

Minutes

Ordinary Meeting of Council

Held at 10:30 am, Wednesday 24 September 2025
Council Chamber, Tallangatta Council Office
32 Towong Street, Tallangatta, Victoria

Our Community Vision

Towong Shire will be the ideal place to be: welcoming, vibrant and diverse communities with quality facilities and services.

This information is available in alternative formats on request.

**Minutes for the Ordinary Meeting of Council held at
32 Towong Street, Tallangatta, Victoria
at 10:30 am on Wednesday 24 September 2025**

Commonly Used Acronyms

Abbreviation	Title
Council Officers	
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
MF	Manager Finance
SAE	Senior Asset Engineer
Government/Organisation	
CH	Corryong Health (formerly Upper Murray Health and Community Services)
DFFH	Department of Families, Fairness and Housing
DJSIR	Department of Jobs, Skills, Industry and Regions
DTP	Department of Transport and Planning
DEECA	Department of Energy, Environment and Climate Action
GMW	Goulburn Murray Water
HRGLN	Hume Region Local Government Network
MAV	Municipal Association of Victoria
NECMA	North East Catchment Management Authority
NERPEN	North East Regional Procurement Excellence Network
NEW	North East Water
NEWRRG	North East Waste and Resource Recovery Group
RCV	Rural Councils Victoria
RDA	Regional Development Australia
RDV	Regional Development Victoria
THS	Tallangatta Health Service
VGC	Victorian Grants Commission
WBNC	Walwa Bush Nursing Centre

Table of Contents

1	Opening Prayer.....	5
2	Councillor and Officer Presence at the Meeting.....	5
3	Apologies and Granting of Leave of Absence	5
4	Disclosure of Conflicts of Interest	5
5	Confirmation of Minutes	7
6	Petitions and Joint Letters.....	9
7	Public Question Time.....	9
8	Informal Meetings of Councillors.....	9
9	Organisational Improvement.....	10
9.1	Action Sheet Report (CEO-06/06/0010).....	10
9.2	Quarterly Budget Report (DCOD).....	13
9.3	Annual Financial Statements and Performance Statements (DCOD)	16
9.4	Chief Executive Officer Leave Request (Mayor).....	21
10	Community Wellbeing	23
10.1	Towong Shire Council - Reconciliation Action Plan (DCP)	23
10.2	Corryong Elyne Mitchell Library Internal Refurbishment Tender assessment - Contract 2025/26 - 001 (DCP).....	31
11	Asset Management.....	37
11.1	Capital Works Report (DIE)	37
11.2	Stabilisation of Major patches Contract (DIE)	42
12	Land Use Planning	46
12.1	PA25007 Cudgewa Valley Road Tintaldra (DCP).....	46
12.2	Land Use Planning Report (DCP)	66
13	Environmental Sustainability.....	69
14	Economic and Tourism Development	69
15	Councillor Reports	70
15.1	JK-47.....	70
16	Urgent Business	72

17 Committee Minutes.....	72
18 Council Policies	72
19 Sealing of Documents	72
20 Confidential.....	72
21 Closure of Meeting.....	74

Confirmed

The Mayor declared the meeting open, the time being 10.32am.

1 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."

2 Councillor and Officer Presence at the Meeting

Councillor Attendance

Crs Whitehead, Wortmann, Anderson, Pitman and Tolsher.

Officer Attendance:	Title:
Ms Phelps	Chief Executive Officer
Mr Heritage	Director Infrastructure and Environment
Mr Florence	Director Community and Planning
Ms Taylor	Director Corporate and Organisational Development

3 Apologies and Granting of Leave of Absence

Nil

4 Disclosure of Conflicts of Interest

Section 130 of the Act requires that a 'Relevant person' (which means a person who is a Councillor, a member of a delegated committee who is not a Councillor or a member of Council staff) disclose any conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to the matter including any discussion or vote on the matter at any Council meeting.

Council's Governance Rules state as follows:

A2 Obligations with regards to conflict of interest

Councillors, members of delegated committee, and Council staff are required to:

- a. Avoid all situations which may give rise to conflicts of interest;*
- b. Identify any conflicts of interest; and*
- c. Disclose or declare all conflicts of interest.*

A3 Disclosure of a conflict of interest at a Council meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

A3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

A3.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

A3.2.1 advising of the conflict of interest;

A3.2.2 explaining the nature of the conflict of interest; and

A3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

- a. name of the other person;*
- b. nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and*
- c. nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.*

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

There were no disclosures of conflict of interest.

Cr Tolsher moved that item 12.1 PA250007 Cudgewa Valley Road Tintaldra be bought forward for consideration.

Council Resolution:

**CR TOLSHER
CR PITMAN**

THAT ITEM 12.1 PA250007 CUDGEWA VALLEY ROAD TINTLADRA BE BOUGHT FORWARD.

CARRIED

The meeting moved forward to item 12.1 time being 10.36am

5 Confirmation of Minutes

The minutes of the meetings listed below were circulated to Councillors following each respective meeting. Confirmation of the minutes is now sought.

Ordinary Council Meeting 27 August 2025
Special Council Meeting 3 September 2025

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 27 August 2025, and the Special Council Meeting held on 3 September 2025 be confirmed.

Council Resolution:

**CR TOLSHER
CR ANDERSON**

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 AUGUST 2025, AND THE SPECIAL COUNCIL MEETING HELD ON 3 SEPTEMBER 2025 BE CONFIRMED.

CARRIED

Confirmed

6 Petitions and Joint Letters

Nil.

7 Public Question Time

In accordance with Council's Governance Rules, all questions must be submitted to Council in writing by 2.00pm on the day prior to the Council meeting.

An online form is available on Council's website, and a hard copy of the form is available at both the Tallangatta and Corryong Council offices.

Public Notice of Public Question Time was included in the advertisement for the Council meeting.

The CEO will advise of any Public Question Time submissions at the meeting.

Nil.

8 Informal Meetings of Councillors

In accordance with Council's *Governance Rules*, a written summary of the matters discussed at each informal meeting of Councillors is to be tabled at the next convenient Council meeting and recorded in the minutes of that meeting.

The Meeting Records from the Informal Meeting of Councillors held on 27 August 2025 and 10 September 2025 are attached as follows:

1. Councillor Workshop Agenda - 13 Aug 2025 [8.1.1 - 4 pages]
2. Councillor Workshop Agenda - 10 Sep 2025 [8.1.2 - 3 pages]

The Chief Executive Office Ms Phelps advised that the Council Workshop Agendas for the informal meeting records had been submitted instead of the Council Workshop Meeting Records. The correct records would be included in the next gazetted Council meeting.

9 Organisational Improvement

9.1 Action Sheet Report (CEO-06/06/0010)

Disclosure of Interests (S.130):

This report was prepared by Ms Narelle Taylor, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to inform Councillors of the status of the resolutions from the Ordinary Council Meeting held on 27 August 2025.

Summary:

The attached report summarises the progress made in relation to the resolutions from the Ordinary Council meeting held on 27 August 2025.

Recommendation:

That the report be noted.

Attachment:

1. Action Sheet from Ordinary Council Meeting 27 August - Corryong [9.1.1 - 23 pages]

Background/History:

Not applicable.

Relevant Law (s.9(2)(a)):

Not applicable.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Not applicable.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's View:

It is the officer's view that good progress has been made.

Council Resolution:

**CR ANDERSON
CR TOLSHER**

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

9.2 Quarterly Budget Report (DCOD)

Disclosure of Interests (S.130):

This report was prepared by Mr Dylan Howard, Manager Finance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

To present the Quarterly Budget Report in accordance with the requirements of the *Local Government Act 2020*.

Summary:

The Quarterly Budget Report presented in the appendix shows a surplus of \$5.6 million for the year end 30 June 2025 against a budgeted deficit of \$1.98 million. The main reason for the significantly higher surplus is the higher amount of income received against budget, in particular Grants and other income. \$3.3M in Financial Assistance Grants were received in the last week of June 2025 which were early payment of the 2025/26 year allocation and therefore resulted in a far higher surplus than budgeted for the year.

Recommendation:

That the report be noted.

Attachment:

1. Quarterly Budget Report 30 June 2025 [9.2.1 - 8 pages]

Background/History:

This report provides a quarterly update on the financial performance of the organisation.

Relevant Law (s.9(2)(a)):

Section 97 of the *Local Government Act 2020* requires the following:

- (1) *As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.*
- (2) *A quarterly budget report must include –*
 - (1) *a comparison of the actual and budgeted results to date; and*
 - (2) *an explanation of any material variations; and*
 - (3) *any other matters prescribed by the regulations.*

This report meets the requirements of the Act.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not Applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not Applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not Applicable.

Collaboration (s.9(2)(f)):

Not Applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Council has achieved a net operating surplus however timing issues played a large part in the final result due to accruals of DRFA insurance payments and operating grant income received in advance.

There are still deficits forecast for future years, which highlights the need for our operating results to be balanced into the future.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not Applicable.

Council Plans and Policies:

Council Plans:
Not applicable.

Council Policies:
Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Whilst the quarterly budget report presents a positive operating result and the cash position remains strong, a large portion of this is committed to projects (operating and capital) for which the funding was obtained.

Officer's View:

The organisation remains in a strong financial position with \$35.6M of current assets against \$9.2M of current liabilities, including \$29M of cash and investments.

A significant portion of Council resources are committed to budgeted capital works and services such as flood recovery funding, early years and community projects. The presentation of the Long Term Financial Plan for 2025/26 - 2034/35 highlighted that into the future, Council remains dependent on the receipt of one-off grant funding to support renewal of its aging infrastructure into the future. Asset renewal is prioritised over new infrastructure spend.

Council Resolution:

**CR WORTMANN
CR PITMAN**

THAT THE REPORT BE NOTED.

CARRIED

9.3 Annual Financial Statements and Performance Statements (DCOD)

Disclosure of Interests (S.130):

This report was prepared by Mr Dylan Howard, Manager Finance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to present the draft Annual Financial Statements and Performance Statement for the year ended 30 June 2025 for review and in-principle approval.

Summary:

The *Local Government Act 2020* (LGA 2020) requires Council to prepare Financial Statements and a Performance Statement in respect of each financial year. The statements must be approved in principle by Council prior to submission to the auditor. Council officers have prepared the draft Financial Statements and a draft Performance Statement in line with legislative and regulatory requirements and they are now ready to be considered for in-principle approval.

Recommendation:

That:

1. The draft Annual Financial Statements and the draft Performance Statement for the year ended 30 June 2025 be approved in-principle; and
2. Two Councillors be authorised to certify the Financial Statements and the Performance Statement for the year ended 30 June 2025 on behalf of Council once any amendments or changes are made as requested by the Victorian Auditor General.

Attachment:

1. Towong Shire Council - Model Financials 24-25 V 2 [9.3.1 - 57 pages]
2. Towong Shire Performance Statement 2024 25 V1 [9.3.2 - 21 pages]

Background/History:

Legislative Context

Section 98 of the LGA 2020 requires Council to prepare an Annual Report in respect of each financial year, which must contain:

- *report of operations of the Council;*
- *an audited performance statement;*
- *audited financial statements;*
- *a copy of the auditor's report on the performance statement;*
- *a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;*
- *any other matters prescribed by the regulations.*

Items a), b) and c) are to take the form described by Section 98 of the LGA 2020 and any supporting regulations.

Section 99 of the LGA 2020 specifies that Council must prepare the financial statements and performance statement as soon as practicable after the end of the financial year. Council must pass a resolution approving the financial statements and the performance statement in principle prior to submitting them to the auditor. Council must ensure that the statements in their final form and after any changes recommended or agreed by the auditor have been made, are certified by two Councillors, prior to final certification by the auditor. The auditor must then submit reports on the statements to the Minister for Local Government, and the Mayor must present the Annual Report at a Council meeting open to the public.

Financial Statements

The financial statements show Council's financial performance, financial position and cash flows against the previous year.

Council achieved a surplus of \$5.65 million for the year ended 30 June 2025, compared to a budgeted deficit of \$1.98 million. The higher than anticipated result was primarily due to:

- Accruals of \$1.5 million DRFA insurance settlement relating to the 2022 Floods;
- \$3.3 Million (or 50%) of 2025/26 Financial Assistance Grants paid early.
- Non-recurrent grant income exceeding budget by \$3 million.

Performance Statement

The Performance Statement provides an overview of Council's progress against key performance indicators. The Local Government Performance Reporting Framework (LGPRF) provides the basis of these indicators to enable a uniform Performance Statement across all Victorian councils.

Relevant Law (s.9(2)(a)):

The Financial Statements and the Performance Statement have been prepared in accordance with the requirements section 98 of the LGA 2020 and the associated *Local Government (Planning and Reporting) Regulations 2020*.

Both statements are now ready for consideration for approval in principle in accordance with section 99 of the LGA 2020.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

The financial result for the year ended 30 June 2025 reflects a surplus.

Long term financial sustainability continues to remain dependent on the receipt of one-off grants to fund renewal of Council's aging infrastructure. The decrease in availability of state and federal funding is cause for concern in regard to our ability to attain such funding into the future.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Council Plans:
Not applicable.

Council Policies:
Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

At the time of submitting this report the Financial Statements and the Performance Statement have been substantially reviewed by the auditor, however officers are still awaiting feedback as well as information to be supplied by Vision Super for inclusion regarding Defined Benefit liabilities. The information in this section is still outstanding and is therefore highlighted to identify this.

It is noted that this report relates to Council's in-principle approval only and that the final statements may still vary as any final auditor recommendations are addressed.

Officer's View:

The Financial Statements and Performance Statement for the financial year ending 30 June 2025 have been prepared in accordance with all relevant legislation and regulations and have been subject to substantial auditor review. It is the officer's recommendation that the Financial Statements and Performance Statement as presented be approved in principle.

Council Resolution:

**CR PITMAN
CR WORTMANN**

THAT:

- 1. THE DRAFT ANNUAL FINANCIAL STATEMENTS AND THE DRAFT PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2025 BE APPROVED IN-PRINCIPLE; AND**
- 2. TWO COUNCILLORS BE AUTHORISED TO CERTIFY THE FINANCIAL STATEMENTS AND THE PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2025 ON BEHALF OF COUNCIL ONCE ANY AMENDMENTS OR CHANGES ARE MADE AS REQUESTED BY THE VICTORIAN AUDITOR GENERAL.**

CARRIED

9.4 Chief Executive Officer Leave Request (Mayor)

Disclosure of Interests (S.130):

This report was prepared by Cr Andrew Whitehead, Mayor.

At the time of preparation of this report, Cr Whitehead did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to seek approval for the Chief Executive Officer to take Annual Leave over the period specified in this report and to appoint an Acting Chief Executive Officer for that period.

Summary:

The Chief Executive Officer has requested Annual Leave for the period Monday 29 September 2025 to Monday 13 October 2025 inclusive.

The Chief Executive Officer has recommended that Mr Jamie Heritage, Director Infrastructure and Environment, be appointed to the role of Acting Chief Executive Officer for the period Monday 29 September 2025 to Monday 13 October 2025.

Recommendation:

That:

1. The Chief Executive Officer be granted Annual Leave for the period Monday 29 September 2025 to Monday 13 October 2025 inclusive; and
2. Mr Jamie Heritage, Director Infrastructure and Environment, be appointed to the role of Acting Chief Executive Officer for the period Monday 29 September 2025 to Monday 13 October 2025.

The Chief Executive Office Ms Phelps and the Director Infrastructure and Environment left the meeting at 10.55am and returned at 10.57am following the conclusion of the following resolution.

Council Resolution:

CR ANDERSON

CR PITMAN

THAT:

- 1. THE CHIEF EXECUTIVE OFFICER BE GRANTED ANNUAL LEAVE FOR THE PERIOD MONDAY 29 SEPTEMBER 2025 TO MONDAY 13 OCTOBER 2025 INCLUSIVE; AND**
- 2. MR JAMIE HERITAGE, DIRECTOR INFRASTRUCTURE AND ENVIRONMENT, BE APPOINTED TO THE ROLE OF ACTING CHIEF EXECUTIVE OFFICER FOR THE PERIOD MONDAY 29 SEPTEMBER 2025 TO MONDAY 13 OCTOBER 2025.**

CARRIED

10 Community Wellbeing

10.1 Towong Shire Council - Reconciliation Action Plan (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr Michael Stanton, Manager Community Wellbeing.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to present the Towong Shire Council draft Reflect Reconciliation Action Plan 2025/26 (RAP) and draft Flag Flying Policy for adoption.

Summary:

At its meeting in May 2024 Council resolved to provide in-principle approval of the draft RAP that had been developed.

Since that time there has been further development of the draft RAP with new staff coming into the organisation including Council's First Nations Cultural Awareness and Reconciliation Officer, which is a newly created position within Council.

There have also been some changes to the draft RAP in line with the intent of the document through feedback and further discussion with Reconciliation Australia.

Reconciliation Australia has provided conditional endorsement of the draft RAP, with conditions mainly around completing the document in line with The Reconciliation Australia Brand Guide, inclusion of its logos and artwork which are being sourced locally.

Many deliverables in the draft RAP have already been implemented or commenced, and this has also been noted by Reconciliation Australia and detailed in the document.

Recommendation:

That:

1. The draft Towong Shire Council Reflect Reconciliation Action Plan 2025-2026 as presented, be adopted;
2. The following Acknowledgement of Country wording be adopted for use at Council meetings, internal meetings with external representation, signage at community facing services, and Council facilities:
"Towong Shire Council acknowledges all the Traditional Custodians throughout the Shire, we recognise their continued care of lands and waters, their living knowledges and wisdom. We pay our respect to Elders past and present. We are committed to listening and working together to help build a stronger and more inclusive society.";
3. The following Acknowledgement of Country wording be adopted for use in formal Council documents and at external Council hosted public events:
"Towong Shire Council acknowledges all the Traditional Custodians throughout the Shire, we recognise their continued care of lands and waters, their living knowledges and wisdom. We pay our respect to Elders past and present, we honour their stories, leadership and strength. We understand that their voice holds the knowledges that has carried them for thousands of years, we are committed to listening and working together to help build a stronger and more inclusive society."; and
4. The draft Towong Shire Council Flag Flying Policy as presented, be adopted and implemented.

Attachment:

1. Draft Towong Shire Council Reflect RAP [10.1.1 - 22 pages]
2. Draft Towong Shire Flag Flying Policy - September 2025 [10.1.2 - 8 pages]

Background/History:

Council endorsed the draft RAP in May 2024 and since that time the document has been further developed and modified through several versions to the point where Reconciliation Australia has now conditionally endorsed the draft Reflect RAP.

The draft Reflect RAP inclusive of all deliverables from September 2025 to December 2026 forms Attachment 1 to this report. In all there are 44 deliverables listed in the RAP document across the following thirteen actions:

1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.

2. Build relationships through celebrating National Reconciliation Week (NRW).
3. Promote reconciliation through our sphere of influence.
4. Promote positive race relations through anti-discrimination strategies.
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.
6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.
7. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.
8. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.
9. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.
10. Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.
11. Provide appropriate support for effective implementation of RAP commitments.
12. Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.
13. Continue our reconciliation journey by developing our next RAP.

In relation to some of the actions and deliverables in the draft RAP, the following has been proposed and should be noted in considering this report:

Acknowledgement of Country:

The following Acknowledgement of Country wording is proposed to be used and communicated for use for Council meetings, other internal meetings with external representation, signage at community facing services, and Council facilities.

"Towong Shire Council acknowledges all the Traditional Custodians throughout the Shire, we recognise their continued care of lands and waters, their living knowledges and wisdom. We pay our respect to Elders past and present. We are committed to listening and working together to help build a stronger and more inclusive society."

A longer version is also proposed which is only used for larger public events, which is:

"Towong Shire Council acknowledges all the Traditional Custodians throughout the Shire, we recognise their continued care of lands and waters, their living knowledges and wisdom. We pay our respect to Elders past and present, we honour their stories,

leadership and strength. We understand that their voice holds the knowledges that has carried them for thousands of years, we are committed to listening and working together to help build a stronger and more inclusive society."

The development of an Acknowledgement of Country and Welcome to Country Guidance Document regarding appropriate protocols and wording for events, meetings and public gatherings is a deliverable in the draft RAP and once developed will be communicated internally and externally.

Flag Flying Policy:

A draft Towong Shire Council Flag Flying Policy has been developed and is the second attachment to this report. If the policy is adopted, the necessary flag infrastructure will be established to enable implementation of the policy.

The draft Flag Flying Policy details the flag flying protocols associated with the flying of the Australian, Aboriginal, Torres Strait Islander, and other commemorative flags. The draft Policy further demonstrates Council's commitment to recognising the importance of the Aboriginal and Torres Strait Islander peoples historic and ongoing cultural contributions. The location of the Aboriginal and Torres Strait Islander flags alongside the Australian flag is a visible and important step in Council's Reconciliation journey.

Relevant Law (s.9(2)(a)):

The *Local Government Act 2020*

Options – Best Outcomes for the Community (s.9(2)(b)):

The actions listed in the draft Reflect RAP apply mainly to Council and its staff, but many are aimed at leading and educating the community in relation to Council's commitment to reconciliation. Council's commitment to this endeavour aligns with the community vision: "Towong Shire will be the ideal place to be: welcoming, vibrant, and diverse communities with quality facilities and services."

Sustainability Implications (s.9(2)(c)):

Social

Developing a RAP brings numerous social and economic advantages:

- **Acknowledging First Nations History:** A RAP aids in acknowledging historical injustices and ongoing challenges faced by First Nations peoples, demonstrating the commitment to understanding and addressing the impacts of colonisation.
- **Commitment to Reconciliation:** Creating a RAP marks a significant stride towards genuine reconciliation. It fosters structured engagement with First Nations communities, cultivates respectful relationships, and works towards shared goals, driving continuous improvement.
- **Cultural Competence and Awareness:** Engaging in the RAP process enhances staff cultural competence and awareness, leading to more inclusive practices and policies that better serve First Nations stakeholders and broaden the understanding of diverse perspectives and needs.
- **Social Responsibility:** Reconciliation aligns with principles of social responsibility and ethical business practices, fulfilling the obligation to positively contribute to the communities Council serves.
- **Organisational Benefits:** Implementing a RAP can enhance reputation, boost employee satisfaction, and strengthen relationships with First Nations stakeholders, yielding tangible benefits for the organisation

Community Engagement (s.9(2)(d)):

For the purposes of the Reflect RAP, Council staff and Councillors were the key groups engaged in the development of the document. The cultural awareness training conducted over recent months included information about the draft RAP, and the importance and benefits of its implementation.

The recent Reconciliation and NAIDOC week events have also included communicating details on Council's commitment to reconciliation and the process and intention of the Reflect RAP.

The RAP Working Group has been established in line with the actions and deliverables of the draft RAP. This group includes community representation.

Innovation and Continuous Improvement (s.9(2)(e)):

Through the RAP process, Council staff have critically reflected on practices, policies, and relationships with First Nations peoples. By identifying areas for improvement and setting measurable goals for reconciliation, the RAP provides a framework for ongoing assessment and evaluation of progress.

Collaboration (s.9(2)(f)):

Reconciliation Australia (RA) is a critical partner in developing RAPs. Reconciliation Australia has provided guidance, resources, and support throughout the RAP process and has recently conditionally approved the draft document.

In recent months Council staff have had held discussions and further developed relationships with a number of Traditional Owner Groups and other organisations to assist in the finalisation and implementation of the draft RAP. These groups and organisations include:

- Duduroa
- Jiatmathang Country
- Ngarigo
- Wolgal
- Duduroa Dhargal Aboriginal Corporation
- Albury Wodonga Aboriginal Health Service
- On-Country Pathways
- Murray Arts First Nations

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed, grant funding has been sought where possible and all expenditure will be monitored and managed within agreed budget allocations.

Regional, State and National Plans and Policies (s.9(2)(h)):

Victorian Aboriginal and Local Government Strategy

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.

- 2.11 Support our communities to ensure that Shire places are welcoming to culturally and linguistically diverse (CALD) and LGBTIQA+ communities and are inclusive and connected
- 2.12 Build relationships and develop understanding of aboriginal people and consider the commitment to an ongoing reconciliation action plan process

Organisational Improvement - Maintain a high performing customer-centred organisation that works with the community to develop and deliver priorities.

- 6.7 Provide a safe and healthy workplace for all Councillors and staff in a continually evolving environment

Council Policies:
Community Engagement Policy.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Committing to Reconciliation through the development of a RAP is now common practice for many organisations and there is a reputational risk to Council in not having a RAP or implementing the actions of it.

Equally it is important that actions involving community events, facilities and /or publicly visible are communicated to the community to mitigate any negative public reaction.

Officer's View:

The development of the Reflect Reconciliation Action Plan is a major milestone marking Council's commitment to reconciliation. The outcomes of the RAP should make the organisation more inclusive and welcoming to all First Nations communities.

Council Resolution:

**CR ANDERSON
CR TOLSHER**

THAT:

- 1. THE DRAFT TOWONG SHIRE COUNCIL REFLECT RECONCILIATION ACTION PLAN 2025-2026 AS PRESENTED, BE ADOPTED;**
- 2. THE FOLLOWING ACKNOWLEDGEMENT OF COUNTRY WORDING BE ADOPTED FOR USE AT COUNCIL MEETINGS, INTERNAL MEETINGS WITH EXTERNAL REPRESENTATION, SIGNAGE AT COMMUNITY FACING SERVICES, AND COUNCIL FACILITIES:
"TOWONG SHIRE COUNCIL ACKNOWLEDGES ALL THE TRADITIONAL CUSTODIANS THROUGHOUT THE SHIRE, WE RECOGNISE THEIR CONTINUED CARE OF LANDS AND WATERS, THEIR LIVING KNOWLEDGES AND WISDOM. WE PAY OUR RESPECT TO ELDERS PAST AND PRESENT. WE ARE COMMITTED TO LISTENING AND WORKING TOGETHER TO HELP BUILD A STRONGER AND MORE INCLUSIVE SOCIETY.";**
- 3. THE FOLLOWING ACKNOWLEDGEMENT OF COUNTRY WORDING BE ADOPTED FOR USE IN FORMAL COUNCIL DOCUMENTS AND AT EXTERNAL COUNCIL HOSTED PUBLIC EVENTS: *"TOWONG SHIRE COUNCIL ACKNOWLEDGES ALL THE TRADITIONAL CUSTODIANS THROUGHOUT THE SHIRE, WE RECOGNISE THEIR CONTINUED CARE OF LANDS AND WATERS, THEIR LIVING KNOWLEDGES AND WISDOM. WE PAY OUR RESPECT TO ELDERS PAST AND PRESENT, WE HONOUR THEIR STORIES, LEADERSHIP AND STRENGTH. WE UNDERSTAND THAT THEIR VOICE HOLDS THE KNOWLEDGES THAT HAS CARRIED THEM FOR THOUSANDS OF YEARS, WE ARE COMMITTED TO LISTENING AND WORKING TOGETHER TO HELP BUILD A STRONGER AND MORE INCLUSIVE SOCIETY."*; AND**
- 4. THE DRAFT TOWONG SHIRE COUNCIL FLAG FLYING POLICY AS PRESENTED, BE ADOPTED AND IMPLEMENTED.**

CARRIED

10.2 Corryong Elyne Mitchell Library Internal Refurbishment Tender assessment - Contract 2025/26 - 001 (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr Michael Stanton, Manager Community Wellbeing.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information to support the assessment of tender submissions for the Corryong Elyne Mitchell Library Internal Refurbishment (Contract 2025/26 - 001) and seek Council approval to appoint the recommended contractor.

Summary:

This report outlines the tender process followed for the procurement of a suitable contractor to undertake the Corryong Library internal refurbishment.

The key elements of the Corryong Library project include minor demolition, lining existing walls, painting and finishing, joinery, lighting upgrade, minor power and technical upgrades, supply and install fixed fittings and equipment in accordance with Technical Specifications and Construction Drawings as prepared by Eames Architects.

Tenders for this project were invited via advertisement from 29 July 2025 and closed on 26 August 2025. Two (2) compliant tenders were received. This report provides a recommendation for the most suitable contractor to undertake the above works.

A comparative tender evaluation and assessment report for Contract No 2025/26 - 001 has been circulated to Councillors prior to this meeting. This evaluation provides all financial information and non-price scoring criteria and weightings.

Recommendation:

That:

1. Contract 2025/26 - 001 for the Corryong Elyne Mitchell Library Internal Refurbishment be awarded to QI Constructions Pty Ltd for the lump sum of \$272,031 Excluding GST;
2. The Chief Executive Officer be authorised to sign and seal Contract No 2025/26 - 001 in accordance with Local Law 1 – Common Seal and Miscellaneous Penalties; and
3. The Chief Executive Officer be authorised to approve contract variations up to the value of the total allocated project budget.

Attachment:

Nil

Background/History:

The Corryong Library is a well-used community asset with good visitation numbers and a membership which is slowly increasing. The library operates as an important Community Hub facilitating community engagement through activities such as Story Time, Premier's Regarding Challenge (grant funded), book clubs, key social and inclusive events, school programs, author talks and ongoing Library initiatives.

The library was last upgraded 21 years ago and over time the interior has deteriorated, and is no longer meeting spatial, technological or functional community needs. Key issues include inflexibility, minimal acoustics and no delineation between loud and quiet spaces, spatial allocation, deterioration of materials and finishes and spaces being no longer fit for purpose.

Following the completion of community consultation, detailed designs and costings earlier this year Council has been successful in a grant application through the Victorian Government's 2024-25 Living Libraries Infrastructure Program (LLIP), with \$320,000 from this program allocated to internally renovate and upgrade the interior of the Corryong Library.

As per the requirements of the LLIP there is no funding contribution required from Towong Shire Council towards this project therefore the funded amount of \$320,000 forms the total budget for this project inclusive of this contract and a separate Request for Quotation (RFQ) process for loose furniture items which is being procured separately to this contract.

The tender prices submitted by both companies were above the allocated budget amount for this contract. Tender clarifications were sought from both companies in relation to several components of the project.

Under the "Conditions of Tendering" Towong Shire Council reserves the right to accept a Tender in part or in whole or to negotiate. Based on this provision and the allocated budget, negotiations with the lowest priced tenderer (Q1 Constructions Pty Ltd) have taken place, reducing the overall cost without changing the scope of the project.

Relevant Law (s.9(2)(a)):

The Local Government Act 2020

"A Council must comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works"

Options – Best Outcomes for the Community (s.9(2)(b)):

In terms of achieving the best outcome for the municipal community, including future generations, two options are proposed for consideration:

Option 1 – Approve the tender as presented and award Contract No 2025/26 - 001 to Q1 Constructions Pty Ltd. **Recommended**

Option 2 – Retender the works. This will impact project timelines and potentially milestones associated with the funding agreement that has been established with Living Libraries Victoria. This option is not recommended.

Sustainability Implications (s.9(2)(c)):

Economic

This project will include the use of local contractors and suppliers providing a positive impact to the local economy.

Social

The Corryong Library is a well-used community asset, and the upgrades include improved and varied programming and learning spaces and activities further promoting the library as a social hub and focus for the community.

Community Engagement (s.9(2)(d)):

Prior to applying for funding for this project Eames Architects carried out community consultation on behalf of Council in February/March this year. This engagement included an online survey, a community collaboration day at the Corryong Library and specific key stakeholder engagement.

Innovation and Continuous Improvement (s.9(2)(e)):

This project is an exercise in place making and purpose for the rural community of Corryong and the Upper Murray, ensuring the Corryong Library will continue to contribute to fostering and facilitating learning. Funds will be used to improve interior surface finishes, acoustic treatments, technology and access. The internal spaces will be redefined, converting currently deteriorating and inflexible internal fit-out into a purpose-built flexible library space providing more flexible community space for a variety of uses.

Collaboration (s.9(2)(f)):

Collaboration for this project has occurred through recent consultation during the planning and design process with all stakeholders and the community whilst a specific working collaboration between Council staff, contracted Architects and Living Libraries Victoria representatives has also taken place.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed, grant funding has been acquired and all expenditure is being monitored and managed within agreed budget allocations.

Regional, State and National Plans and Policies (s.9(2)(h)):

Public Libraries Victoria Strategic Plan 2023 – 2027

Australian Library and Information Association – Strategic Plan 2024 - 2026

Standards and Guidelines for Australian Public Libraries – May 2021

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

3. Community Wellbeing - Encourage and support all people in our Shire to be

healthy, happy, connected and resilient.

- 2.5 Review opportunities for communities to access library resources and connect through libraries

Council Policies:

Community Engagement Policy.

Procurement Policy

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The project design and development and the tender process has included strong risk management assessment. The due diligence exercised through the evaluation process has served to mitigate any significant risks associated with project construction.

A risk for this project is the time frame available to spend the allocated grant funding. This risk will be mitigated through active management of project implementation and supervision of the contractor.

The appointment of an experienced contractor in similar type projects with strong referrals will facilitate the project being as low risk as possible.

Officer's View:

The references provided by Q1 Constructions Pty Ltd in its tender submission combined with their experience demonstrate that it will deliver good value and is a low risk to Council for this project. It is the officer's recommendation that Q1 Constructions Pty Ltd be awarded Contract No 2025/26 - 001 for the lump sum of \$272,031 excluding GST.

Council Resolution:

**CR PITMAN
CR TOLSHER**

THAT:

- 1. CONTRACT 2025/26 - 001 FOR THE CORRYONG ELYNE MITCHELL LIBRARY INTERNAL REFURBISHMENT BE AWARDED TO QI CONSTRUCTIONS PTY LTD FOR THE LUMP SUM OF \$272,031 EXCLUDING GST;**
- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL CONTRACT NO 2025/26 - 001 IN ACCORDANCE WITH LOCAL LAW 1 – COMMON SEAL AND MISCELLANEOUS PENALTIES; AND**
- 3. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO APPROVE CONTRACT VARIATIONS UP TO THE VALUE OF THE TOTAL ALLOCATED PROJECT BUDGET.**

CARRIED

11 Asset Management

11.1 Capital Works Report (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Matthew Fleet, Manager Capital and Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide a progress update as at 30 June 2025 for the 2024/25 Capital Works Program.

Summary:

This report presents the overall status of the capital works program to the end of June 2025 and includes updates on project status, progress, expenditure and completion risk. A detailed budget breakdown has been separately circulated to Councillors prior to the meeting.

Recommendation:

That the report be noted.

Attachment:

Nil

Background/History:

Council's 2024/25 Capital Works Program totals \$25.4 million and includes 82 projects, comprising both new initiatives and carry-over works from previous years.

The 14 largest projects represent approximately 44% of the overall budget. Of these, one is currently in progress, four are under construction, eight have been completed, and two are either progressing or in the engage/design phase.

The remaining projects are on track to be completed within the 2025/26 financial year or as programmed. The Hanson Street, Corryong upgrade (Stage 1) is currently in the concept design stage with streetscape renders nearing completion, once

complete a community consultation session will be planned in the coming weeks. This project will be delivered over coming years through staged works.

Annual programs for resealing, guardrail replacement, gravel re-sheeting, and footpath renewal have also been finalised within the current financial year, ensuring the ongoing maintenance and improvement of Council's infrastructure network.

Relevant Law (s.9(2)(a)):

The *Local Government Act 2020*

Options – Best Outcomes for the Community (s.9(2)(b)):

Not Applicable.

Sustainability Implications (s.9(2)(c)):

Economic

Works within the Capital program provide local economic stimulus through the employment of local contractors.

Social

Projects within the Capital program are prioritised in line with the Council Plan 2021-2025 to improve social amenity and economic outcomes across the Shire.

Environmental/Climate Change

The current dry weather conditions are favourable for project construction activities.

Community Engagement (s.9(2)(d)):

Community engagement activities have continued and are proposed across several capital projects, most notably there will be a significant amount of community engagement regarding the Hanson Street (western end) streetscape works.

Innovation and Continuous Improvement (s.9(2)(e)):

The Capital Works Program provides a structured framework for the ongoing strategic enhancement and renewal of assets across the Shire.

Collaboration (s.9(2)(f)):

Not Applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

As at 30 June 2025	\$	%
Total Budget	\$ 25,425,568.39	100
Year to Date spend (30 June 2025)	\$ 13,023,000.00	51

Detailed budget and job closure analysis is included in the appendix to this report.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025 priorities*.

1. Asset Management - Maintain and improve our Shire's infrastructure to meet the levels of service established in consultation with our communities.

- 1.1 Deliver 100% of the annual capital works program and bushfire recovery projects
- 1.3 Complete Stage 2 Great River Road
- 1.4 Continue the upgrade of Georges Creek Road
- 1.5 Complete upgrades of Hanson Street from Sugarloaf Road to Kiel Street
- 1.6 Complete the upgrade of the Stock Route in Corryong
- 1.7 Progressively deliver the upgrade of the unsealed sections of Lake Road
- 1.8 Investigate upgrade options for Wisers Creek Road
- 1.10 Seek funding to deliver upgrades of key transport routes and hazardous road alignments to improve efficiency and safety
- 1.12 Continue to deliver the upgrade of unsealed streets in urban areas program
- 1.13 Complete the upgrade of the Corryong CBD
- 1.14.1 Complete streetscape upgrades in Dartmouth
- 1.14.2 Complete streetscape upgrades in Mitta Mitta
- 1.15.2 Investigate and plan for upgrades at Towong
- 1.15.3 Investigate and plan for upgrades at Cudgewa
- 1.17 Address long vehicle and overflow parking issues in CBD areas
- 1.19 Seek funding to deliver upgrades to town entrances and wayfinding signage across the shire
- 1.21 Increase the recreation opportunities for young families in Dartmouth
- 1.22 Review and deliver the strategic parks and playgrounds upgrade program to completion

- 1.25 Deliver the Corryong aerodrome 24-hour fuel project
- 1.27 Deliver annual asset inspection and renewal programs per asset management and road management plan requirements
- 1.28 Implement the maintenance program for Council's buildings

Council Policies:
Procurement Policy

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Contractor availability has affected timelines for several road construction, social infrastructure and public open space construction projects, driven by strong demand for qualified contractors across the state. To address this, Council has continued to actively engage with local and regional contractors to encourage tender submissions and maintain competitive quotations for Council.

While recruitment has been challenging, some great strides have been made in this area. Efforts will continue into the new financial year to secure experienced project managers and technical assistants.

Officer's View:

The team has made significant progress in delivering the 2024/25 Capital Works Program, with outcomes this year exceeding those of previous financial years. As of 30 June 2025, year-to-date (YTD) expenditure totals \$13.023 million, representing approximately 51% of the total capital budget.

A wide range of social infrastructure and road/bridge projects have been delivered, including the Corryong Skate Park, Cudgewa Avenue of Honour, Georges Creek/Great River Road Intersection, Georges Creek Road Widening, Great River Road (Stage 2), Springdale Road Bridge Replacement, Towong Walking Track, Donaldson Street Parking, Dartmouth Splash Pad, Spring Creek Bridge Replacement, and the Tallangatta Creek pedestrian crossing. The Lake Road seal extension (stage 1) has commenced, currently in the bulk earthworks phase with the culvert replacement at Bethanga Bay completed and commissioned for public use.

The Corryong CBD and Bellbridge Walking Track will be finalised in September 2025. Heavy Plant replacement has been procured and awaiting arrival, Spring Creek Road Bridge and Georges Creek Road were completed at the end of the financial year.

Looking ahead, Council has secured Roads to Recovery (R2R) funding to support delivery of the Yabba Road Bridge renewal project as part of the 2025/26 Capital Works Program.

Council Resolution:

**CR TOLSHER
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

11.2 Stabilisation of Major patches Contract (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Syed Abdullah, Civil Asset Engineer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to seek approval to award Contract No. 2025/26-019 for the Stabilisation of Major Patches for the 2025/26 year.

Summary:

This report demonstrates the procurement process undertaken in relation to the Major Patch Stabilisation Program and seeks approval to award the contract to the recommended tenderer.

Recommendation:

That:

- Contract No. 2025/26-019 be awarded to Szabolcs Construction Pty Ltd for the Stabilisation of Major Patches for the year 2025/26 with the option of a further two, one-year extensions based on performance, up to the value of the annual stabilisation budget;
- The Chief Executive Officer be authorised to sign and seal Contract No. 2025/2026 - 019 in accordance with Local Law 1 – Common seal and Miscellaneous Penalties; and
- The Chief Executive Officer be authorised to approve the option for a further two, one-year extensions based on performance, up to the value of the annual stabilisation budget.

Attachment:

Nil

Background/History:

Major patching of Council roads is completed annually between October and April and is a key component of the capital works program.

The Request for Tender process was undertaken during 2024 and completed in April 2024. Tenders were sought for stabilisation works for major patches for a 2-year period (2024/25 and 2025/26) with the option of two one-year performance-based renewals (2026/27, 2027/28).

At the time of presenting the tender assessment to the Council Meeting in May 2024, approval was only sought for awarding of the contract for the 2024/25 year.

Based on the work performed and outcomes delivered by Szabolics Construction Pty Ltd during the 2024/25 year, this report seeks approval to award Contract No. 2025/2026 - 019 to Szabolics Construction Pty Ltd for the 2025/26 year. Authorisation is also sought for the Chief Executive Officer to approve a further two, one-year options, dependent on performance.

Relevant Law (s.9(2)(a)):

The *Local Government Act 2020*

Options – Best Outcomes for the Community (s.9(2)(b)):

Option 1 - Approve the tender as presented and award the contract to Szabolics Construction Pty Ltd for the year 2025/26 with the option of a further two, one year extensions based on performance.

Option 2 – Select a different tender submission to approve.

Sustainability Implications (s.9(2)(c)):

Economic

Major patching works are important to keep the Shire's roads within the agreed service levels and maintain a safe road network. This ensures that visitors and residents can access businesses within the local area and the region.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed, grant funding has been sought where possible, and all expenditure will be monitored and managed within agreed budget allocations. The budget to be used for these works will be the stabilisation of major patches budget.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

1. Asset Management - Maintain and improve our Shire's infrastructure to meet the levels of service established in consultation with our communities.

1.1 Deliver 100% of the annual capital works program and bushfire recovery projects

Council Policies:

Procurement Policy

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The references provided by Szabolics Construction Pty Ltd in their tender submission, along with previous experience on Council projects support the view that they will deliver good value and are a low risk to Council. They have undertaken similar works in the past and have also completed high quality work for Council for the past six years and surrounding municipalities.

Officer's View:

On the basis of the work performed and outcomes delivered during 2024/25, it is the officer's recommendation that Szabolics Construction Pty Ltd be awarded Contract No. 2025/2026-019 for the financial year 2025/26 and the Chief Executive Officer be authorised to approve a further two, one-year extensions, dependent upon performance.

Council Resolution:

CR TOLSHER

CR PITMAN

THAT:

- 1. CONTRACT NO. 2025/26-019 BE AWARDED TO SZABOLICS CONSTRUCTION PTY LTD FOR THE STABILISATION OF MAJOR PATCHES FOR THE YEAR 2025/26 WITH THE OPTION OF A FURTHER TWO, ONE-YEAR EXTENSIONS BASED ON PERFORMANCE, UP TO THE VALUE OF THE ANNUAL STABILISATION BUDGET;**
- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL CONTRACT NO. 2025/2026 - 019 IN ACCORDANCE WITH LOCAL LAW 1 – COMMON SEAL AND MISCELLANEOUS PENALTIES; AND**
- 3. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO APPROVE THE OPTION FOR A FURTHER TWO, ONE-YEAR EXTENSIONS BASED ON PERFORMANCE, UP TO THE VALUE OF THE ANNUAL STABILISATION BUDGET.**

CARRIED

12 Land Use Planning

12.1 PA25007 Cudgewa Valley Road Tintaldra (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mrs Margaret Fox, Contract Planning Officer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to seek a decision in relation to a Planning Permit Application PA250007 for the use and development of the land for a dwelling in the Farming Zone on land less than 40ha.

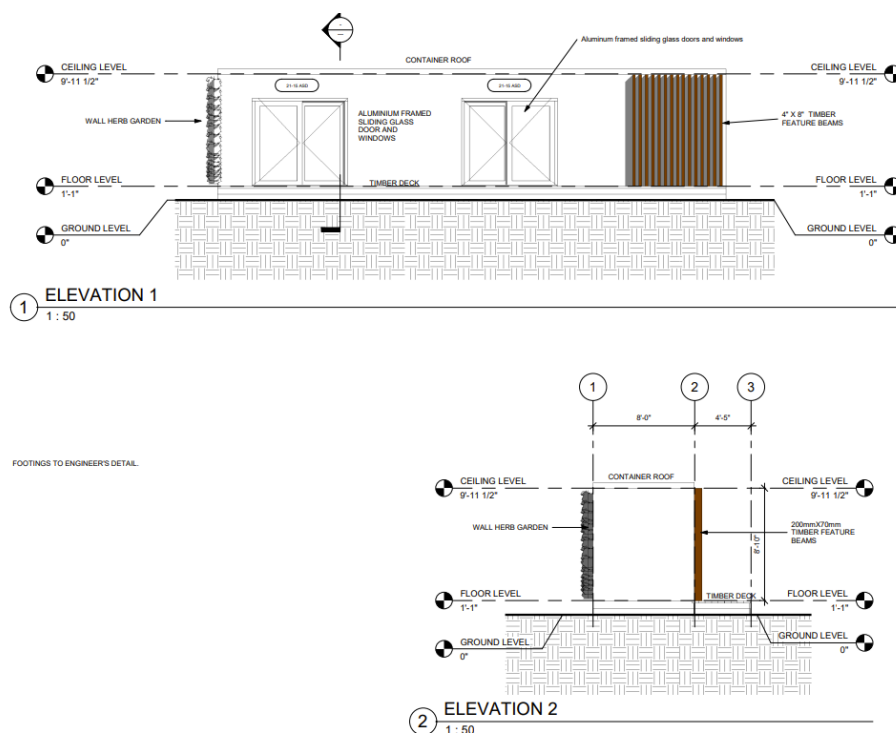
Summary:

A Planning Permit Application has been received for the use and development of the land for a dwelling and associated outbuildings. The land is formally known as Lot 1 on Title Plan 632537R. The land is within the Farming Zone and is subject to the Environmental significance overlay Schedule. The land is a small allotment of 1.29ha. The applicant is proposing to use the land for poultry egg production of no more than 100 poultry. The use of the land for egg production of up to 100 poultry is as of right and no planning permit is required for this use.



The nearest dwelling is located on the opposite side of Murray River Road and is approximately 180m away from the proposed site.





The application was referred to Goulburn Murray Water who consented to the issue of a planning permit subject to conditions.

The proposal was also advertised to adjoining and nearby landowners and one objection was received.

The application has been assessed. The following key considerations associated with the proposal are:

- The land is a small lot with limited prospect for a productive agricultural use
- Potential for conflicting land use
- Intensification of dwellings on small rural lots
- Visual impact of the development from the public realm
- Agricultural potential of the land

Recommendation:

That the proposed dwelling be approved subject to the following conditions:

Compliance with documents approved under this permit

- At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.

Commencement of Permit

- This permit will operate from the issued date of this permit.

Approved and endorsed plans – changes required

- Before the development starts plans must be approved and endorsed by the responsible authority. The plans must:
- Be prepared to the satisfaction of the responsible authority
- Be drawn to scale with dimensions
- Submitted electronic form
- Be generally in accordance with the Land Capability Assessments forming part of the application and identified as Land Capability Assessment and Management Plan Revision – December 2024 prepared by Land Capability Assessment Services but amended to reflect the additional wastewater from egg washing and the use of the land for poultry production.

Landscaping

- Before the dwelling is occupied, landscaping must be carried out to the satisfaction of the responsible authority. The landscaping must include:
- a five (5) metre wide screen planting along the boundaries with Murray River Road and Cudgewa Valley Road.
- The screen planting must consist of indigenous species of understorey shrubs, and trees
- The landscaping buffer must be fenced to prevent grazing

The landscaping must be maintained (including the replacement of any dead, diseased, or damaged plants) to the satisfaction of the responsible authority.

Dwelling (works to be completed before occupation)

- The dwelling must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
- An all-weather access road has been constructed of adequate dimensions.
- Provision has been made to treat and retain all wastewater on-site in accordance with the EPA Code of Practice – Onsite Wastewater Management
- The dwelling has been connected to a potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling has been connected to an energy source.

Dwelling (agricultural use to commence)

- The dwelling must not be occupied until the agricultural use of the land (poultry farming) has commenced.

Dwelling access

- Access to the land must be located and constructed to the satisfaction of the responsible authority. Any access roads, clearings, or banks resulting from excavation must be stabilised by using retaining walls, terracing, revegetation, or other means of slope stabilization to the satisfaction of the responsible authority.

Dwelling Stormwater

- All stormwaters must be conveyed by means of drains to satisfactory points or areas of discharge approved by the responsible authority, so that it will have no detrimental effect on the environment or adjoining property owners.

Dwelling (minimum water supply)

- The water supply must have a minimum combined water capacity of 45,000 litres. 20,000L must always be in reserve exclusively for firefighting purposes. The following requirements apply to the 20,000 litres:
- Be stored in an above-ground water tank constructed of concrete or metal
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use if the supply is combined.
- Be readily identifiable from the building or appropriate identification signage.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within four (4) metres of the access way and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting)
- Any pipework and fitting must be a minimum of 65 millimetres (excluding the CFA coupling).

External finishes to be muted tones

- The external finishes of dwelling and outbuildings including walls and roof materials must be of muted tones to the satisfaction of the Responsible Auth.

Goulburn Murray Water - Construction & Ongoing Activities

- All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).

Goulburn Murray Water – Wastewater to be treated

- All wastewater from the dwelling 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 have a certificate of conformity issued by the relevant body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard(s) and EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced.

Goulburn Murray Water – Disposal area

- The wastewater disposal area must be in accordance with the setback distances set out in Table 4-10 of the EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced.

Goulburn Murray Water – Wastewater Management System

- The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 1 bedroom), including an appropriately sized disposal

area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the relevant Australian Standard(s) and EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced.

Goulburn Murray Water - Wastewater Disposal Area Free of Stock

- 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 if the primary field requires resting or has failed.

Goulburn Murray Water – Stormwater

- Storm water must be discharged to a legal point as nominated by the Responsible Authority. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

No buildings within 30 metres

- No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.

Expiry (Development & Use)

- This permit will expire if one of the following circumstances applies:
- The development is not started within 2 years of the issued date of this permit.
- The development is not completed within 4 years of the issued date of this permit.
- The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Attachment:

1. Farm management Plan [**12.1.1** - 18 pages]
2. 4. Dwelling Plans - Lot 1, R P 632537, Cudgewa Valley Road, Tintaldra VIC [**12.1.2** - 6 pages]
3. 3. Site Plan - Lot 1, R P 632537, Cudgewa Valley Road, Tintaldra VIC [**12.1.3** - 1 page]
4. FARM BUSINESS PLAN [**12.1.4** - 8 pages]

Background/History:

The subject site is triangular in shape with an area of approximately 1.29 ha. The land is flat with a small dam located towards the northern boundary with the Murray River Road. Historically the site was the location of the Tintaldra Primary School, however it

has not been used for that purpose for an extended period. No buildings remain on the site. The land is located to the south of the township of Tintaldra is on the southwestern corner of the Murray River Road and Cudgewa Valley Road Tintaldra.

The proposal is to use the land for small scale poultry farming and use and develop the land for a modest one-bedroom dwelling and associated outbuildings to support the poultry farming. It is proposed to keep up to 100 poultry on the land. The use of the land for poultry farming of less than 100 birds does not trigger a planning permit.

The proposal will ensure that this low value land will be used for agriculture and maintained.

The application was advertised to adjoining and nearby landowners. One objection was received and two letters of support. The objector raised concerns regarding the following:

- Biosecurity issues between cattle grazing and the poultry farming
- Traffic concerns regarding the intersection of Murray River Road and Cudgewa Valley Road
- The proposed residence is not in keeping with the farming area and no bushfire design has been considered.



Relevant Law (s.9(2)(a)):

The *Planning & Environment Act 1987* provides the overarching standard process for assessing a planning permit application.

The Towong Planning Scheme sets out the planning permit triggers that require a planning permit application.

A planning permit is triggered under the Farming Zone and the Environmental Significance Overlay Schedule 1.

Clause 35.07-1 identifies the use of the land for a dwelling as a section 1 use where the land is 40ha or more. The land is less than 40ha and therefore a planning permit is required.

Clause 35.07-4 identifies that a planning permit is required to construct or carry out of buildings or works associated with a use in Section 2.

Clause 35.07-6 requires consideration of the following decision guidelines:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development make use of existing infrastructure and services.*

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether Rural worker accommodation is necessary having regard to:*
- *The nature and scale of the agricultural use.*

- *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
- *The duration of the use of the land for Rural worker accommodation.*

Accommodation issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*
- *Design and siting issues*
 - *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
 - *The impact of the siting, design, height, bulk, colours, and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
 - *The impact on the character and appearance of the area or features of architectural, historic, or scientific significance or of natural scenic beauty or importance.*
 - *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications, and sewerage facilities.*
 - *Whether the use and development will require traffic management measures.*

Response

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework as discussed below. The application was referred to Goulburn Murray Water who consented to the issue of a planning permit subject to conditions. The applicant has supplied a Land Capability Assessment that demonstrates that all effluent generated by the dwelling can be disposed of onsite however, any planning permit issued for the proposal will include a condition requiring the submission of a revised Land Capability Assessment that considers the wastewater produced by the use of the land for poultry production.

The size of the land and the previous use of the land for a school has resulted in a parcel of land with low agricultural value for the traditional agricultural uses that surround the subject site. The proposal will result in the land being used for agriculture. The applicant has submitted a Farm Management Plan that outlines how the land will be used for poultry production and sustainably managed.

The land is currently a vacant parcel of land that is not used for any agricultural purposes. The area containing the proposed dwelling, shed and effluent field will be permanently removed from agricultural production however the balance of the land will be re-established for the poultry production. It is not anticipated that the proposed dwelling will limit the operation and expansion of adjoining and nearby agricultural uses. The proposed dwelling will be setback from the southern boundary. Any permit issued for the proposal will require the application to plant a 5m wide vegetation buffer along the northern and eastern boundaries that will screen the site from the public realm.

The external finishes of any dwelling and outbuilding will be required to be clad in muted tones to reduce the visual impact of the proposed dwelling.

A planning permit is triggered under the Environmental Significance Overlay Schedule 1. Clause 42.01-2 identifies a planning permit is required for buildings and works associated with the construction of a dwelling. Buildings and works associated with the construction of a shed that is to be used for agriculture does not require a planning permit. Clause 42.01-5 requires consideration of the following decision guidelines:

- *Unless it can be demonstrated that a proposed development, including subdivision, maintains the productive potential of high-quality agricultural land, there will be a presumption against granting a permit for that development.*
- *Buildings or works must be sited to avoid or minimise loss of good quality agricultural land. The suitability of high-quality agricultural land will be considered in the assessment of use and development proposals.*

- *Whether the proposal retains high quality agricultural land for food production.*
- *The proposed development, including buildings or works, must be sited to avoid impact to the environmental values and functions of floodplains, wetlands, and waterways.*
- *The proposed development must demonstrate compliance with the applicable Code of Practice, where relevant.*
- *The North East Catchment Management Authority may be consulted for comment on applications that have potential to impact on values and functions of floodplains, wetlands, and waterways.*

Response

The proposed dwelling will support the use of the land for free range poultry farming. The land is not currently used for agriculture, and the proposed use will reactivate the agricultural use.

The proposed dwelling will be located to the south of the land leaving the balance of the land to the north available for the poultry production. Further, any permit issued for the development will require the landowner to plant a five-metre-wide vegetation buffer along the northern and western boundaries to screen the development from the public realm.

The application was not referred to North East Catchment Management Authority as it was not considered that the proposal will have any impact on any floodplains, wetlands, and waterways.

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03 sets out the strategic direction for Towong Shire to achieve its aspirations. Clause 02.03-1 identifies Tintaldra as the oldest township of the Upper Murray area. It is a historic and picturesque village situated between corryong and Walwa on the Murray River Road. The strategic direction aims to facilitate development that contributes to a network of settlements that support each other in their service base and offer a variety and choice of lifestyle opportunities. The subject site is on the outskirts of Tintalda and the use of the land for poultry egg production, albeit on a small scale, will provide an additional offering to the community.

Clause 02.03-3 (Environmental risks and amenity) requires consideration of the impact of climate change and bushfire. The development has been designed to ensure sufficient defensible space will be able to be maintained around the dwelling. Any permit issued for the development will have requirements to maintain a minimum water supply of 20,000L for firefighting purposes.

Clause 02.03-4 (natural resource management) aims to protect high quality

agricultural land and farmland for food production. As discussed above the proposal is in association with the use of the land for poultry production. Any permit issued for the development will require that the use of the land for poultry production be established before the dwelling can be occupied. Further consideration of the impact of the proposed development on the water catchments and water quality. The proposal was referred to Goulburn Murray Water who consented to the issue of a permit subject to conditions. The applicant provided a land capability assessment that demonstrated that all the effluent and wastewater from the dwelling can be disposed of on site. Further consideration of the impact of the use of the land for egg production will be required to be submitted before any works commence on the site.

Clause 0.03-6 (Housing) aims to encourage additional residential and rural living on the periphery of existing townships and settlements and close to urban facilities and services. The proposal is on the outskirts of Tintalra.

Clause 11 provides the State and Regional direction for the development of settlements. Clause 11.01-1R (Settlement- Regional Victoria) aims to preserve and protect features of rural land and natural resources and features to enhance their contribution to settlements and landscapes. Clause 11.01-1L-04 aims to facilitate residential development within the existing town boundaries and protect high quality agricultural land at the margins of the town. The proposed site sits within the margins of the town; however, the land is not high-quality agricultural land and has been unused for some time. The development of the land for a dwelling is at odds with this policy in that the proposed dwelling will be outside the town boundary however; the proposal will result in the land being used for agriculture.

Clause 13 (Environmental risks and amenity) operates in much the same way as Clause 02.03-3 and requires consideration of the impact of climate change and bushfire risk. As previously discussed, defensible space can be provided within the property boundary and any permit issued for the proposal will require the provision of a minimum water supply of 20,000L set aside for firefighting. It is anticipated that this will mitigate the concerns of the objector.

Clause 13.07-1S requires consideration of the amenity impacts the proposal will have on the adjoining and nearby land uses. To mitigate the visual impact of the proposal when viewed from the public realm it is proposed that any permit issued for the development will require the planting of a 5-metre-wide vegetation buffer around the perimeter of the land.

Clause 14.01-1S (Natural Resource Management – Protection of agricultural land) aims to protect productive agricultural land from unplanned loss due to permanent changes in land use. The land is a small allotment that is described as of low quality

and has already been removed from agriculture. Clause 14.01-1L-01 aims to limit new residential use and development on high quality agricultural land and to ensure that dwelling on rural lots is compatible with the agricultural and environmental characteristics of the area. Clause 14.01-2S (sustainable agricultural land use) aims to encourage sustainable agricultural land use. The proposal was supported by a Farm Management Plan and Land Management Plan that demonstrates that the small-scale egg production can be established and maintained on the land.

Clause 14.02-2L (Effluent disposal and water quality) aims to ensure that effluent is not discharged off site and effluent disposal systems are designed to respond to the soil type and topography of the site. The application was supported by a Land Capability Assessment that demonstrated that all effluent associated with the dwelling could be disposed of on site. Any permit issued for the proposal will require the submission of a revised Land Capability Assessment that considers the wastewater generated from the egg production.

Options – Best Outcomes for the Community (s.9(2)(b)):

The proposal will re-establish a small-scale agricultural use for a small parcel of land that is of limited agricultural potential. The proposed dwelling is a modest one-bedroom dwelling. Consideration of the policies relating to land use conflict and the visual impact of the proposal from the public realm can be mitigated through the planting of a vegetation buffer.

The use of the land for egg production will be required to be established before the dwelling can be occupied.

It is considered the objectors concerns can be mitigated through conditions on any permit issued for the proposal and, on balance, it is the officers view that the proposal is consistent with the municipal Planning Strategy and the Planning Policy Framework.

Sustainability Implications (s.9(2)(c)):

No economic, social or environment sustainability factors for the municipal district is required to be promoted through this report

Community Engagement (s.9(2)(d)):

The application was advertised, and one objection was received. There were two letters of support received. It is the officers view that the concerns of the objector relating to land use conflict, visual amenity and traffic management can be mitigated through permit conditions.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

As with all planning matters, there is a risk that this matter may be appealed pursuant to Section 82 of the Planning and Environment Act 1987 to the Victorian Civil Administrative Tribunal. It is the officer's view that proceeding to VCAT would have a budgetary impact. It is not possible to quantify this now.

Regional, State and National Plans and Policies (s.9(2)(h)):

The proposal is consistent with the Planning Policy Framework as discussed above.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

4. Land Use - Ensure that Council's planning, building and environmental health services support all aspects of liveability and sustainable population growth.

Council Policies:

The proposal is consistent with the Municipal Strategic Statement as discussed above

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

the relevant law section outlines many of the sensitive considerations associated with the proposed use and development of the land for a dwelling. Upon assessment it is considered the proposal is consistent with the policies and can be supported.

The risk factors considered relate to the risk to:

- Land use compatibility
- Visual amenity
- Bushfire

Any permit issued for the use and development contains conditions that aim to mitigate these risks.

Officer's View:

It is the officer's view that the proposal is consistent with the requirements of the Towong Planning Scheme and that it is appropriate for a Notice of Decision to Grant be issued subject to conditions.

Council Resolution:

**CR PITMAN
CR TOLSHER**

THAT:

PLANNING APPLICATION PA250007 FOR USE AND DEVELOPMENT OF THE LAND LOT 1 ON TITLE PLAN 632537R FOR A DWELLING BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS AND A NOTICE OF DECISION BE ISSUED:

COMPLIANCE WITH DOCUMENTS APPROVED UNDER THIS PERMIT

- **AT ALL TIMES WHAT THE PERMIT ALLOWS MUST BE CARRIED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF ANY DOCUMENT APPROVED UNDER THIS PERMIT TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

COMMENCEMENT OF PERMIT

- **THIS PERMIT WILL OPERATE FROM THE ISSUED DATE OF THIS PERMIT.**

APPROVED AND ENDORSED PLANS – CHANGES REQUIRED

- **BEFORE THE DEVELOPMENT STARTS PLANS MUST BE APPROVED AND ENDORSED BY THE RESPONSIBLE AUTHORITY. THE PLANS MUST:**

- **BE PREPARED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY**
- **BE DRAWN TO SCALE WITH DIMENSIONS**
- **SUBMITTED ELECTRONIC FORM**
- **BE GENERALLY IN ACCORDANCE WITH THE LAND CAPABILITY ASSESSMENTS FORMING PART OF THE APPLICATION AND IDENTIFIED AS LAND CAPABILITY ASSESSMENT AND MANAGEMENT PLAN REVISION – DECEMBER 2024 PREPARED BY LAND CAPABILITY ASSESSMENT SERVICES BUT AMENDED TO REFLECT THE ADDITIONAL WASTEWATER FROM EGG WASHING AND THE USE OF THE LAND FOR POULTRY PRODUCTION.**

LANDSCAPING

- **BEFORE THE DWELLING IS OCCUPIED, LANDSCAPING MUST BE CARRIED OUT TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. THE LANDSCAPING MUST INCLUDE:**
 - **A FIVE (5) METRE WIDE SCREEN PLANTING ALONG THE BOUNDARIES WITH MURRAY RIVER ROAD AND CUDGEWA VALLEY ROAD.**
 - **THE SCREEN PLANTING MUST CONSIST OF INDIGENOUS SPECIES OF UNDERSTOREY SHRUBS, AND TREES**
 - **THE LANDSCAPING BUFFER MUST BE FENCED TO PREVENT GRAZING**
- THE LANDSCAPING MUST BE MAINTAINED (INCLUDING THE REPLACEMENT OF ANY DEAD, DISEASED, OR DAMAGED PLANTS) TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

DWELLING (WORKS TO BE COMPLETED BEFORE OCCUPATION)

- **THE DWELLING MUST NOT BE OCCUPIED UNTIL THE FOLLOWING WORKS HAVE BEEN COMPLETED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY:**
- **AN ALL-WEATHER ACCESS ROAD HAS BEEN CONSTRUCTED OF ADEQUATE DIMENSIONS.**
- **PROVISION HAS BEEN MADE TO TREAT AND RETAIN ALL WASTEWATER ON-SITE IN ACCORDANCE WITH THE EPA CODE OF PRACTICE – ONSITE WASTEWATER MANAGEMENT**

- **THE DWELLING HAS BEEN CONNECTED TO A POTABLE WATER SUPPLY WITH ADEQUATE STORAGE FOR DOMESTIC USE AS WELL AS FOR FIREFIGHTING PURPOSES.**
- **THE DWELLING HAS BEEN CONNECTED TO AN ENERGY SOURCE.**

DWELLING (AGRICULTURAL USE TO COMMENCE)

- **THE DWELLING MUST NOT BE OCCUPIED UNTIL THE AGRICULTURAL USE OF THE LAND (POULTRY FARMING) HAS COMMENCED.**

DWELLING ACCESS

- **ACCESS TO THE LAND MUST BE LOCATED AND CONSTRUCTED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. ANY ACCESS ROADS, CLEARINGS, OR BANKS RESULTING FROM EXCAVATION MUST BE STABILISED BY USING RETAINING WALLS, TERRACING, REVEGETATION, OR OTHER MEANS OF SLOPE STABILIZATION TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

DWELLING STORMWATER

- **ALL STORMWATERS MUST BE CONVEYED BY MEANS OF DRAINS TO SATISFACTORY POINTS OR AREAS OF DISCHARGE APPROVED BY THE RESPONSIBLE AUTHORITY, SO THAT IT WILL HAVE NO DETRIMENTAL EFFECT ON THE ENVIRONMENT OR ADJOINING PROPERTY OWNERS.**

DWELLING (MINIMUM WATER SUPPLY)

- **THE WATER SUPPLY MUST HAVE A MINIMUM COMBINED WATER CAPACITY OF 45,000 LITRES. 20,000L MUST ALWAYS BE IN RESERVE EXCLUSIVELY FOR FIREFIGHTING PURPOSES. THE FOLLOWING REQUIREMENTS APPLY TO THE 20,000 LITRES:**
- **BE STORED IN AN ABOVE-GROUND WATER TANK CONSTRUCTED OF CONCRETE OR METAL**
- **HAVE ALL FIXED ABOVE-GROUND WATER PIPES AND FITTINGS REQUIRED FOR FIREFIGHTING PURPOSES MADE OF CORROSIVE RESISTANT METAL.**
- **INCLUDE A SEPARATE OUTLET FOR OCCUPANT USE IF THE SUPPLY IS COMBINED.**

- **BE READILY IDENTIFIABLE FROM THE BUILDING OR APPROPRIATE IDENTIFICATION SIGNAGE.**
- **BE LOCATED WITHIN 60 METRES OF THE OUTER EDGE OF THE APPROVED BUILDING.**
- **THE OUTLET/S OF THE WATER TANK MUST BE WITHIN FOUR (4) METRES OF THE ACCESS WAY AND UNOBSTRUCTED.**
- **INCORPORATE A SEPARATE BALL OR GATE VALVE (BRITISH STANDARD PIPE (BSP 65 MILLIMETRE) AND COUPLING (64-MILLIMETRE CFA 3 THREAD PER INCH MALE FITTING)**
- **ANY PIPEWORK AND FITTING MUST BE A MINIMUM OF 65 MILLIMETRES (EXCLUDING THE CFA COUPLING).**

EXTERNAL FINISHES TO BE MUTED TONES

- **THE EXTERNAL FINISHES OF DWELLING AND OUTBUILDINGS INCLUDING WALLS AND ROOF MATERIALS MUST BE OF MUTED TONES TO THE SATISFACTION OF THE RESPONSIBLE AUTH.**

GOULBURN MURRAY WATER - CONSTRUCTION & ONGOING ACTIVITIES

- **ALL CONSTRUCTION AND ONGOING ACTIVITIES MUST BE IN ACCORDANCE WITH EPA PUBLICATION 1834.1 CIVIL CONSTRUCTION, BUILDING AND DEMOLITION GUIDE (SEPTEMBER 2023).**

GOULBURN MURRAY WATER – WASTEWATER TO BE TREATED

- **ALL WASTEWATER FROM THE DWELLING 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 HAVE A CERTIFICATE OF CONFORMITY ISSUED BY THE RELEVANT BODY (OR EQUIVALENT APPROVAL) AND BE INSTALLED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARD(S) AND EPA GUIDELINE FOR ONSITE WASTEWATER MANAGEMENT, MAY 2024, AS UPDATED OR REPLACED.**

GOULBURN MURRAY WATER – DISPOSAL AREA

- **THE WASTEWATER DISPOSAL AREA MUST BE IN ACCORDANCE WITH THE SETBACK DISTANCES SET OUT IN TABLE 4-10 OF THE EPA GUIDELINE FOR ONSITE WASTEWATER MANAGEMENT, MAY 2024, AS UPDATED OR REPLACED.**

GOULBURN MURRAY WATER – WASTEWATER MANAGEMENT SYSTEM

- **THE WASTEWATER MANAGEMENT SYSTEM MUST BE APPROPRIATELY DESIGNED TO MANAGE THE POTENTIAL VOLUME OF WASTEWATER GENERATED UNDER FULL OCCUPANCY (BASED ON A MINIMUM 1 BEDROOM), INCLUDING AN APPROPRIATELY SIZED DISPOSAL AREA BASED ON A FULL WATER BALANCE SPECIFIC TO THE PROPOSAL AND SUBJECT LAND IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARD(S) AND EPA GUIDELINE FOR ONSITE WASTEWATER MANAGEMENT, MAY 2024, AS UPDATED OR REPLACED.**

GOULBURN MURRAY WATER - WASTEWATER DISPOSAL AREA FREE OF STOCK

- **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 IF THE PRIMARY FIELD REQUIRES RESTING OR HAS FAILED.**

GOULBURN MURRAY WATER – STORMWATER

- **STORM WATER MUST BE DISCHARGED TO A LEGAL POINT AS NOMINATED BY THE RESPONSIBLE AUTHORITY. ALL INFRASTRUCTURE AND WORKS TO MANAGE STORMWATER MUST BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPONSIBLE AUTHORITY.**

NO BUILDINGS WITHIN 30 METRES

- **NO BUILDINGS ARE TO BE CONSTRUCTED WITHIN 30 METRES OF ANY WATERWAYS OR ON ANY DRAINAGE LINES.**

EXPIRY (DEVELOPMENT & USE)

- **THIS PERMIT WILL EXPIRE IF ONE OF THE FOLLOWING CIRCUMSTANCES APPLIES:**

- **THE DEVELOPMENT IS NOT STARTED WITHIN 2 YEARS OF THE ISSUED DATE OF THIS PERMIT.**
- **THE DEVELOPMENT IS NOT COMPLETED WITHIN 4 YEARS OF THE ISSUED DATE OF THIS PERMIT.**
- **THE USE DOES NOT START WITHIN 2 YEARS OF COMPLETION OF THE DEVELOPMENT.**

IN ACCORDANCE WITH SECTION 69 OF THE PLANNING AND ENVIRONMENT ACT 1987, AN APPLICATION MAY BE SUBMITTED TO THE RESPONSIBLE AUTHORITY FOR AN EXTENSION OF THE PERIODS REFERRED TO IN THIS CONDITION.

CARRIED

The meeting returned to Item 5 of the Agenda at the conclusion of the resolution.

12.2 Land Use Planning Report (DCP)

Disclosure of Interests (S.130):

This report was prepared by Mrs Margaret Fox, Contract Planning Officer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to report on the activities of the Planning Team.

Summary:

This report summarises permit and development activity for the 2024/25 year and the period 1 July to 15 September 2025.

Recommendation:

That the report be noted.

Attachment:

1. 2022-2023 - Q 1 Planning Permit Activity in Victoria Online [**12.2.1** - 5 pages]
2. Report Planning Q1 2025 [**12.2.2** - 4 pages]

Background/History:

This report provides an overview of the number, location and nature of customer enquires received and resolved by the Planning Department, as well as the number, nature and location of all planning permit applications received and issued for the financial year to date as of 30 June 2025, the first quarter of the 2025/26 year, and the percentage of applications decided within the statutory timeframe.

The report also provides details of the quarter 1 survey responses from customers.

An important part of the attachments is the details of customer enquiries which remain high in number, with improvements to internal systems and processes making response times shorter and volumes more manageable.

Relevant Law (s.9(2)(a)):

Planning and Environment Act 1987

Options – Best Outcomes for the Community (s.9(2)(b)):

Not Applicable.

Sustainability Implications (s.9(2)(c)):

Planning permit applications are considered within the context of the Towong Shire Planning Scheme which gives effect to the long-term sustainability of the land in use across the Shire.

Community Engagement (s.9(2)(d)):

Not Applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

The Greenlight system went live in August 2024 and has been effective. The system allows for planning permit applications to be lodged online via Council's website. The use of the online portal has steadily increased, and improvements to internal systems and processes are taking effect. The planning team continue to work to refine the system and improve the reporting functionality.

Collaboration (s.9(2)(f)):

Staff continue to work collaboratively with key stakeholders including Infrastructure, Environmental Health, Indigo Shire Council and E-Vis (the Greenlight provider) to share processes and procedures to improve useability and functionality.

Financial Viability/Budget Impact (s.9(2)(g)):

All planning resources and expenses have been factored into the budget.

Regional, State and National Plans and Policies (s.9(2)(h)):

All land use planning decisions align with the Victorian Planning Provisions.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

4. Land Use - Ensure that Council's planning, building and environmental health services support all aspects of liveability and sustainable population growth.

4.1 Support the rebuild process for fire impacted properties

4.11 Review statutory service processes to ensure an excellent customer experience

Council Policies:

Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

No Applicable

Officer's View:

It is the officer's view the improvements that have been implemented in the Planning Department continue to provide an improved customer experience.

Council Resolution:

**CR PITMAN
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

13 Environmental Sustainability

There are no Environmental Sustainability reports to present this meeting.

14 Economic and Tourism Development

There are no Economic and Tourism Development reports to present this meeting.

Confirmed

15 Councillor Reports

15.1 JK-47

Date of Meeting/Event:	Wednesday 17 September 2025
Key information presented/discussed at meeting:	The Day JK-47 Came to Tallangatta JK-47, a proud Indigenous rapper, brought his talent, wisdom, and warmth to the Tallangatta Memorial Hall in a day our community won't forget. Students from both local primary schools and the high school were in attendance, setting the stage for a truly special event. The day began with a smoking ceremony by Johnny Murray at the entrance of the hall, where all who gathered were invited to wash the smoke over themselves — a ritual to cleanse body, soul, and spirit before stepping inside. After a heartfelt welcome from two Tallangatta High School students, the hall was buzzing with anticipation. What stood out most was the genuine connection between Jacob (JK-47) and his young audience. His words were sincere, thoughtful, and powerful — delivered with honesty, humour, and heart. He spoke, rapped, and yarned with the kids, guiding them through messages that will stay with them for years to come: • Care for others. • Understand the power of your tongue • Change for the better. • Speak with love. Jacob reminded the students: • "I'm here for you." • "I'm here to tell yarns." • "You are the future — don't doubt it!" With his infectious smile and down-to-earth presence, JK-47 proved himself not just as a talented rapper, but as a positive role model for our young people.

Members Comments/Thoughts:	A huge thank you to Narelle Urquhart our First Nations Cultural Awareness and Reconciliation Officer and the team for making this inspiring visit possible. If you ever get the chance to see JK-47 in action, take it—you'll walk uplifted.
Action required by Council:	Nil
Cr name and date:	Cr Denise Anderson – 19 September 2025

Recommendation:

That the report be noted.

Council Resolution:

CR ANDERSON CR PITMAN THAT THE REPORT BE NOTED. CARRIED

16 Urgent Business

In accordance with Council's Governance Rules, matters of urgent business can only be considered if:

- a) It relates to or arises out of a matter which has arisen since distribution of the agenda; and
- b) It cannot safely or conveniently be deferred until the next Council meeting; and
- c) The Council resolves to admit an item considered to be urgent business.

17 Committee Minutes

There are no Committee Meeting minutes for review or confirmation this meeting.

18 Council Policies

There are no policies for review or adoption.

19 Sealing of Documents

Nil.

20 Confidential

Section 66 of the *Local Government Act 2020* declares that meetings are to be open to the public unless the following specified circumstances apply:

1. *A Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.*
2. *The circumstances are –*

- a) *the meeting is to consider confidential information; or*
 - b) *security reasons; or*
 - c) *it is necessary to do so to enable the meeting to proceed in an orderly manner.*
3. *If the circumstance specified in subsection (2)(b) or (2)(c) applies, the meeting can only be closed to the public if the Council or delegated committee has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.*
4. *For the purposes of subsection (3), the arrangements may include provision to view the proceedings on the Internet or on closed circuit television.*
5. *If a Council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –*
 - a) *the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of confidential information in section 3(1); and*
 - b) *an explanation of why the specified ground or grounds applied.*

As defined in section 3(1) of the Local Government Act 2020 "confidential information" means the following information

- a. *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- b. *Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;*
- c. *Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;*
- d. *Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation in an alleged breach of the law or the fair trial or hearing of any person;*
- e. *Legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- f. *Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- g. *Private commercial information, being information provided by a business, commercial or financial undertaking that –*
 - (i) *relates to trade secrets; or*

- (ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;*
- h. *Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);*
- i. *Internal arbitration information, being information specified in section 145;*
- j. *Councillor Conduct Panel confidential information, being information specified in section 169;*
- k. *Information prescribed by the regulations to be confidential information for the purposes of this definition; and*

Information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

Nil.

21 Closure of Meeting

There being no further business, the Mayor declared the meeting closed, the time being 11:25 am.

Mayor