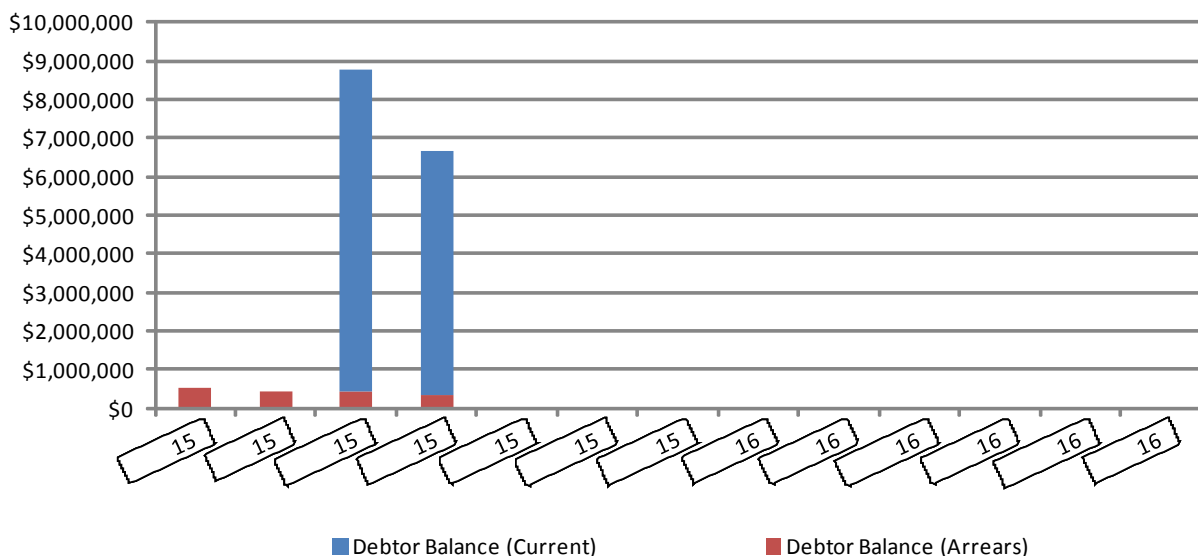
Table 5: Investments at month end

RECEIVABLES

Rates, Municipal Charge, Waste Management Charge and Waste Collection Charge

The breakdown of rates received for the current month and year-to-date is shown in the following table and graph:

Rates, charges and FSPL Debtors						
	Amount	Received	% Collected	Received	Collected	Balance
	\$	Sep-15	Sep-15	YTD	YTD	Outstanding
	\$	\$	%	\$	\$	\$
Levied 2015/16	8,451,307	2,029,424	24.0%	2,127,118	25.2%	6,324,189
Arrears prior to 2015/16	524,863	81,955	15.6%	177,278	33.8%	347,585
Total Charges		2,111,380		2,304,396		6,671,774

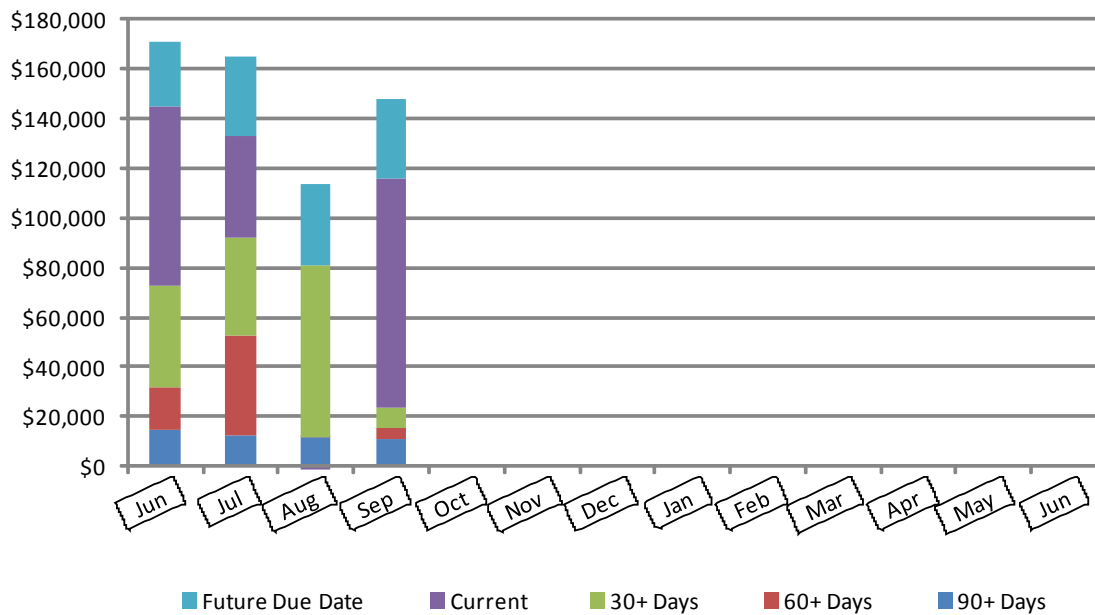


Note – rates were struck in August 2015.

Sundry Debtors

The Sundry Debtors outstanding at month end and the movement from the prior month is shown below:

Sundry Debtors	Future Due Date	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
September 2015	32,591	91,612	8,165	4,631	11,142	148,142
August 2015	32,591	(6,736)	69,180	254	11,709	106,999
Movement	-	98,347	(61,015)	4,378	(567)	41,143



Significant debtors (>\$1,000) with ageing of greater than 90 days are as follows:

Debtor	Amount	Description	RO	Notes
Debtor 8411	\$1,580	Contribution	JS	Payment has been requested.
Debtor 17007	\$1,540	Cost recovery for slashing	JS	Contact has been made with the debtor and is expected to be recovered.
Debtor 18925	\$3,500	Community Contribution	BP	Payment plan has been entered. Last payment received on 29/7/14.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	JS	Contact has been made with the debtor and is expected to be recovered.

Table 6: Significant debtors > 90 days

LOCAL ROADS

Local Roads and Bridges Capital Works

The following tables report on progress of Local Roads and Bridges Capital and Maintenance programs.

	Note	YTD Actual \$	YTD Budget	Variance \$	Annual Budget \$
410 Road Construction	1	25,991	-	(25,991)	584,778
417 Resealing		-	-	-	962,500
420 Drainage Construction		-	-	-	30,000
421 Digouts		9,079	-	(9,079)	600,000
422 Resheeting	2	20,036	-	(20,036)	230,000
432 Footpaths		4,446	-	(4,446)	344,596
433 Kerb and Channel		12,868	12,000	(868)	168,504
442 Guardrails		-	-	-	30,000
450 Bridge Construction		6,400	6,000	(400)	20,000
Total		78,820	18,000	(60,820)	2,970,378

Table 7: Local Roads & Bridges – Capital Works (YTD)

The Local Roads and Bridges Capital Works program is scheduled to be delivered over the drier months, commencing in October 2015. The commencement of some works has been delayed until early 2016 pending the outcome of Council's National Stronger Regions Fund application.

Note 1:

Some road construction work has started earlier than anticipated (timing variance).

Note 2:

Some resheeting work has started earlier than anticipated (timing variance).

Local Roads and Bridges Maintenance

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
302 Survey and Design		7,660	7,707	47	45,000
304 Pavement Maintenance		27,365	30,000	2,635	150,000
306 Grading	1	29,814	114,999	85,185	460,000
308 Shoulder Maintenance		33,226	24,999	(8,227)	100,000
310 Drainage Maintenance		24,147	42,501	18,354	170,000
312 Call Outs		4,489	5,001	512	20,000
320 Digouts		-	-	-	-
322 Resheeting		-	-	-	-
324 General Roadside Maintenance		30,149	18,750	(11,399)	75,000
326 Mowing		194	-	(194)	500
328 Tree Maintenance		33,258	25,500	(7,758)	102,000
330 Footpath Maintenance		-	2,000	2,000	8,000
334 Roadside Treatments		-	3,000	3,000	15,000
336 Signs Maintenance		4,757	8,000	3,243	32,000
338 Linemarking		169	-	(169)	10,000
340 Guideposts		2,953	1,749	(1,204)	7,000
342 Guardrail		-	-	-	5,000
346 Bridge Maintenance		21,532	7,302	(14,230)	29,210
Total		219,713	291,508	71,795	1,228,710

Table 8: Local Roads & Bridges - Maintenance (YTD)

Note 1:

Grading maintenance works have not progressed as originally anticipated due to the wet weather limiting opportunities to undertake works. Works have resumed in September (timing variance).

OTHER FINANCIAL MATTERS

Local Government Performance Reporting Framework / Know Your Council Website

The Local Government Performance Reporting Framework provides a range of common indicators that will be published on the Know Your Council website. Work has been carried out during September to provide data to Local Government Victoria for this first year of reporting.

The Know Your Council website will allow the public to see Council's results against the prescribed measures. This data will be finalised in October with the website likely to go live in November 2015.

Vision Super - Defined Benefit Superannuation Fund – Vested Benefit Index

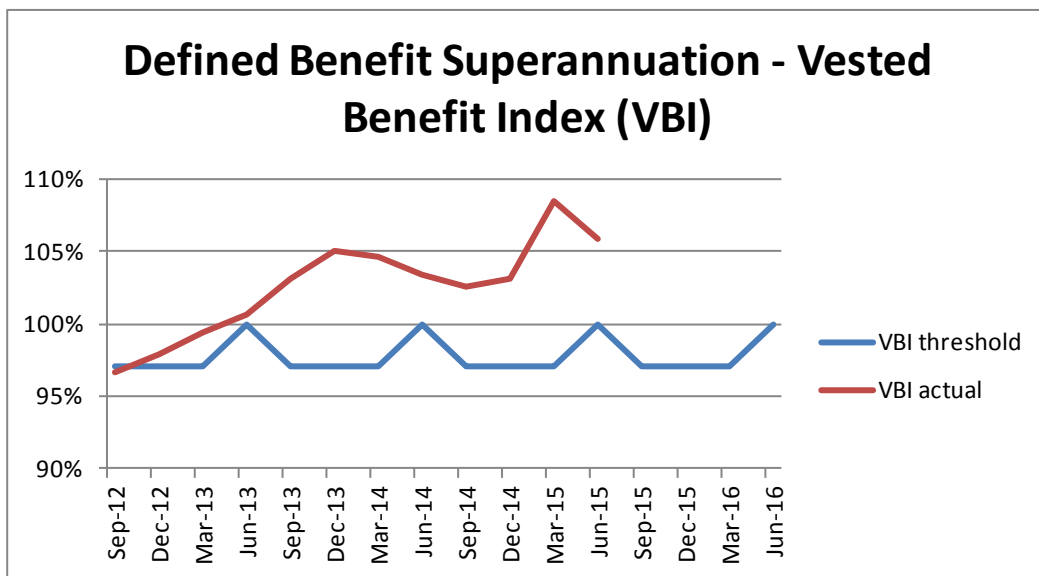
Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme to ensure that the liabilities of the fund are covered by the assets of the fund.

The Australian Prudential Regulation Authority (APRA) has introduced a prudential standard (SPS 160) to determine the funding requirements of a defined benefit arrangement. Under this standard:

- the Vested Benefits Index (VBI) is the measure to determine whether there is an unfunded liability; and
- any unfunded liability that arises must be paid within three years.

The VBI measures the market value of the superannuation fund’s assets supporting the defined benefit obligations against the vested benefits that the defined benefits members would have been entitled to if they had all resigned on a particular day.

A VBI must generally be kept above a fund’s nominated shortfall threshold. The graph below charts Vision Super’s VBI performance against the fund’s nominated VBI threshold



If the VBI falls below the above thresholds, a funding call will be initiated which will mean Council will have to provide additional funding to the Defined Benefit fund to ensure that the liabilities of the fund can be met.

RECOMMENDATION:

THAT THE FINANCE REPORT BE NOTED.

13.2 Occupational Health and Safety Report (06/04/0212-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly progress report on Risk Management and Occupational Health and Safety (OHS) activities throughout the organisation.

Current Progress:

Strategic risk / OHS activity

Safety Management System (SMS) – action plan progress

The actions in the plan for making improvements to Council's Safety Management System (as presented at the July Council meeting) are being progressed as follows:

	Total
Recommendations for improvement	18
Work commenced on addressing recommendations	7
Work completed on addressing recommendations	2
% complete	11%

Review of Business Continuity Plan (BCP)

A workshop has been conducted to complete a Business Impact Analysis of Council's services to establish which are 'critical' for continuity of operations, based on a defined criteria (typically the maximum tolerable period of disruption that the community would accept). The identified critical services are:

- payroll
- customer service

- transport network (roads and bridges)
- waste management (transfer station and landfill, garbage and recycling collection)
- information technology (computers, emails, phones).

Sub-plans are currently being developed for these identified critical services which document further detail regarding the service itself, required equipment, resources, stakeholders, managers and other information essential for continuation/resumption of minimal levels of the service at least.

This is planned to be completed by end October 2015.

Internal review of risk/public liability exposure in Tree Management process

On 24 June 2015, the Acting Executive Director of Local Government Victoria issued a circular (No. 10/2015) regarding "Council Review of Tree Management Policy and Procedure" following tragic incidents in 2013 and in February this year. In response to this circular, a review of Council's Tree Management Plan was undertaken and modifications including the addition of a Communications Plan were implemented. The Tree Management Plan was adopted by Council at its last meeting. Trees at Colac Colac Caravan Park were inspected by an arborist within the past 12 months and have had dead wood removed – they will be inspected again prior to 31 December 2015.

Operational risk / OHS activity

WorkCover incidents

WorkCover claims and Return to Work plans are managed internally by the OHS Officer. There are currently no open claims.

Public Liability incidents

Public Liability incidents are recorded on the Towong Shire Council Incident Report form and are investigated and then discussed at the OHS Committee meeting. Details of Public Liability incidents are listed on the OHS Committee Minutes. There is one Public Liability incident currently under investigation/action.

Safety Improvement Plans – Corryong and Tallangatta Pools

Recommendations from last year’s Swimming Pool Safety Assessment of the Corryong and Tallangatta Pools are continuing to be addressed.

Status of the recommended improvement opportunities as at 3 October 2015 was:

Risk Rating	High	Medium	Low	Total
Total recommendations accepted by Council	8	33	31	72
Completed	3	2	1	6
Remaining	5	31	30	66
% Complete	38%	6%	3%	8%

Of the remaining 66 items, many will be addressed prior to the pool opening on 21 November 2015.

Other OHS activity

Underground Petroleum Storage Systems (UPSS) monitoring

A review of the UPSS Management Plan will commence in December 2015.

Traffic Management Plans

Contractor compliance with traffic management plans was audited during on-site inspections and incident investigations during August and September, with one non-conformance being issued for breaching Council’s requirements. Inspections will continue with Council staff and Contractors being audited.

Chemical Spraying

During September and October, the OHS Officer has undertaken a review of the record keeping requirements as required by the Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007. These requirements, in part, relate to the spraying of roadsides and other plants eg: blackberry. The review found that while our Operators and Contractors were recording the general information required, new labelling on some chemicals stipulated further information should be recorded. This trend for further information to be recorded is gradually gaining pace throughout the industry. This additional information allows the Operator to make an informed decision on whether to spray or not by identifying optimal spraying conditions. As a result, a new Chemical Spray Record sheet has been produced which will allow our Operators and Contractors to capture and record all this information. The implementation of this form and the education of the users will continue through October and November.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

All recommendations rated high have been addressed. Lower risk recommendations continue to be addressed.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

It is the Officer's view that Council is continuing to make significant progress in addressing Council's OHS responsibilities.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

13.3 Domestic Wastewater Management Plan (03/02/0040-CEO)

Disclosure of Interests (S.80C):

This report was prepared by Simon Hollis, Manager Planning.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Introduction:

The Towong Shire Council *Domestic Wastewater Management Plan* (DWMP) ([Appendix 2](#)) is a plan that recommends a set of strategies and actions that are intended to improve the management of domestic wastewater within Towong Shire. The specific DWMP actions have been prioritised based on risk to public health and the environment using the outputs of the risk assessment process outlined in the *Towong Shire Council Domestic Wastewater Management Plan Background Paper* ([Appendix 3](#)). The *Towong Shire Council Domestic Wastewater Management Plan Background Paper* also provides the context and rationale for the DWMP recommendations. The DWMP has a five year time horizon after which time the strategic direction for onsite wastewater management within the municipality will again need to be reviewed.

Background:

There are 134 Declared Water Supply Catchments in Victoria, and Towong Shire is unique in that the whole of the municipality is wholly located within such a Declared Water Supply Catchment. The Lake Hume Catchment was proclaimed a Declared Potable Water Supply Catchment in 1984. This system of Declared Water Supply Catchments is intended to highlight the importance of the catchment to water supplies and to provide an increased level of development controls and environmental safeguards.

The key statutory instrument identified by State Planning Policy that must be considered in Declared Special Water Supply Catchments is the 2012 Ministerial Guidelines for *Planning Permit Applications in Open, Potable Water Supply Catchment Areas*. This document addresses matters associated with risk management and protection of open potable water supply catchments and is intended to guide the assessment of planning permit applications for land use and development in such catchments.

A key element of the *Guidelines* is that where a planning permit is required to use land for a dwelling or to subdivide land the following is required:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and
- each lot created in the subdivision should be at least 40 hectares in area.

This subdivision and dwelling density requirement is not derived from a science based approach, but rather is a direct application of the Precautionary Principle.

According to the *Guidelines*, a DWMP will be considered an acceptable basis for the relaxation of the 40 hectare rule if the water authorities are satisfied that Council has prepared, adopted and is implementing a DWMP. At present Council has been operating under a Memorandum of Understanding with Goulburn Murray Water that enables the 40 hectare requirement of the Guidelines to be waived, however this is an interim arrangement and the preparation and implementation of a DWMP is needed for the longer term.

Community Engagement:

DWMP community engagement commenced in mid September and involved the following:

- Public notice in the Corryong Courier, Tallangatta Herald and Border Mail;
- Media release published in the Tallangatta Herald;
- Advertorial placed in the Corryong Courier;
- Draft DWMP placed on Council website;
- Direct mail of letters to properties with on-site systems;
- Media release distributed to all local media outlets including Radio Upper Murray;
- Distribution of flyer for display at local shops and for distribution through community email listings (request sent to Berringa News, Bush and Bulldust and Walwa World);
- Facebook post in relation to information sessions; and
- Information sessions held at Bethanga, Cudgewa, Corryong, Eskdale and Mitta Mitta

Public submissions were sought in relation to the draft DWMP pursuant to Section 223 of the Local Government Act. The period for submissions closed on 9 October with a total of three submissions received by Council ([Appendix 4](#)). The main themes in these submissions were:

- The Council coordinated de-sludge program should be implemented across all towns and localities within the Towong Shire so that all ratepayers can access cost effective pump out services not just those in high risk towns;
- There are many septic systems that are functioning perfectly well and have no impact on the environment;

- A properly functioning system does not require de-sludging;
- Imposing a fee on all domestic wastewater system owners to cover the neglect that has occurred in only some areas of the Shire is inequitable;
- Allowing septic systems to proliferate in certain towns and localities will only increase the problems that already exist;
- The proposal to mandate regular pump outs of septic systems is overkill and may affect the operation of well functioning systems;
- The proposal to mandate regular pump outs of septic systems is yet another cost burden proposed by the shire on ratepayers who have the financial and physical responsibility of installing and maintaining their own wastewater systems according to the regulations;
- The Council imposed fee will escalate in the future and place undue hardship on low income families; and
- Inspections of some systems is appropriate and those systems that are operating according to design should be left to continue to do so, without cost to the owner.

Throughout the community engagement process, the frequency of system de-sludge was consistently raised as an issue of concern. In response to the feedback received, Council has had discussions with the water authorities about options for extending the de-sludge cycle. Council has decided that having a 'one size fits all' approach to the de-sludge cycle is more efficient to administer and strikes an appropriate balance between the *Code of Practice* de-sludge requirements and the high proportion of low occupancy households which may need a less frequent de-sludge. The DWMP proposes a seven year de-sludge cycle will be adopted by the DWMP unless otherwise determined through site inspection.

Impact on Council Policy:

The development and implementation of the *Domestic Wastewater Management Plan* is required by item 4.2 of the current *Council Plan*.

State Government Policy Impacts:

By providing measures to improve the management of on-site waste water management, the Domestic Wastewater Management Plan implements the State Environment Protection Policy (Waters of Victoria), State Planning Policy, in particular Clause 14.02 and addresses the requirements of *Guidelines for Planning Permit Applications in Open, Potable Water Supply Catchment Areas (2012)*.

Budget Impact:

The need to prepare and implement a DWMP in order to address the requirements of 2012 *Guidelines for Planning Permit Applications in Open, Potable Water Supply Catchment Areas* represents a significant burden for small rural Councils such as Towong. The implementation of the DWMP recommendations will require the ongoing allocation of additional resources which will need to be funded on a recurring basis.

Implementation of the DWMP recommendations is to commence in the 2016-17 financial year. The resource requirements to implement the DWMP are to be determined as part of the framing of the 2016-17 Council budget.

In developing the budget appropriate cost recovery will need to be determined. It is proposed to have a differentiated charge that reflects the level of resources required to implement the DWMP in relation to a given property. Under this approach, those properties in higher risk situations which require the allocation of greater resources under the DWMP will have a higher charge than those un-sewered properties in lower risk areas. This cost recovery method should provide the most equitable outcome for the Towong Shire residents.

Risk Assessment:

On-site wastewater systems can present a risk to water quality and public health. The DWMP contains recommendations informed by risk assessment of all catchments and un-sewered townships. The DWMP actions are prioritised according to the assessed risk. The actions within the DWMP are intended to:

- Ensure that future wastewater management only occurs on land that has adequate capacity to manage wastewater and is undertaken so that there is an acceptable future risk to public health and the environment; and
- Improve existing wastewater management across the municipality, particularly in identified high risk areas to reduce the risk to public health and the environment from existing development.

Discussion/Officers View:

The 2012 *Guidelines for Planning Permit Applications in Open, Potable Water Supply Catchment Areas* place a significant burden on Council. The affect of the *Guidelines* is that otherwise legitimate and acceptable un-sewered development cannot be considered on lots less than 40 hectares and that Council is unable to progress amendments to its Planning Scheme that would enable development that is important for the future of the municipality.

There appears to be a lack of science in the 40 hectare requirement of the Guidelines and also a lack of water quality data to suggest a policy response of this order is required. Whilst Council considers that the policy response is disproportionate to the issue it accepts that given the current statutory requirements, preparation and implementation of the DWMP is the only way to enable un-sewered development on lots less than 40 hectare within Towong Shire.

In preparing the DWMP, Council has endeavoured to provide a plan that seeks to minimise the burden to the Towong Shire community, whilst at the same time satisfying the requirements of the 2012 *Guidelines for Planning Permit Applications in Open, Potable Water Supply Catchment Areas*.

The DWMP offers a strategy prioritised according to risk and should yield enduring improvements in on-site wastewater management across the Shire.

RECOMMENDATION:

THAT COUNCIL:

- 1. ADOPT THE DOMESTIC WASTEWATER MANAGEMENT PLAN AS SHOWN IN APPENDIX 2;**
- 2. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO ALLOCATE THE APPROPRIATE RESOURCES TO ENABLE THE COMMENCEMENT OF IMPLEMENTATION OF THE DOMESTIC WASTEWATER MANAGEMENT PLAN IN THE 2016-17 FINANCIAL YEAR;**
- 3. INITIATE DISCUSSIONS WITH THE STATE GOVERNMENT ABOUT THE NEED TO AMEND THE LOCAL GOVERNMENT ACT 1989 IN ORDER TO INCLUDE ON-SITE WASTEWATER MANAGEMENT SYSTEMS AS A SERVICE WHICH CAN BE SUBJECT TO AN ANNUAL SERVICE CHARGE;**
- 4. WRITE TO THE PREMIER AND THE WATER MINISTER EXPRESSING OUR CONCERNS ABOUT THE:**
 - 4.1 LACK OF SCIENTIFIC RIGOUR IN THE 2012 *GUIDELINES FOR PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT*, PARTICULARLY IN RELATION TO THE FORTY HECTARE DWELLING DENSITY AND SUBDIVISION REQUIREMENT;**
 - 4.2 BURDEN ON OUR COMMUNITY CREATED BY THE REQUIREMENTS OF THE 2012 *GUIDELINES FOR PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS*; AND**

4.3 THE RESOURCE IMPLICATIONS FOR TOWONG SHIRE COUNCIL AND OTHER SIMILAR SMALL RURAL COUNCIL'S ARISING FROM THE NEED TO ADDRESS THE 2012 GUIDELINES FOR PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS.

- 5. REQUEST NORTH EAST WATER AND GOULBURN MURRAY WATER TO COLLECT WATER QUALITY DATA TO MONITOR THE EFFECTIVENESS OF THE DOMESTIC WASTEWATER MANAGEMENT PLAN ACTIONS OVER TIME AND REPORT THE OUTCOMES OF THIS MONITORING TO COUNCIL ON AN ANNUAL BASIS.**

13.4 Office Closure 2015/2016 Christmas New Year Period (07/05/0007-EA)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation and presentation of the report the officer does have a direct interest (common to all staff) to which the report or advice relates.

Background/History:

With the Christmas New Year holiday season almost upon us, it is necessary to consider staffing arrangements/office closure during that time.

It is proposed that the offices and depots close from 3.00 pm Thursday 24 December 2015 and reopen on Monday 4 January 2016.

Public Holidays are scheduled for Friday 25 December and Monday 28 December 2015 and Friday 1 January 2016.

Staff will be required to take annual leave/RDO's etc to cover the remaining days.

Council's "After Hours" emergency provider will take emergency calls from 3.00 pm on 24 December 2015 and refer them accordingly until return to work on 4 January 2016.

The public holidays to be observed in Victoria during the remainder of the 2015-2016 municipal years are:

Public Holidays	2015	
Christmas Day	Friday	25 December
Boxing Day	Monday	28 December
	2016	
New Year's Day	Friday	1 January
Australia Day	Tuesday	26 January
Labour Day	Monday	13 March
Good Friday	Friday	14 April
Easter Monday	Monday	17 April
Anzac Day	Tuesday	25 April
Queen's Birthday	Monday	12 June
AFL Grand Final Eve	TBC	TBC
Melbourne Cup Day	Tuesday	7 November
Christmas Day	Monday	25 December
Boxing Day	Tuesday	26 December

Impact on Council Policy:

Not applicable.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

Nil.

RECOMMENDATION:

THAT THE COUNCIL OFFICES AND DEPOTS CLOSE FROM 3.00 PM THURSDAY 24 DECEMBER 2015 AND REOPEN ON MONDAY 4 JANUARY 2016.

13.5 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 6 October 2015 Council Meeting are attached at [Appendix 5](#).

RECOMMENDATION:

THAT THE REPORT BE NOTED.

13.6 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at [Appendix 6](#) for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

14 Community wellbeing

14.1 Community Wellbeing Report (04/07/0055-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Penelope Sell, Manager Community Services.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Community Services activities throughout the Shire.

Kindergarten Services

Corryong Kindergarten

Internal renovations to the Corryong Kindergarten have been completed.

Improvements include:

- A new children's bathroom and change facilities
- New floor coverings
- New adult and children's interior art sink
- A new information technology area for children
- Interior painting and some minor furnishings

Family feedback is very positive and educators are very excited to be working in their new kindergarten environment.

In the absence of a qualified teacher, the Department of Education and Training has authorised our current Kindergarten Assistant, Janet Bailey, to deliver the educational program until mid November 2015. Employment applications from qualified teachers are currently being assessed.

Children recently attended a tree planting event in Khancoban. This visit aligned with the children's learning program developed under the National Quality Framework.

Tallangatta Kindergarten

During term three Tallangatta Kindergarten students visited local Primary Schools. This gave the children a sense of what to expect in 2016 when they enter the primary school system.

The Tallangatta children recently participated in an excursion to Wodonga. This visit also aligned with the children's learning program developed under the National Quality Framework. For many children it was the first time they experienced bus travel. The children also enjoyed the following experiences:

- Albury Wodonga Health Service Dental Clinic - healthy eating and preventative dental care.
- Bunnings Warehouse - sustainable practices and a DIY workshop planting herbs and flowers.

Berringa Kindergarten (at Bellbridge)

The Bellbridge and Talgarno communities recently experienced the withdrawal of one day of child care at the Talgarno Hall. With minimal notice, Council was able to effectively respond by offering most families an alternative care arrangement at the Berringa Kindergarten.

As a result, Council is now supporting four families with a three year old kindergarten program on Wednesdays from 9.00am – 4.30pm. These families have also been offered a placement to attend the 3 year old Friday kindergarten session between the hours of 9.00am and 12noon.

Kindergarten Cluster

Our kindergartens recently received a Department of Education and Training grant of \$500 per kindergarten to celebrate 'Children's Week'. A diverse range of educational experiences have been planned across all kindergartens.

Maternal and Child Health Services

Staff will attend a State-wide Maternal and Child Health Conference in October 'Collaborating: Improving outcomes for vulnerable families'

Immunisations / Health

Immunisations continue to be delivered on Council's behalf by the City of Wodonga.

Library Services

In October a significant stock order was placed for the new Tallangatta Library and the Corryong Library. This process involved extensive consultation with library staff and negotiations with a range of suppliers to achieve the best value for money. Consideration was also given to service providers offering cataloguing and end use

services for a range of products, including but not limited to books, DVDs, ex-mobile library stocks and audio books. Stock will be delivered 'shelf ready' in early December.

Seniors

More than 200 Towong Shire seniors filled the CUBE Entertainment Centre at Wodonga for Council's Seniors Week event - the 'Guy Athol' and 'Seekers' musical journey. Whilst survey results are still being collated, feedback has indicated a very good to excellent result for attendees.

The event included transport (from Bellbridge, Corryong, Mitta Mitta and Walwa), a light lunch, performance, afternoon tea and a Council show bag. The show bag included information on healthy lifestyle choices, invitation to a Victorian Heart Foundation presentation, drink bottle, pedometer and treats.

Recreation facilities

During October the Community Services team has worked with community members to develop a number of funding applications for consideration by the Department of Sports and Recreation, including:

- Community Connections Space application to enhance the existing Seasonal Pool grant – to include new pathways, improve lighting in the change rooms, install hot water systems, new shade, secure lockers, turnstiles and a first aid station and create new opportunities for women and children to connect and enjoy informal recreational spaces.
- Planning grant to prepare a detailed community plan for the construction of a multi-purpose facility to be build at Corryong Recreational Reserve.
- New wickets for Tallangatta Cricket Club.
- A new wicket for Eskdale Cricket Club.
- Second netball court at the Tallangatta Sports Centre.

0-8 Network

The 0-8 Network will host Meredith Lane, Speech Pathologist from Gateway Community Health, to provide an informative session for Towong Shire Early Year's educators and health professionals.

An additional session will also be provided for local families. Invitations have been extended through the Maternal and Child Health and Kindergarten networks.

The following will be addressed in the sessions:

- ✓ How to identify a communications problem in a child
- ✓ Strategies to support Early Years educators
- ✓ Strategies to support families
- ✓ Understanding the referral system and free services that may be available to families and their children.

The informative sessions will occur on 9 November in both Corryong and Tallangatta. All schools have been advised to extend the offer to families via their regular newsletters.

Youth Services

We continue to strengthen our partnerships with the local schools and Corryong Neighbourhood House to deliver a range of youth initiatives. Upcoming activities include:

- DJ workshop and Rockorryong Disco
- A weekend leadership camp for Corryong and Tallangatta Secondary College students delivered in partnership with Corryong Neighbourhood Centre
- A Cyber safety workshop – for students and their families
- Community movie nights at the Tallangatta and Corryong Pools (January)
- The continued delivery of the L2P driving program.

The L2P program is now incorporating a further partnership with the Corryong Men's Shed and local health services. Volunteers of the Men's Shed have offered to drive the practice vehicle back and forth from Corryong to Tallangatta with the Upper Murray Health and Community Services providing the return vehicle. This is a fantastic project with many young people acquiring new driving skills and being provided with an opportunity to get their driver's licence.

Children's Services Review

'Jan Barrett Consulting' and 'Local Logic' consultancy services have completed the Children's Services review. Extensive community consultation was achieved throughout the process.

Local Logic developed a comprehensive community profile. This document will continue to assist Council by providing a better understanding of evidenced and differing challenges faced in each of our communities. The document will also support a range of future funding applications across all areas of Council business.

Jan Barrett Consulting developed the following service delivery models for Council consideration:

- Corryong Integrated 'Hub' model;
- Berringa (Bellbridge) 'Hub' model;
- Tallangatta Integrated Community Centre (TICC); and
- Maternal and Child Health.

The final reports are being currently being reviewed before being presented to Council.

Council Plan 2013-2017

The Community Services team has completed the majority of planned priorities, including successful funding applications, strategy implementation and service delivery. The only outstanding items are ongoing projects that will occur for the cycle of the Council plan period (2013-2017).

Impact on Council Policy:

The Community Services team will continue to focus on delivering the 2013-2017 Council Plan strategic objectives with consideration for future strategy development.

State Government Policy Impacts:

Activities align with key criteria of the following policies:

- Victorian Early Years Policy
- Victorian Health Policy
- Victorian Mental Health Policy
- Victorian Sport and Recreation Policy.

Activities also support:

- The *Victorian Public Health and Wellbeing Plan 2011 – 2015*
- The Regional Growth Plan.

Budget Impact:

		Sep 2015 YTD (Actual) \$	Sep 2015 YTD (Budget) \$	Sep 2015 YTD (Variance) \$	Sep 2015 YTD (Variance) %	2015/16 Full Year (Budget) \$
	Note					
Income						
Community Development	1	9,776	-	9,776	100%	-
Immunisations		-	-	-	0%	500
Library		102,800	106,000	(3,200)	-3%	106,000
Maternal and Child Health	2	35,734	24,750	10,984	44%	135,050
Preschool operations		43,634	40,250	3,384	8%	208,430
Seniors	2	3,473	-	3,473	100%	3,500
Youth	3	5,473	27,973	(22,500)	-80%	52,873
Total Income		200,890	198,973	1,917	1%	506,353
Expenditure						
Community Development	4	8,143	36,643	28,500	78%	124,688
Immunisations	5	1,414	-	(1,414)	100%	14,800
Library		28,209	29,270	1,061	4%	89,166
Maternal and Child Health		47,763	49,843	2,080	4%	197,049
Preschool operations		93,258	90,476	(2,782)	-3%	351,285
Seniors	6	826	8,500	7,674	90%	17,000
Youth	7	9,930	15,071	5,141	34%	92,038
Total Expenditure		189,543	229,803	40,260	18%	886,026
Net Income / (Expenditure)		11,347	(30,830)	42,177	-137%	(379,673)
1. Additional grant income received to fund neighbourhood house / community development activities. Funds will be expended when the Community Development Officer vacancy is filled. 2. Grant income received in advance of budget (timing). 3. L2P Grant income to be received later than originally planned (timing). 4. Two current grant funded vacancies - Community Development Officer and Access and Inclusion Officer. 5. Service invoiced quarterly. Timing of budget to be adjusted. 6. Seniors Event held 1 October 2015. Expenditure incurred in October (timing). 7. Expenditure will be incurred later in the financial year (timing).						

Risk Assessment:

Nil.

Community Consultation/Responses:

The Community Services team will continue to engage with the community to ensure that Council efforts are focused on community and Council Plan priorities.

Discussion/Officers View:

The Community Services team continues to make excellent progress.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

15 Asset management

15.1 Asset Management Report (01/07/0004-DTS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Rachael Gadd, Civil Asset Engineer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Asset Management activities throughout the Shire.

Stock Grid Policy

Stock grids have been delivered to Hanley Lane and Edgar Road and are awaiting installation by the owners. New stock grids have been installed on Bullhead Road, Lamberts Road and Annandale Road to replace poor condition grids. A new stock grid has been installed on the Tallangatta Lookout Road and we are awaiting a second quote for fencing.

A stock grid has been installed by Agriwealth to replace a gate on Mt Alfred Road. Negotiations are also progressing with property owners on French Wrights Road to facilitate the removal of gates.

Notifications have been sent to property owners regarding the purchase and installation of signs at stock grids. The signs are available for purchase through Customer Service at the Corryong and Tallangatta Council offices.

The first Section 173 Agreement for a stock grid has been signed by the property owners and will be presented at the November Council meeting.

Naming of Roads

The road register includes a number of roads that are currently unnamed. To appropriately name these roads localised community consultation must be undertaken according to Principle 1(M) Consulting with the public, Guidelines for Geographic Names 2010. Evidence of this process needs to be provided to the Notification and Editing Service (NES) when lodging a road naming application.

Template letters, an information flyer and maps have been drafted according to the requirements of the guidelines and a database has been created to track community submissions.

Property owners and tenants will be given the opportunity to suggest names and vote on a final list of submissions. The time frame for submissions will be three weeks from receipt of the letter from Council.

Trees

Council managed street trees in Bellbridge and Tallangatta have been documented and a level one hazard assessment completed. Similar inspections are planned for the rest of Council's townships in the coming months. This data is used to map the tree locations, understand their condition and maintenance requirements and identify trees that are unsuitable for their location. A map of existing trees will also be created to inform the development of a staged tree replacement program for each township. The maps will be used to identify gaps within the street tree canopy. It is intended to overlay this with electricity line locations to develop an appropriate planting plan.

Asset renewal and maintenance

Annual bridge inspections are ongoing. These inspections have generated a number of maintenance works orders and identified remedial works that will be entered into the capital works database for future budget consideration.

Resurfacing works have been completed on the Tabor walking track at Dartmouth.

The annual major patching program has started with priority given to those roads identified for resealing this year.

Quotes have been obtained for the removal of trees and extension of culverts on Georges Creek Road to progress stage 3A of the road construction works.

The new reseat tender has been released and the submissions have been assessed. The assessment will be presented as a confidential item at the November Council meeting.

Internal Processes

Earlier in the year an independent analysis of Council's roads was completed to ensure consistency of reporting to the Victorian Grants Commission. As a result of this the Road Management Plan is currently under review to align the road

categories more closely with the Victorian Grants Commission definitions. It is also intended to incorporate the draft Road Maintenance Agreement into this document to further define the levels of service provided.

Other associated documents such as the Asset Management Policy and Asset Management Strategy are also being updated to reflect changes in the Road Management Plan.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Please refer to detail provided in the Finance Report at Item 9.1 of this Agenda.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Asset Management area is making good progress in relation to the Council Plan

RECOMMENDATION

THAT THE REPORT BE NOTED.

15.2 Fire Plug Maintenance (CEO)

A report will be presented to Council prior to the meeting.

16 Land-use planning

16.1 Quarterly Planning Performance Report (CEO)

Disclosure of Interests (S.80C):

This report was prepared by Mr. Martin Ireland, Planning Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

At the end of each month the Department of Environment Land Water and Planning (DELWP) publishes a report detailing the performance of each Municipality in respect of Planning Permit processing times. The figures for the first quarter of the financial year have been released.

Towong Shire Council has the lowest median statutory days as measured from date of lodgement to date of determination. At 26 days this is the lowest figure in the State. Council's percentage of applications determined within 60 days was reported at 100%.

This means that Towong Shire has the fastest processing times of any municipality in Victoria.

A table is included at [Appendix 7](#) with the results of all municipalities.

Discussion:

The report shows that of all the municipalities in Victoria, Council has the fastest processing time and an exceptionally high rate of applications that are determined within 60 days. The significance of having Planning Permits determined within 60 days of lodgement, is that the *Planning and Environment Act 1987* strongly emphasises that Responsible Authorities should determine applications within 60 days. Planning Permit applicants are able to force a responsible authority to answer to the Victorian Civil and Administrative Tribunal (VCAT) for failing to resolve a Planning Permit application 60 days after lodgement.

Despite the recent relatively fast planning permit processing times, over the last three months, some external referral authorities have taken the maximum time

allowable under the *Planning and Environment Act 1987* to respond to permit referrals and this could impact on planning permit processing times in the future.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

16.2 Planning Permit Application 2015/050 (147100-MP)

Disclosure of Interests (S.80C):

This report was prepared by Mr Simon Hollis, Manager Planning.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Proposal: Re-subdivision of thirteen (13) existing lots and the use and development of land for the purpose of seven (7) new dwellings

Property: Lot 2 PS 549783, Lot 1 TP 236270, Lot 1 TP 406291, Lot 1 TP 80845, Lot 1 TP 675768, Lot 1 TP 678532, CA 2 Section 12, CA 2A Section 12, Lot 1 PS 118606, CP 106186, CA 17 Section 12, Lot 1 PS 1300243, CA 11A Parish of Wabba.

Applicant: Ross Jarvis C/o EDM Group

Zoning: Rural Activity Zone (RAZ)

Overlays: Bushfire Management Overlay (BMO) - Partial

Permit Triggers:

Clause 35.08-1 – A Planning Permit is required to use land for a dwelling

Clause 35.08-2 – A Planning Permit is required to use land for a dwelling

Clause 35.08-3 – A Planning Permit is required for subdivision

Clause 35.08-4 – A Planning Permit is required for buildings and works in association with a Section 2 use

Clause 44.06 – A permit is required to subdivide land

BACKGROUND

This matter was previously reported to the October meeting of Council at which time Council resolved to defer the matter to the November 2015 Council Meeting. A property immediately to the west of the subject land on the south side of the Murray

Valley Highway was not originally given notification about the application. Despite being located approximately one kilometre from the closest development proposed by Planning Application 2015/050 and therefore unlikely to suffer any material detriment, Council nevertheless felt it was appropriate to provide the property owners with formal notification about the application before it made a decision. This notification has now occurred and no additional objections to the proposal have been.

DESCRIPTION OF PROPOSAL

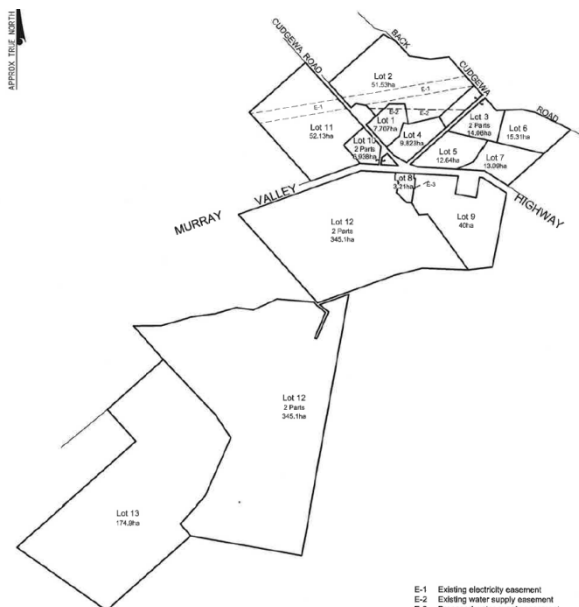
Planning Permit Application 2015/050 seeks approval for the:

- Re-subdivision of a large rural property currently comprising thirteen (13) lots into thirteen (13) new lots as shown in Figure 1; and
- Use and development of seven of the proposed lots for dwellings.

Proposed lots 1, 3, 4, 5, 6, 7 and 10 are to be used and developed for dwellings and are to have the following areas:

- Lot 1: 7.07ha
- Lot 3: 12.68ha
- Lot 4: 9.31ha
- Lot 5: 12.64ha
- Lot 6: 15.31ha
- Lot 7: 13.09ha
- Lot 10: 6.94ha

The remaining proposed lots, being proposed Lots 2, 9, 11, 12 and 13 will range in size from 40ha up to 345ha with an average lot size of 132.9ha. Given the property size is 746 hectares the proposal will yield an overall average lot size of 57 hectares and a dwelling density of one dwelling per 74 hectares across the subject land.



The majority of the new lots will engage existing points of access. One new point of access to proposed Lot 3 from Back Cudgewa Road will be required to replace an existing access so as to improve sight distances. An existing point of access off the Murray Valley Highway will be relied upon for dual access purposes to service proposed Lots 5 and 7. **Figure 1: Proposed re-subdivision**

SITE DESCRIPTION

The subject land consists of thirteen individual land parcels comprising an area of 746 hectares. The land is located adjacent to Cudgewa Road, Back Cudgewa Road and the Murray Valley Highway approximately 2 kilometres south east of Cudgewa.

The land rises gently to the north east frontage on Back Cudgewa Road and more steeply to the vegetated hillside to the south of the Murray Valley Highway. An existing dwelling is located at 2649 Murray Valley Highway and two dwellings are located in the south western section of the property, one at 2539 Murray Valley Highway with the other located at 12 Evans Road.

Two land capability assessments have been undertaken within the area to evaluate the capability of the land for agriculture. The 2002 *North East Land Resource Assessment* identified the land as being of 'moderate' capability for agriculture and the Department of Agriculture *Rural Land Mapping Project* from the mid 1980's identified the agricultural quality as being 'average'. **All references to the agricultural quality of the land in this report relate to the findings of these two studies.**



Figure 2: Property location

HISTORY AND COMMUNITY CONSULTATION:

The application was lodged on 29 July 2015. Upon receipt of the application, adjoining and nearby land owners were subsequently notified about the application pursuant to Section 52 of the Planning and Environment Act. The period for public consultation commenced on 3 August 2015.

There was also a public notice placed in the Corryong Courier on 10 September 2015.

Eight objections have been received by Council and are attached at [Appendix 8](#).

A summary of the grounds cited in the objections is as follows:

- Subdivision of rural land is inappropriate;
- Loss of views;
- Potential land use conflicts between agricultural and non agricultural activities;
- Increase in rates;
- The lots will become too big to manage and will become overgrown with weeds;
- The land is prime agricultural and should stay that way;
- The speed limit on Murray Valley Highway will be reduced;
- New houses could be of a low quality and amenity;
- The loss of habitat for birds;
- Views enjoyed by current land owners will be spoilt;
- The re-subdivision will result in the fragmentation of agricultural land;
- The development will inflate property prices;
- There will be land use conflicts in future;
- Smaller lots will be uneconomical or unviable as commercial enterprises;
- The proposed change is inconsistent with the current land use;
- Proposed changes will result in the fragmentation of high quality agricultural land;
- The proposal will lead to increased traffic; and
- The potential for substandard dwelling(s) to be constructed.

The objections have been considered and given due thought in the assessment of this application.

REFERRALS

The application was referred internally to the Technical Services Department and the Environmental Health Department. Both responded with conditional approval.

Referrals pursuant to Section 55 of the Planning and Environment Act have been made to Goulburn Murray Water (GMW), Ausnet Services, Country Fire Authority and VicRoads. Each authority have requested permit conditions should a permit be issued.

Notifications pursuant to Section 52 of the Planning and Environment Act were made to North East Water and the Department of Environment, Land, Water and Planning (DELWP), both of which provided no objection to the application and made comments which have been considered.

TOWONG PLANNING SCHEME

STATE PLANNING POLICY FRAMEWORK (SPPF)

The State Planning Policy Framework (SPPF) seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies are deemed to be relevant to this proposal and have been taken into account when assessing the application.

Rural Productivity – Clause 11.05-3

The objective of this policy is to manage land use change and development in rural areas to promote agriculture and rural production.

The subject land is not within an area identified as containing strategically important agricultural land and the proposal will not fragment highly productive agricultural land. Grazing upon the land can continue with little or no adverse impact upon farm gate output.

Protection of Agricultural land – Clause 14.01-1

The objective of this policy is to protect productive farmland which is of strategic significance in the local or regional context. The policy requires that when considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

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

As previously discussed, the subject land is identified as being of moderate agricultural capability and does not contain land of strategic importance for agriculture. The subject land is located within a traditional broad-acre grazing area with some land used for rural residential purposes in the immediate area. The intent of the policy is that land capability assessment should be the basis of decision making and in this instance, neither of the two relevant agricultural land capability studies, the *North East Land Resource Assessment (2002)* and the former Department of Agriculture *Rural Land Mapping Project (circa 1985)* have identified as being of

high quality for agriculture. The proposal will not compromise agricultural land uses undertaken on high quality agricultural land nearby.

Water Quality – Clause 14.02-2

The land is not subject to flooding, soil degradation or any other hazards that may impact water quality. A Section 55 referral to Goulburn Murray Water has been made with respect to water quality issues and they have not objected to the granting of a permit.

Aboriginal Cultural Heritage - Clause 15.03-2

The subject land is not located within an area of cultural heritage sensitivity under the provisions of the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007.

LOCAL PLANNING POLICY FRAMEWORK

Municipal Strategic Statement (MSS)

The Municipal Strategic Statement (MSS) provides strategies which will promote economic and population growth in order to encourage the long term sustainability of the municipality. Clause 21.02-5 'Rural Land Use Planning' states that:

The land use planning vision for Towong Shire is one that facilitates and promotes rural land use diversity. The imperative for Towong Shire to diversify its economy is apparent and the Planning Scheme should not impede efforts to achieve this pursuit of economic diversification.

The rural land use vision within the MSS seeks to:

- *Maximise inherent rural land use planning discretion;*
- *Employ a spatially differential approach to rural zoning;*
- *Cater better for localised landscape and land use differences;*
- *Allow for diverse merits based outcomes; and*
- *Enable farm enterprises to adjust to changing circumstances such as the need for increased operational scale or farm succession.*

This vision means that apart from single focus on a perceived need to protect rural areas from unplanned loss of productive agricultural land, planning policy should aim to provide for the equally valuable economic and social contribution of vibrant agricultural communities. This requires the emphasis of a proactive approach which is more focused on merits based outcomes, rural diversity and support for a wider cross section of the farming sector, including small farms. The land use planning vision recognises and responds to the multifunctional nature of

the Towong rural landscape so as to cater for differing rural land use planning outcomes across the Shire. This approach recognises three main spatial rural planning policy units:

- 1. Production Towong – this includes areas of farmland of strategic significance containing high quality agricultural land where agriculture and food production has primacy and where protection of agricultural land is paramount;*
- 2. **Transitional Towong** - being agricultural land of low to moderate quality where diverse land use planning outcomes are encouraged; and*
- 3. 'Peri Urban' Towong - being land essentially located within the 40min travel / commute contour of nearby Albury – Wodonga where rural residential development is to be encouraged*

The MSS signals that the benefits of this spatially differentiated rural land use planning approach are clear – the Planning Scheme can articulate the importance of those parts of the rural landscape that contribute most to the overall Shire 'farm gate' output, and in these areas agriculture and food production has primacy. Of particular relevance for this application is that this type of approach allows flexibility and discretion in those parts of the rural landscape that are substantially less economically important from a rural production perspective, thereby assisting in the aspirations of increased economic diversity and population growth.

The MSS also states that:

It is a premise of the vision for Towong that with careful and consistent planning decision making, changing land use patterns in themselves do not necessarily pose difficulties for agriculture, particularly if pressure for change is not affecting higher quality lands which might otherwise be expected to contribute significantly to agricultural production. An equitable approach to rural land use planning is one that places a greater emphasis on production rather than land use and embraces a performance based approach which allows matters to be considered on the basis of merit.

The Towong rural land use planning vision is one where the historic use of land for a particular purpose should not be a justification for its continuing use for the same purpose at the exclusion of all other land use options, especially in circumstances where an alternative land use might actually increase the net benefit to the broader community, both now and into the future. In this way a merits based approach might also support a paradigm where rural does not necessarily always mean agricultural. The Towong Planning Scheme needs to make provision for other land uses in locations where there is capacity to

encourage different outcomes that can contribute to the social, environmental and economic wellbeing of the Shire.

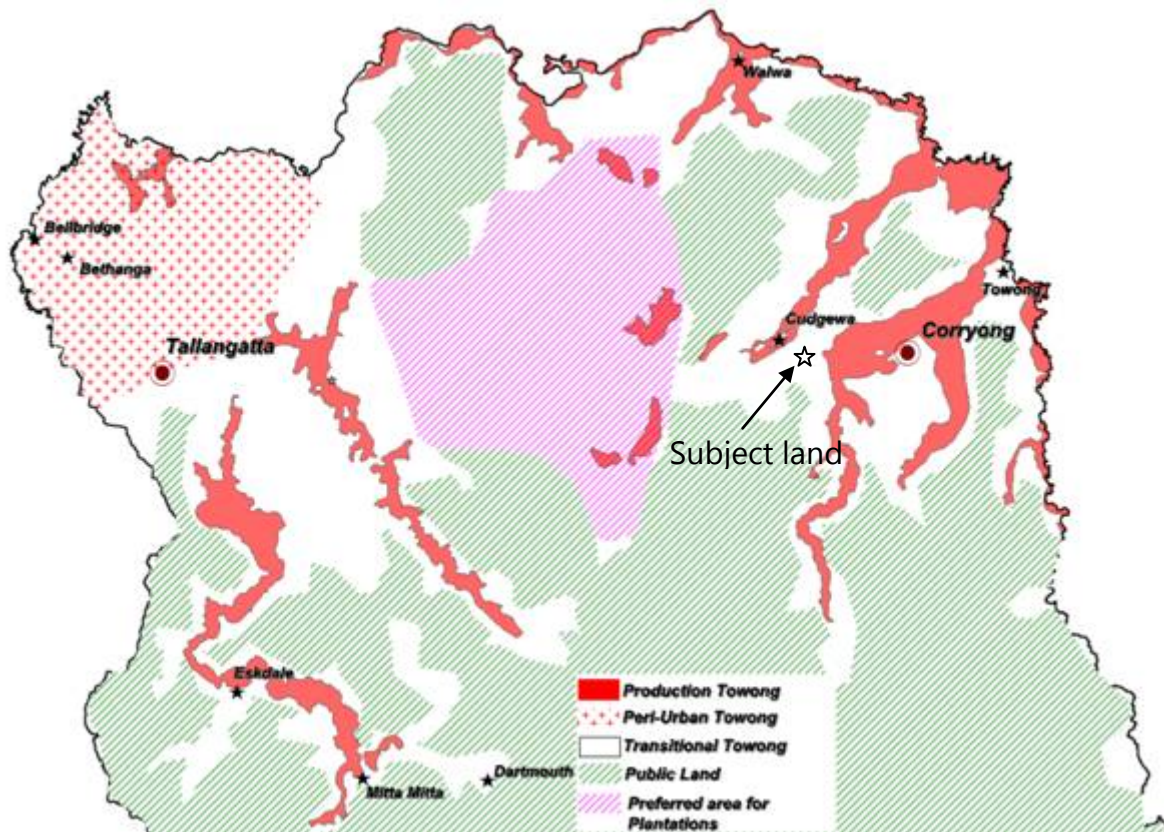


Figure 3 – Towong Shire Strategic Framework Plan.

The subject land is located within the 'Transitional Towong' spatial rural planning policy unit as being agricultural land of moderate quality where diverse land use planning outcomes are encouraged. It is apparent that the proposal delivers the type of development outcome explicitly sought by the Municipal Strategic Statement. The proposal will create an opportunity for rural diversification within an area that has been appropriately zoned to enable this type of outcome. The proposal also provides a large average lot size, with an overall lot density of 57ha, which exceeds the RAZ minimum lot size subdivision requirements of 40ha. As such, the proposal represents an acceptable planning outcome that will provide enduring benefits to the local area and the Shire more widely. The Municipal Strategic Statement seeks to encourage this type of land use planning outcome in this part of the rural Towong landscape.

Local Planning Policies
Rural Subdivision - Clause 22.01

Some of the key objectives of this Policy are to

- discourage the subdivision of land in areas containing high quality agricultural land where the subdivision will adversely impact on existing agricultural activity and may cause the fragmentation of high quality agricultural land.
- ensure subdivision occurs on land that is accessible and able to be cost effectively provided with adequate road access.
- Ensure that landscape and environmental values are considered, protected and enhanced.
- To ensure that dwellings which are excised do not prejudice agricultural production activities.

It is policy that:

- Subdivisions and re-subdivisions that promote and facilitate farm restructuring or agricultural diversification will be supported.
- Rural re-subdivisions should be undertaken in a manner that demonstrates that the proposal supports and promotes agricultural production, efficient farm operations, supports natural resource management and responds to the opportunities and constraints of the site.

In relation to these policy requirements it is considered that:

- The subject land has not been identified as being of high quality or strategically important at local, regional or state context and it will not cause the fragmentation of high quality agricultural land;
- No additional lots are to be created;
- The dwelling excision has been framed to minimise the loss of agricultural land;
- The subdivision response to site opportunities and constraints;
- There is excellent road access and the subdivision and subsequent development will facilitate infrastructure efficiencies; and
- Environmental values will not be impacted.

Rural Dwellings - Clause 22.02

This policy applies to land in the Rural Activity Zone. It provides that dwellings in the RAZ are to consider hazards present, the suitability of access and the relative isolation of the site. It goes on to state that careful siting of dwellings must be considered to protect the scenic and environmental values which attract people to live in the rural areas of the Shire. Objectives include:

- *To limit new housing development on high quality and versatile agricultural land and prevent the residential use of high quality agricultural land.*
- *To ensure that the dwellings are sited so as to avoid wherever possible land designated as being of high quality agricultural land or containing environmental hazards such as flooding, inundation, erosion or fire.*
- *To discourage dwellings in isolated or remote locations where there is an inadequacy of road access, an increased fire risk, or if access construction would lead to loss of environmental values.*
- *To ensure that dwellings constructed on rural lots have the capacity to treat and retain all wastes on site and can manage domestic waste water without degrading the environment.*

The proposal is considered to be consistent with the requirements of Clause 22.02. Land Capability Assessment has informed the siting of the dwellings and waste water can be managed in accordance with statutory requirements. The proposed development is located on land that can be considered of moderate agricultural quality, the subject land has access to electricity and telecommunications infrastructure and there is excellent road access. Given that rural residential uses have been established in the area for some time, there is unlikely to be land use conflict arising from the proposal. There are no identified natural hazards at the site with the proposed dwellings being external to the Bushfire Management overlay and Floodway Overlay.

Effluent Disposal and Water Quality - Clause 22.08

According to this policy, development within the Shire that cannot be serviced by reticulated sewerage should be located and designed to account for the sites environmental attributes and any nearby environmental features, such as, waterways wetlands, bores and dams, particularly features providing water for stock, human or food production purposes.

A Land Capability Assessment has been prepared for each of the proposed seven (7) lots that are candidate for future rural dwellings. All of the nominated sites are

capable of treating effluent within the bounds of proposed property boundaries in accordance with statutory requirements.

RURAL ACTIVITY ZONE (RAZ)

The subject land is wholly located within the Rural Activity Zone (RAZ). This zone provides at Clause 35.08-3 that a permit is required to subdivide land and that a permit may be granted to create smaller lots if any of the following apply:

- *The subdivision is to create a lot for an existing dwelling;*
- *The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. At least one lot must be the area specified for the land in a schedule to this zone; and*
- *The subdivision is the re-subdivision of existing lots and the number of lots is not increased.*

Relevant purposes of the Rural Activity Zone include:

- *To provide for the use of land for agriculture.*
- *To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.*
- *To ensure that use and development does not adversely affect surrounding land uses.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*
- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The Schedule to the Rural Activity Zone articulates the purpose of the zone in the Towong Shire context. Within Towong Shire the RAZ seeks to:

- To provide for a range of land use and development that does not adversely affect surrounding uses.
- To recognise the need to strengthen and diversify the economic base of the Shire.
- To provide a flexible approach to the consideration of land use and development proposals to off-set the adverse effects of economic restructuring and climate change on the agricultural sector.
- To encourage opportunities that contribute to population stability and growth in the Shire.

Given the purpose of the RAZ within the Towong context, the re-subdivision component of the proposal is considered to be consistent with the zone. The proposal will result in thirteen (13) lots derived from thirteen (13) existing lots. In addition to there being no increase in the number of lots, overall the proposed re-subdivision includes five (5) lots that are equal to or greater than the minimum lot size specified within the schedule to the zone, being 40ha. The re-subdivision strikes an appropriate balance between retaining a large proportion of the property for agriculture whilst providing for other compatible land uses in a manner that is consistent with the purpose of the zone.

The RAZ in the Towong context is a zone that seeks to enable diverse outcomes and to encourage opportunities that contribute to population stability and growth in the Shire. It recognises the need to strengthen and diversify the economic base of the Shire and address rural depopulation. The proposal, which includes seven dwellings, provides an outcome explicitly sought by the RAZ. The provided design response seeks to reinforce existing land use patterns by directing the future rural residential development toward the area where this type of land use is already established. Including the existing dwellings on the subject land, the overall dwelling density across the overall holding will be in the order 1 dwelling per 74ha, providing an outcome inherently consistent with the RAZ.

Rural Activity Decision Guidelines

Apart from the general decision guidelines set out in clause 65 of the planning scheme there are a number of specific decision guidelines set out in clause 35.08-5 relating to the use and development of the land that are required to be taken into account. These specific guidelines relate not only to general issues such as 'whether the land is suitable' but also include consideration of the maintenance of farm production and a range of environmental issues.

General issues

- *The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The proposal is consistent with the North East Catchment Management Authority Regional Catchment Strategy.*
- *The land's site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns do not preclude re-subdivision of the land as proposed, including the disposal of wastewater from future dwellings on the proposed lots.*
- *The proposal could promote sustainable land management by providing smaller parcels of land in separate ownership.*

- *Rural residential land uses are already located in the immediate area and within this context there is unlikely to be land use compatibility issues arising from the proposal.*

Agricultural issues

- *The proposal is unlikely to impact adversely upon agricultural production or limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The proposal is unlikely to diminish the existing capacity of the site to sustain agricultural uses.*
- *The land is described as being of moderate agricultural capability by multiple land capability studies.*

Dwelling Issues

- *There will not be a fragmentation of highly productive agricultural land.*
- *The proposed dwellings will not be adversely affected by surrounding rural land uses.*
- *Any future dwellings will not adversely affect the operation of nearby agricultural uses.*

Environmental issues

- *There will be no significant environmental impact as a result of the proposal and the supplied land capability assessments suggest that there will be no direct impacts on water quality.*
- *The impact of the use or development on the landscape features of the locality will be minimal and planning permit conditions can satisfactorily mitigate landscape impacts. The proposal will not require the removal of native vegetation.*
- *All wastewater disposal areas can comply with prescribed setbacks.*
-

Design and issues

- *There will be no adverse impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance. A permit can be conditioned to mitigate visual and landscape impacts.*
- *Appropriate infrastructure exists to enable the development and the proposal will promote infrastructure efficiencies.*
- *The development is to utilise existing access points from Murray Valley Highway, Cudgewa Road and Back Cudgewa Roads Additional and traffic*

issues have been considered by Council's Technical Services department and VicRoads.

•

BUSHFIRE MANAGEMENT OVERLAY (BMO)

Part of the subject land comprising that section of the property within the south western corner is partially affected by the Bushfire Management Overlay (BMO). Relevant purposes of the overlay include:

- *To ensure that development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The application was referred to the CFA in accordance with Section 55 of the Planning and Environment Act. They have responded with no objection subject to permit conditions being inserted on the permit. In light of the CFA not objecting to the application, it is asserted that the objectives have been satisfied. None of the dwellings are located within the BMO.

GENERAL PROVISIONS - CLAUSE 65 (DECISION GUIDELINES)

Clause 65 states that because discretion exists for a permit to be issued this does not mean that a permit must be issued. Rather, the provisions at Clause 65 make it clear that consideration needs to be given to whether the outcome is one which is acceptable having regard to such matters as the Scheme's policies and orderly planning. The application has been considered against the requirements of Section 60 of the Planning and Environment Act taking into account the submissions received. The following comments are provided in relation to the decision guidelines provided at clauses 65.01 and 65.02.

Clause 65.01- Decision Guidelines

- *The Towong Planning Scheme*

This report addresses the relevant requirements of the Towong Planning Scheme.

- *The objectives of planning in Victoria*

This proposal is considered to be consistent with the objective of the provision of fair orderly, economic and sustainable use of land and

other relevant objectives as set out in the Planning and Environment Act 1987.

- *All objections and other submissions which have been received and which have not been withdrawn*

The application has received seven objections which are considered in this report.

- *Any decision and comments of a referral authority which it has received*

Goulburn Murray Water, Ausnet Services, VicRoads have requested permit conditions.

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

This report addresses the relevant requirements of the Towong Planning Scheme State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF). The proposal is considered to be consistent with both the SPPF and LPPF.

- *The purpose of and any matter required to be considered by the zone, overlay or other provision:*

This report addresses the relevant requirements under the Rural Activity Zone (RAZ) and Bushfire Management Overlay (BMO). The proposal is considered to be consistent with both the RAZ and the BMO.

- *The orderly planning of the area:*

It is considered that the proposal represents orderly planning for the subject land and landuse outcomes will be compatible and consistent with existing nearby land uses. The re-subdivision will not compromise the ability of the land to continue to be used for productive agricultural purposes.

- *The effect on the amenity of the area:*

The effect on amenity of the area, both in terms of visual impact and any potential impact on agriculture has been addressed by this report. Landscape impacts can be mitigated by permit conditions.

- *The proximity of the land to any public land:*

The subject land is adjacent to Crown land which is administered by the Department of Environment, Land, Water and Planning (DELWP). In accordance with Section 52 of the Act they received a formal notification and responded with no objection to the proposal.

- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality:*

The development is unlikely to degrade the land, contribute to salinity or reduce water quality. Land capability assessments have been provided and they demonstrate that the land has the capacity to manage domestic wastewater.

- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site:*

The proposal will not significantly change stormwater discharges.

- *The extent and character of native vegetation and the likelihood of its destruction:*

No native vegetation is proposed to be removed or destroyed.

- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate:*

No native vegetation is to be removed

- *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 minimise any such hazard.*

There are no overlays over the land indicating a flood hazard and erosion control measures can be implemented during the construction phase. The BMO only applies to a small part of the land, but none of the proposed dwellings are within or close to the BMO.

Clause 65.02 - Approval of an application to subdivide land

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

- The suitability of the land for subdivision.

The subject land is suitable for re-subdivision. The proposal is responsive to opportunities and constraints and can utilise existing infrastructure.

- The existing use and possible future development of the land and nearby land.

The design response reinforces existing subdivision patterns and land use arrangements in the immediate area and will not impact on nearby agricultural activity.

- The availability of subdivided land in the locality, and the need for the creation of further lots.

No additional lots are to be created via this proposal.

- The effect of development on the use or development of other land which has a common means of drainage.

Existing drainage patterns downstream of the subject land will not be affected by the proposal.

- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

The proposal has regard to site opportunities and constraints and will not require the removal of native vegetation.

- The density of the proposed development and the area and dimensions of each lot in the subdivision.

There will be no change to the number of lots. Smaller lots will be directed to an area where rural residential land use already exists and larger lots will be retained for agriculture in the south of the property.

- The layout of roads having regard to their function and relationship to existing roads.

The subject land has excellent road frontage.

- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.

No movement of pedestrians is proposed within the development. Excellent road access is available to all lots.

- The provision and location of reserves for public open space and other community facilities.

Not Applicable.

- The staging of the subdivision.

Not Applicable.

- The design and siting of buildings having regard to safety and the risk of spread of fire.

Not Applicable.

- The provision of off-street parking.

Not Applicable.

- The provision and location of common property.

Not Applicable

- The functions of any body corporate.

Not applicable

- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

Electricity and telephone services are readily available. The subject land is also capable of connection to reticulated water supply.

- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.

All the resultant lots are sufficiently large enough to accommodate on-site effluent disposal systems as well as reserve back-up areas if required in full compliance with EPA publication 891.3 as well as AS:NZ 1547:2012.

- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

No removal of native vegetation is envisaged with the current subdivision design.

DISCUSSION OF OBJECTIONS

The grounds for objection have raised issues for consideration. The key themes have been raised the objections are addressed below:

The loss and fragmentation of agricultural land and that smaller lots will be uneconomical

It is reiterated that the subject land has not been identified as high quality or strategically important for agriculture in either the North East Land Resource Assessment (2002) or the Department of Agriculture Rural Land Mapping Project. The proposal will not yield any additional lots and the average lot size is larger than the nominated minimum lot size in the zone (40ha). The smaller lots with dwellings will be concentrated in an area that is framed by the Murray Valley Highway, Cudgewa Road and Back Cudgewa Road, an area that already contains rural residential development. These lots will retain some productive potential. The permit can be conditioned to include a Section 173 Agreement to prevent further subdivision of the proposed large lots.

Potential land use conflicts

There is already rural residential land use abutting broad acre grazing properties in the immediate area and there is little evidence to suggest that land use conflict has been an issue in the area in the past. The proposal offers a design response that will consolidate and reinforce existing land use arrangements and as a consequence land use conflict is unlikely to arise from the proposal.

Removal of views, increased traffic, loss of birdlife habitat and inflated rates

Landscape impacts can be adequately mitigated through permit conditions such as landscaping and control of built form. Traffic and road safety issues have been dealt

with through internal referral to the Technical Services Department and VicRoads. A change in Council rates is not a planning consideration.

The objections reflect a genuine concern over the possible impacts of the proposal, however given the stated position of the Towong Planning Scheme, particularly the Rural Activity Zone and MSS, the matters raised in the objections are not sufficient to warrant the refusal of a Planning permit.

DISCUSSION

The current Towong Shire rural zoning arrangements have been based upon agricultural quality maps produced by the then Department of Agriculture in the mid 1980's. These maps were produced at a scale of 1 to 50,000 and under this approach, high quality agricultural land defined by the mapping was translated to Farming Zone (FZ), with most of the balance of land across the municipality going into Rural Activity Zone (RAZ) via Towong Planning Scheme Amendment C14. This approach to applying the suite of rural zones was endorsed by the Panel appointed to make recommendations about amendment C14.

The Towong Shire Rural Land Use Study identified that within Towong Shire, 40% of the agricultural output is derived from just 6% of the land area. By having a spatially differentiated approach to zone deployment based on the agricultural quality of the land, a more targeted and strategic approach to land use decision making has become possible – in areas of high quality agricultural land, agriculture can and is afforded particular protection. The MSS signals that in those parts of the rural landscape that contribute most to the overall Shire 'farm gate' output, agriculture and food production have primacy. This approach also allows for flexibility and discretion in those parts of the rural landscape that are less economically important from a rural production perspective, thereby assisting in the achieving the aspirations of increased economic diversity and population growth. The subject land is located within such an area.

The strategic position of the Towong Planning Scheme is one where apart from single focus on a perceived need to protect rural areas from unplanned loss of productive agricultural land, land use planning needs to provide for the equally valuable economic and social contribution of vibrant agricultural communities. The emphasis of the Towong Planning Scheme is for merits based outcomes within the Rural Activity Zone that provide rural diversity, including small farms. The land use planning vision of the Towong Planning Scheme recognises and responds to the multifunctional nature of the Towong rural landscape in order to cater for differing rural land use planning outcomes across the Shire. The planning aspirations for the 'Transitional Towong' rural planning policy unit, where the subject land is located, are to encourage diverse land use planning outcomes and to address established trends of rural depopulation.

The proposal offers a design response that responds to the site opportunities and constraints and it is apparent that support for the proposal resides within the Schedule to the Rural Activity Zone and in particular, the MSS itself.

CONCLUSION:

The application has been assessed and the recommendations in this report have been based on:

- Appropriate planning law;
- Provisions of the Towong Planning Scheme;
- The submissions made by the applicant in support of the proposal;
- The submissions made in objection to the proposal; and
- A site inspection.

It is considered that the substantive requirements of the SPPF and LPPF, MSS, Rural Activity Zone, Particular and General Provisions and the Decision Guidelines of Clause 65 of the Towong Planning Scheme are met. It is therefore recommended that conditional approval be granted for the re-subdivision and the use and development of Lot 2 PS 549783, Lot 1 TP 236270, Lot 1 TP 406291, Lot 1 TP 80845, Lot 1 TP 675768, Lot 1 TP 678532, CA 2 Section 12, CA 2A Section 12, Lot 1 PS 118606, CP 106186, CA 17 Section 12, Lot 1 PS 1300243, CA 11A Parish of Wabba, for the purpose of seven dwellings.

RECOMMENDATION:

THAT COUNCIL HAVING CAUSED NOTICE OF PLANNING APPLICATION NO. 2015/050 TO BE GIVEN UNDER SECTION 52 OF THE PLANNING AND ENVIRONMENT ACT 1987 AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE PLANNING AND ENVIRONMENT ACT 1987 DECIDES TO ISSUE A NOTICE OF DECISION TO GRANT A PERMIT PURSUANT TO SECTION 64 OF THE PLANNING AND ENVIRONMENT ACT WITH RESPECT TO THE LAND KNOWN AND DESCRIBED AS LOT 2 PS 549783, LOT 1 TP 236270, LOT 1 TP 406291, LOT 1 TP 80845, LOT 1 TP 675768, LOT 1 TP 678532, CA 2 SECTION 12, CA 2A SECTION 12, LOT 1 PS 118606, CP 106186, CA 17 SECTION 12, LOT 1 PS 1300243, CA 11A PARISH OF WABBA, FOR A RE-SUBDIVISION AND THE USE AND DEVELOPMENT OF LAND FOR THE PURPOSE OF SEVEN NEW DWELLINGS IN ACCORDANCE WITH THE ENDORSED PLANS AND DOCUMENTATION AND SUBJECT TO THE FOLLOWING CONDITIONS:

PLANS NOT TO BE ALTERED

- 1. THE PROPOSAL IS TO BE CARRIED OUT IN ACCORDANCE WITH THE ENDORSED PLANS. ANY AMENDMENTS TO THESE PLANS ARE MARKED IN RED. THE APPROVED BUILDING ENVELOPES ARE TO BE LOCATED IN AREAS SHOWN ON THE ENDORSED PLANS. THESE PLANS AND DETAILS ARE NOT TO BE ALTERED EXCEPT WITH THE PRIOR WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY.**

SEDIMENT CONTROL

- 2. ALL CONSTRUCTION ACTIVITIES MUST FOLLOW SEDIMENT CONTROL PRINCIPLES OUTLINED IN 'CONSTRUCTION TECHNIQUES FOR SEDIMENT POLLUTION CONTROL' (EPA, 1991).**

FURTHER PLANS TO BE SUBMITTED

- 3. THE DEVELOPMENT PART OF THIS PERMIT HAS NO FORCE OR EFFECT AND CANNOT START UNTIL SUCH TIME AS TWO (2) COPIES OF SCALED AND DIMENSIONED PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE RESPONSIBLE AUTHORITY. THESE PLANS MUST INCLUDE:**

**SITE PLAN SHOWING THE DIMENSIONED BUILDING ENVELOPE;
DIMENSIONED FLOOR AND ELEVATION PLANS OF THE PROPOSED
BUILDINGS AND SCHEDULE OF MATERIALS AND COLOURS;**

**ALL BUILDINGS, INCLUDING BUILDINGS ANCILLARY TO THE DWELLINGS
MUST BE:**

**SINGLE STOREY;
DESIGNED TO ASSIMILATE INTO THE NATURAL ENVIRONMENT
THROUGH THE
SELECTED USE OF MATERIALS, COLOURS, BUILT FORM AND
ROOF PITCH;
SITED WITHIN THE APPROVED BUILDING ENVELOPE; AND**

**ONCE APPROVED THESE PLANS WILL FORM PART OF THIS PERMIT AND
ALL WORKS MUST BE UNDERTAKEN IN ACCORDANCE WITH THE
ENDORSED PLANS.**

ROOFING AND CLADDING

- 4. THE ROOF AND CLADDING COLOUR OR COLOURS OF ALL BUILDINGS AND THE FINISHED COLOURS OF ANY ABOVEGROUND WATER STORAGE TANKS MUST BE NON-REFLECTIVE IE NOT A "ZINCALUME" TYPE MATERIAL. NEUTRAL "EARTH" COLOURS ARE TO BE USED IE "GREENS",**

“REDS”, “GREYS” OR “BROWNS” SO AS TO ADDRESS THE RURAL CHARACTER OF THE AREA.

LANDSCAPING

- 5. BEFORE THE ISSUE OF A STATEMENT OF COMPLIANCE A LANDSCAPE PLAN TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE SUBMITTED TO AND APPROVED BY THE RESPONSIBLE AUTHORITY. WHEN APPROVED THE PLAN WILL BE ENDORSED AND WILL THEN FORM PART OF THE PERMIT. THE PLAN MUST SHOW THE LOCATION OF VEGETATION TO BE RETAINED TOGETHER WITH THE TYPE AND LOCATION OF ALL PROPOSED TREE AND SHRUBS PLANTINGS, WHICH MUST BE PLANTED IN THE AREAS MARKED RED ON THE ENDORSED PLANS. ALL LANDSCAPING ON EACH LOT MUST BE COMPLETED PRIOR TO THE COMMENCEMENT OF THE USE OF EACH LOT FOR THE PURPOSE OF A DWELLING.**

SECTION 173 AGREEMENT

- 6. PRIOR TO A STATEMENT OF COMPLIANCE BEING ISSUED FOR THE SUBDIVISION, THE OWNER MUST ENTER INTO AN AGREEMENT PURSUANT TO SECTION 173 OF THE PLANNING AND ENVIRONMENT ACT 1987 WITH AND AT NO COST TO THE RESPONSIBLE AUTHORITY. THE FOLLOWING AGREEMENTS ARE REQUIRED:**
 - a) AN AGREEMENT IS TO BE PLACED ON ALL LOTS AND IS TO STATE THAT THE LAND IS LOCATED IN A RURAL AREA AND THERE MAY BE AMENITY IMPACTS, SUCH AS NOISE, DUST AND SMELL CAUSED BY NEARBY AGRICULTURAL ACTIVITY.**
 - b) AN AGREEMENT IS TO BE PLACED ON PROPOSED LOTS 2, 9, 11, 12 AND 13 AND INDICATE THAT THE LAND MAY NOT BE FURTHER SUBDIVIDED SO AS TO INCREASE THE NUMBER OF LOTS.**

LODGEMENT OF THE AGREEMENT AT THE TITLES OFFICE MUST OCCUR AT THE TIME THAT THE PLAN OF SUBDIVISION IS LODGED AT THE TITLES OFFICE. COST OF PREPARATION AND LODGEMENT OF THE AGREEMENT AT THE TITLES OFFICE IS TO BE AT THE APPLICANT’S EXPENSE.

COMMENCEMENT OF DEVELOPMENT

- 7. THE DEVELOPMENT OF EACH APPROVED LOT FOR THE PURPOSE OF A DWELLING MUST NOT COMMENCE UNTIL A STATEMENT OF COMPLIANCE HAS BEEN PROVIDED FOR THE APPROVED RE-SUBDIVISION AND THE TITLES PROVIDED TO COUNCIL.**

EFFLUENT DISPOSAL

- 8. APPROVAL FOR AN EFFLUENT DISPOSAL AND WASTE MANAGEMENT TREATMENT SYSTEM FOR EACH APPROVED DWELLING IS TO BE OBTAINED FROM COUNCIL. THE SYSTEM IS TO COMPLY WITH THE ENVIRONMENT PROTECTION AUTHORITY'S CODE OF PRACTICE – ON-SITE WASTE WATER MANAGEMENT (PUBLICATION 891.3 FEBRUARY 2013) AND IS TO BE LOCATED SO AS TO ENSURE ALL EFFLUENT AND WASTEWATER IS DISPOSED OF AND ABSORBED WITHIN THE BOUNDARIES OF THE LAND, TO THE SATISFACTION OF COUNCIL'S ENVIRONMENTAL HEALTH OFFICER AND GENERALLY IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE RELEVANT LAND CAPABILITY ASSESSMENT.**

- 9. PRIOR TO THE ISSUE OF A STATEMENT OF COMPLIANCE, PLANS SHOWING THE LOCATION OF THE EXISTING WASTEWATER SYSTEM FOR THE DWELLING AT 2469 MURRAY VALLEY HIGHWAY MUST BE PROVIDED TO COUNCIL AND INDICATE THAT THE EXISTING WASTEWATER SYSTEM IS WHOLLY WITHIN THE BOUNDARIES OF PROPOSED LOT 8 TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

STANDARD SUBDIVISION CONDITIONS

- 10. THE OWNER OF THE LAND MUST ENTER INTO AGREEMENTS WITH THE RELEVANT AUTHORITIES FOR THE PROVISION OF WATER SUPPLY, DRAINAGE, SEWERAGE FACILITIES, ELECTRICITY AND GAS SERVICES TO EACH LOT SHOWN ON THE ENDORSED PLAN IN ACCORDANCE WITH THE AUTHORITY'S REQUIREMENTS AND RELEVANT LEGISLATION AT THE TIME.**

- 11. ALL EXISTING AND PROPOSED EASEMENTS AND SITES FOR EXISTING OR REQUIRED UTILITY SERVICES AND ROADS ON THE LAND MUST BE SET ASIDE IN THE PLAN OF SUBDIVISION SUBMITTED FOR CERTIFICATION IN FAVOUR OF THE RELEVANT AUTHORITY FOR WHICH THE EASEMENT OR SITE IS TO BE CREATED.**

- 12. THE PLAN OF SUBDIVISION, SUBMITTED FOR CERTIFICATION UNDER THE SUBDIVISION ACT 1988, MUST BE REFERRED TO THE RELEVANT AUTHORITY IN ACCORDANCE WITH SECTION 8 OF THAT ACT.**

DRIVEWAY ENTRANCES

- 13. A WORKS WITHIN THE ROAD RESERVE PERMIT MUST BE APPLIED TO COUNCIL FOR THE CONSTRUCTION OF NEW DRIVEWAYS FROM COUNCIL ROADS FOR EACH OF THE APPROVED DWELLINGS.**

14. PRIOR TO THE ISSUE OF A STATEMENT OF COMPLIANCE NEW DRIVEWAY ENTRANCES ON COUNCIL ROADS ARE TO BE SITED AND CONSTRUCTED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND IN ACCORDANCE WITH THE INFRASTRUCTURE DESIGN MANUAL.

WATER SUPPLY REQUIREMENTS

15. FOR EACH APPROVED DWELLING, A STATIC WATER SUPPLY, SUCH AS A TANK MUST BE PROVIDED.

THIS STATIC WATER SUPPLY MUST MEET THE FOLLOWING REQUIREMENTS:

- a) A MINIMUM OF 20,000 LITRES ON-SITE STATIC STORAGE MUST BE PROVIDED ON THE LOT AND BE MAINTAINED SOLELY FIRE FIGHTING.**
- b) THE WATER SUPPLY MUST BE LOCATED WITHIN 60 METRES OF THE DWELLING.**
- c) FIRE BRIGADE VEHICLES MUST BE ABLE TO GET ACCESS TO WITHIN FOUR METRES OF THE CFA OUTLET ON THE TANK .**
- d) THE WATER SUPPLY MUST BE READILY IDENTIFIABLE FROM THE BUILDING OR APPROPRIATE SIGNAGE (SEE APPENDIX A: FIGURE 1) MUST POINT TO THE WATER SUPPLY. ALL BELOW-GROUND WATER PIPELINES MUST BE INSTALLED TO THE FOLLOWING DEPTHS:**

SUBJECT TO VEHICLE TRAFFIC – 300 MM

UNDER HOUSES OR CONCRETE SLABS – 75 MM

ALL OTHER LOCATIONS – 225 MM

ALL FIXED ABOVE-GROUND WATER PIPELINES AND FITTINGS, INCLUDING WATER SUPPLY, MUST BE CONSTRUCTED OF NON-CORROSIVE AND NON-COMBUSTIBLE MATERIALS OR PROTECTED FROM THE EFFECTS OF RADIANT HEAT AND FLAME.

IF THE STATIC WATER SUPPLY IS ABOVE GROUND THE FOLLOWING ADDITIONAL STANDARDS APPLY:

ALL ABOVE-GROUND STATIC WATER SUPPLIES MUST BE PROVIDED WITH AT LEAST ONE 64 MM 3 THREAD / 25 MM X 50 MM NOMINAL BORE BRITISH STANDARD PIPE (BSP), ROUND MALE COUPLING (SEE APPENDIX A: FIGURE 2).

ALL PIPE WORK AND VALVING BETWEEN THE WATER SUPPLY AND THE OUTLET MUST BE NO LESS THAN 50 MM NOMINAL BORE.

IF LESS THAN 20 METRES FROM THE BUILDING, EACH OUTLET MUST FACE AWAY FROM THE BUILDING TO ALLOW ACCESS DURING EMERGENCIES.

ACCESS REQUIREMENTS

16. ACCESS TO THE APPROVED DWELLINGS AND THE WATER SUPPLY MUST BE DESIGNED TO ALLOW EMERGENCY VEHICLES ACCESS. THE MINIMUM DESIGN REQUIREMENTS ARE AS FOLLOWS:

**CURVES MUST HAVE A MINIMUM INNER RADIUS OF TEN METRES;
THE AVERAGE GRADE MUST BE NO MORE THAN 1 IN 7 (14.4%) (8.1°)
WITH A MAXIMUM OF NO MORE THAN 1 IN 5 (20%) (11.3°) FOR NO
MORE THAN 50 METRES;
DIPS MUST HAVE NO MORE THAN A 1 IN 8 (12.5%) (7.1°) ENTRY
AND EXIT ANGLE.**

IF THE ACCESS TO THE DWELLING(S) AND WATER SUPPLY, INCLUDING GATES, BRIDGES AND CULVERTS, IS GREATER THAN 30 M LONG, THE DRIVEWAY:

- a) **MUST BE DESIGNED, CONSTRUCTED AND MAINTAINED FOR A VEHICLE CAPACITY OF AT LEAST 15 TONNES, AND**
- b) **BE ALL WEATHER CONSTRUCTION; AND
MUST PROVIDE A MINIMUM TRAFFICABLE WIDTH OF FOUR METRES,
AND**
- c) **BE CLEAR OF ENCROACHMENTS FOUR METRES VERTICALLY (SEE APPENDIX A: FIGURE 3).**

IF THE ACCESS TO THE DWELLING IS LONGER THAN 100 METRES, A TURNING AREA FOR FIRE FIGHTING VEHICLES CLOSE TO THE DWELLING MUST BE PROVIDED BY EITHER:

- a) **A TURNING CIRCLE WITH A MINIMUM RADIUS OF TEN METRES;
OR**
- b) **BY THE DRIVEWAY ENCIRCLING THE DWELLING; OR**
- c) **A "T" HEAD OR "Y" HEAD WITH A MINIMUM FORMED SURFACE OF EACH LEG BEING EIGHT METRES IN LENGTH MEASURED FROM THE CENTRE POINT OF THE HEAD, AND**
- d) **FOUR METRES TRAFFICABLE WIDTH (SEE APPENDIX A: FIGURE 4).**

IF THE LENGTH OF THE ACCESS IS GREATER THAN 200 METRES, PASSING BAYS MUST BE PROVIDED. PASSING BAYS MUST BE 20 METRES LONG AND MUST BE PROVIDED EVERY 200 METRES, WITH A TRAFFICABLE WIDTH OF 6 METRES (SEE APPENDIX A: FIGURE 5).

GOULBURN MURRAY WATER CONDITIONS

17. ALL WASTEWATER FROM THE EXISTING DWELLINGS ON LOTS 12 AND 13 MUST BE DISPOSED OF VIA CONNECTION TO THE EXISTING WASTEWATER MANAGEMENT SYSTEM. IF NECESSARY, THE SYSTEM MUST BE UPGRADED TO MEET THE REQUIREMENTS OF THE CURRENT EPA CODE OF PRACTICE – ONSITE WASTEWATER MANAGEMENT (INCLUDING MINIMUM WASTEWATER DISPOSAL BUFFER ZONES FROM WATERWAYS, DAMS ON WATERWAYS AND AN APPROPRIATE LEVEL OF TREATMENT). ALL ALTERATIONS TO THE EXISTING SYSTEM MUST BE TO THE SATISFACTION OF COUNCIL’S ENVIRONMENTAL HEALTH DEPARTMENT.

18. EACH OF THE PROPOSED LOTS WHICH WILL HAVE A DWELLING DEVELOPMENT AND USE MUST SHOW THE WASTEWATER DISPOSAL ENVELOPE ON ANY PLAN OF SUBDIVISION SUBMITTED FOR APPROVAL. (THIS MAY BE BY USING A S173 AGREEMENT).

19. ALL WASTEWATER FROM THE PROPOSED DWELLINGS MUST BE TREATED TO A STANDARD OF AT LEAST 20MG/L BOD AND 30MG/L SUSPENDED SOLIDS USING A PACKAGE TREATMENT PLANT OR EQUIVALENT. THE SYSTEM MUST BE AN EPA APPROVED SYSTEM, INSTALLED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE RELEVANT EPA CODE OF PRACTICE AND CERTIFICATE OF APPROVAL.

20. THE WASTEWATER DISPOSAL AREA MUST BE KEPT FREE OF STOCK, BUILDINGS, DRIVEWAYS AND SERVICE TRENCHING AND MUST BE PLANTED WITH APPROPRIATE VEGETATION TO MAXIMISE ITS PERFORMANCE. STORMWATER MUST BE DIVERTED AWAY. A RESERVE WASTEWATER DISPOSAL FIELD OF EQUIVALENT SIZE TO THE PRIMARY DISPOSAL FIELD MUST BE PROVIDED FOR USE IN THE EVENT THAT THE PRIMARY FIELD REQUIRES RESTING OR HAS FAILED.

21. ANY PLAN OF SUBDIVISION LODGED FOR CERTIFICATION MUST BE REFERRED TO GOULBURN-MURRAY RURAL WATER CORPORATION PURSUANT TO SECTION 8(1)(A) OF THE SUBDIVISION ACT.

SP AUSNET CONDITIONS

22. THE PLAN OF SUBDIVISION SUBMITTED FOR CERTIFICATION MUST BE REFERRED TO AUSNET ELECTRICITY SERVICES PTY LTD IN ACCORDANCE WITH SECTION 8 OF THE SUBDIVISION ACT 1988. THE APPLICANT MUST –

- **ENTER IN AN AGREEMENT WITH AUSNET ELECTRICITY SERVICES PTY LTD FOR SUPPLY OF ELECTRICITY TO EACH LOT ON THE ENDORSED PLAN.**
- **ENTER INTO AN AGREEMENT WITH AUSNET ELECTRICITY SERVICES PTY LTD FOR THE REARRANGEMENT OF THE EXISTING ELECTRICITY SUPPLY SYSTEM.**
- **ENTER INTO AN AGREEMENT WITH AUSNET ELECTRICITY SERVICES PTY LTD FOR REARRANGEMENT OF THE POINTS OF SUPPLY TO ANY EXISTING INSTALLATIONS AFFECTED BY ANY PRIVATE ELECTRIC POWER LINE WHICH WOULD CROSS A BOUNDARY CREATED BY THE SUBDIVISION, OR BY SUCH MEANS AS MAY BE AGREED BY AUSNET ELECTRICITY SERVICES PTY LTD.**
- **PROVIDE EASEMENTS SATISFACTORY TO AUSNET ELECTRICITY SERVICES PTY LTD FOR THE PURPOSE OF "POWER LINE" IN THE FAVOUR OF "AUSNET ELECTRICITY SERVICES PTY LTD" PURSUANT TO SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000, WHERE EASEMENTS HAVE NOT BEEN OTHERWISE PROVIDED, FOR ALL EXISTING AUSNET ELECTRICITY SERVICES PTY LTD ELECTRIC POWER LINES AND FOR ANY NEW POWER LINES REQUIRED TO SERVICE THE LOTS ON THE ENDORSED PLAN AND/OR ABUTTING LAND.**
- **OBTAIN FOR THE USE OF AUSNET ELECTRICITY SERVICES PTY LTD ANY OTHER EASEMENT REQUIRED TO SERVICE THE LOTS.**
- **ADJUST THE POSITION OF ANY EXISTING AUSNET ELECTRICITY SERVICES PTY LTD EASEMENT TO ACCORD WITH THE POSITION OF THE ELECTRICITY LINE(S) AS DETERMINED BY SURVEY.**
- **SET ASIDE ON THE PLAN OF SUBDIVISION RESERVES FOR THE USE OF AUSNET ELECTRICITY SERVICES PTY LTD FOR ELECTRIC SUBSTATIONS.**
- **PROVIDE SURVEY PLANS FOR ANY ELECTRIC SUBSTATIONS REQUIRED BY AUSNET ELECTRICITY SERVICES PTY LTD AND FOR ASSOCIATED POWER LINES AND CABLES AND EXECUTES LEASES FOR A PERIOD OF 30 YEARS, AT A NOMINAL RENTAL WITH A RIGHT TO EXTEND THE LEASE FOR A FURTHER 30 YEARS. AUSNET ELECTRICITY SERVICES PTY LTD REQUIRES THAT SUCH LEASES ARE TO BE NOTED ON THE TITLE BY WAY OF A CAVEAT OR A NOTIFICATION UNDER SECTION 88 (2) OF THE TRANSFER OF LAND ACT PRIOR TO THE REGISTRATION OF THE PLAN OF SUBDIVISION.**
- **PROVIDE TO AUSNET ELECTRICITY SERVICES PTY LTD A COPY OF THE PLAN OF SUBDIVISION SUBMITTED FOR CERTIFICATION THAT SHOWS ANY AMENDMENTS THAT HAVE BEEN REQUIRED.**
- **AGREE TO PROVIDE ALTERNATIVE ELECTRICITY SUPPLY TO LOT OWNERS AND/OR EACH LOT UNTIL SUCH TIME AS PERMANENT SUPPLY IS AVAILABLE TO THE DEVELOPMENT BY AUSNET**

ELECTRICITY SERVICES PTY. LTD. INDIVIDUAL GENERATORS MUST BE PROVIDED AT EACH SUPPLY POINT. THE GENERATOR FOR TEMPORARY SUPPLY MUST BE INSTALLED IN SUCH A MANNER AS TO COMPLY WITH THE ELECTRICITY SAFETY ACT 1998.

- **ENSURE THAT ALL NECESSARY AUDITING IS COMPLETED TO THE SATISFACTION OF AUSNET ELECTRICITY SERVICES PTY LTD TO ALLOW THE NEW NETWORK ASSETS TO BE SAFELY CONNECTED TO THE DISTRIBUTION NETWORK.**

VICROADS CONDITIONS

23. PRIOR TO THE ISSUE OF STATEMENT OF COMPLIANCE DIRECT ACCESSES TO THE MURRAY VALLEY HIGHWAY MUST BE UPGRADED TO THE SATISFACTION OF AND AT NO COST TO THE ROADS CORPORATION IN ACCORDANCE WITH STANDARD DRAWING SD2064A TRUCK ACCESS TO RURAL PROPERTIES TYPE A. THIS WILL INCLUDE:

- i) LOT 8 AND 9 TO HAVE JOINT SHARED ACCESS WITH A MINIMUM WIDTH OF 6M TO ALLOW TWO VEHICLES TO PASS**
 - ii) LOT 5 AND 7 TO HAVE JOINT SHARED ACCESS WITH A**
 - iii) MINIMUM WIDTH OF 6M TO ALLOW TWO VEHICLES TO PASS**
- LOT 12**

24. ALL OTHER ACCESS POINTS ARE TO BE IN ACCORDANCE WITH DESIGN RESPONSE, DRAWING NO. 150066_DA05_23JUL15, PREPARED BY EDM GROUP APPENDED TO THE APPLICATION.

25. ALL DISUSED OR REDUNDANT VEHICLE CROSSINGS MUST BE REMOVED AND THE AREA REINSTATED TO THE SATISFACTION OF AND AT NO COST TO THE ROADS CORPORATION PRIOR TO THE ISSUE OF THE STATEMENT OF COMPLIANCE.

PERMIT EXPIRY

26. THIS PERMIT WILL EXPIRE IF THE FOLLOWING CIRCUMSTANCES APPLIES:

RE-SUBDIVISION EXPIRY:

- A. THE PLAN OF SUBDIVISION IS NOT CERTIFIED WITHIN TWO (2) YEARS OF THE DATE OF THIS PERMIT; OR**
- B. THE SUBDIVISION IS NOT COMPLETED WITHIN FIVE (5) YEARS OF THE CERTIFICATION OF THE PLAN OF SUBDIVISION; OR**

DWELLING EXPIRY ON EACH APPROVED LOT:

- C. THE DEVELOPMENT IS NOT STARTED ON EACH LOT WITHIN TWO (2) YEARS OF THE DATE OF ISSUE OF THIS PERMIT; OR**

**D. THE DEVELOPMENT IS NOT COMPLETED AND THE USE
COMMENCED ON EACH LOT WITHIN TWO (2) YEARS OF THE DATE
OF COMMENCEMENT.**

END OF CONDITIONS

PLANNING NOTES:

THIS PERMIT IS NOT A PERMIT ISSUED UNDER THE BUILDING ACT, 1993

17 Environmental sustainability

17.1 Environment Sustainability Report (01/07/0004-DTS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Rachael Gadd, Civil Asset Engineer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Environmental Sustainability activities throughout the Shire.

Landfill Operations

The EPA landfill trench inspection report generated from the EPA's recent inspection of the new landfill has been received and no significant compliance issues were identified. The new cell is now in full operation and open to the public. The old cell has been capped with an engineered liner and will form part of the Resource Recovery Centre.

Transfer station upgrades

Corryong Resource Recovery Centre

The site for the Resource Recovery Centre has now been fenced to separate it from the landfill and leachate dam. A contractor has been engaged to construct a shed for the storage of recovered recyclable materials at the site. The shed construction is due to be completed by 13 November 2015.

A site access road and several hardstands for the segregated storage of recovered materials have also been constructed at the site. The Centre's expected completion date is 30 December 2015 as required by the funding body Sustainability Victoria. It is expected that the site will be open to the public in January.

Tallangatta Transfer Station

Since the arrival of the new compactor truck and Council taking over the remaining recycling contract from Cleanaway a need has arisen for additional storage space for

recyclables awaiting transport to Melbourne. An options analysis is currently underway to assess the most economical options. This work will be undertaken using funding sourced from Sustainability Victoria.

LED street lighting upgrade

A contract has been signed with Ausnet Services who own and operate the street lighting infrastructure in Towong Shire. In order to replace these lights with LED's Council must first buy out the remaining useful life expectancy of the existing lights. The contract sets out the conditions for this purchase.

A purchase order has been issued for the acquisition of the new LED lights which are expected to arrive at the ESL depot in Albury by the end of November. ESL have been awarded the contract for the installation of the lights through the Watts Working Better program. Installation is expected to commence in early December 2015.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

	Note	Sep 2015 YTD (Actual) \$	Sep 2015 YTD (Budget) \$	Sep 2015 YTD (Variance) \$	Sep 2015 YTD (Variance) %	2015/16 Full Year (Budget) \$
Income						
Waste collection		775,542	773,366	2,176	0%	837,468
Waste disposal		416,970	406,197	10,773	3%	538,200
Recycling		371	501	(130)	-26%	2,000
Total Income		1,192,883	1,180,064	12,819	1%	1,377,668
Expenditure						
Waste collection	1	121,178	162,502	41,324	25%	612,583
Waste disposal		61,005	62,098	1,093	2%	347,527
Recycling	2	993	3,252	2,259	69%	13,000
Total Expenditure		183,176	227,852	44,676	20%	973,110
Net Income / (Expenditure)		1,009,707	952,212	57,495	6%	404,558
1. Garbage and recycling collection services now being delivered fully by Council. Current costs less than YTD budget. Some plant hours still to be allocated in actual expenditure. This YTD variance will be a timing difference. 2. Maintenance of recycling facilities to take place as required later in the financial year (timing).						

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Environmental Sustainability area is making good progress in relation to the Council Plan

RECOMMENDATION

THAT THE REPORT BE NOTED.

18 Economic and tourism development

18.1 Economic Development Report (05/01/0001-MED)

The Economic Development Report will be presented at the December meeting.

19 Councillor reports

20 Urgent business

21 Committee minutes

21.1 Upper Murray Business Inc [UMBI] (Cr Joyce)

The unconfirmed minutes of the meeting held on 13 October 2015 are attached at [Appendix 9](#) for information.

RECOMMENDATION:

THAT THE UNCONFIRMED UPPER MURRAY BUSINESS INC MINUTES BE NOTED.

21.2 MAV Emergency Management Committee (Cr Wortmann)

The unconfirmed minutes of the meeting held on 25 September 2015 are attached at [Appendix 10](#) for information.

RECOMMENDATION:

THAT THE UNCONFIRMED MAV EMERGENCY MANAGEMENT COMMITTEE MINUTES BE NOTED.

21.3 Tallangatta Community Centre Advisory Committee (Cr Fraser)

The unconfirmed minutes of the meeting held on 14 October 2015 are attached at [Appendix 11](#) for information.

RECOMMENDATION:

THAT THE UNCONFIRMED TALLANGATTA COMMUNITY CENTRE ADVISORY COMMITTEE MINUTES BE NOTED.

21.4 OHS Committee (06/04/0212-DCCS)

The unconfirmed minutes of the meeting held on 1 October 2015 are attached at [Appendix 12](#) for information.

RECOMMENDATION:

THAT THE UNCONFIRMED OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MINUTES BE NOTED.

22 Council policies (10/01/0007-CEO)

The following policy was tabled for review at the 8 September 2015 Council meeting and is presented at [Appendix 13](#) for adoption. Please note that recommended changes are shown in red and blue.

- Street Stalls and Raffles

RECOMMENDATION:

THAT THE FOLLOWING POLICY AS AMENDED BE ADOPTED:

- **STREET STALLS AND RAFFLES**

The following policy is attached at [Appendix 14](#) for review. Councillors are requested to provide feedback on the policy to the Responsible Officer by 1 December 2015.

- Risk Management (DCCS)

23 Sealing of documents

23.1 Section 173 Agreement – Agri Wealth Management Pty Ltd And Agriwealth Capital Ltd And Towong Shire (314755)

Planning Permit 2012/039.1 provided consent for the removal of native vegetation to facilitate the establishment of a softwood plantation at Lots 1 and 2 TP562610 Tallangatta Creek Road, Tallangatta Valley.

The Planning Permit required the preparation of a Vegetation Offset Management Plan (VOMP). The VOMP contains details about how the required offset plantings are to be achieved and it has been prepared and approved. The offsets are intended to occur on Crown Allotment 4, Section 19, Parish of Wagra.

The Planning Permit also required a Section 173 Agreement in order to provide appropriate security for the offsets contained within the VOMP.

The Agreement obliges the land owner to:

- Undertake all works and do all things required under the VOMP in relation to that part of the land comprised in the vegetation offset; and
- Manage and maintain all parts of the land comprised in the vegetation site in accordance with the VOMP in perpetuity.

The effect of the Agreement is that the owner and developer agree to works, practices, vegetation protection and land maintenance requirements established under the VOMP and that the land owner agrees that the vegetation offset land will be protected, managed and maintained in perpetuity in accordance with the VOMP.

The Agreement has now been drafted in accordance with Planning Permit 2012/039.1 and needs to be signed and sealed.

RECOMMENDATION:

THAT THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL THE SECTION 173 AGREEMENT RELATING TO LAND KNOWN AS CROWN ALLOTMENT 4, SECTION 19, PARISH OF WAGRA THAT HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2012/039.1.

24 Confidential

In accordance with S77(2) information is 'confidential information' if:

- (a) the information was provided to the Council or a special committee in relation to a matter considered by the Council or special committee at a meeting closed to members of the public and the Council or special committee has not passed a resolution that the information is not confidential; or
- (b) the information has been designated as confidential information by a resolution of the Council or a special committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or special committee has not passed a resolution that the information is not confidential; or
- (c) subject to sub-section (3), the information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential.

In accordance with Section 89(2) and 89(3) of the Local Government Act 1989,

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

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

(3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting

RECOMMENDATION:

THAT THE MEETING BE CLOSED TO THE PUBLIC TO CONSIDER INFORMATION CONSIDERED UNDER SECTION 89(2)(h) OF THE LOCAL GOVERNMENT ACT TO BE CONFIDENTIAL.

24.1 Section 173 Agreement – P Gadd and Towong Shire (219650)

24.2 Annual resealing program (01/01/0445-DTS)