



# AGENDA

## ORDINARY MEETING OF COUNCIL

Tuesday, 20 December 2016

To be held Swan Hill Town Hall Council  
Chambers, McCallum Street, Swan Hill  
Commencing at 2pm

**COUNCIL:**

Cr LT McPhee – Mayor

Cr JN Katis

Cr GW Norton

Cr C Jeffery

Cr L Johnson

Cr B Moar

Cr A Young

SECTION A – PROCEDURAL MATTERS .....3

SECTION B – REPORTS.....4

B.16.146 YAMAGATA JAPANESE GARDEN.....4

B.16.147 PLANNING APPLICATION FOR EXTENSION TO EXISTING  
WAREHOUSE IN THE INDUSTRIAL 1 ZONE .....7

B.16.148 PLANNING APPLICATION FOR TWO LOT SUBDIVISION  
(DWELLING EXCISION) IN THE FARMING ZONE IN  
ACCORDANCE WITH THE ENDORSED PLANS .....26

B.16.149 PLANNING SCHEME AMENDMENT – C59 52 & 54 WERRIL  
STREET, SWAN HILL .....37

B.16.150 MONTHLY PLANNING AND BUILDING FIGURES -  
NOVEMBER 2016 .....48

B.16.151 SWAN HILL INDOOR SPORTS AND RECREATION CENTRE  
– LIGHTING UPGRADE .....51

B.16.152 BLACKWIRE RESERVE – RELOCATION OF MODEL AERO  
CLUB.....55

B.16.153 2017 AUSTRALIAN JAZZ CONVENTION.....60

B.16.154 SOCIAL MEDIA POLICY .....63

B.16.155 AUDIT COMMITTEE .....76

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION .....79

C.16.21 SIGN & SEAL REPORT .....79

C.16.22 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE  
AND AGENDA ITEMS .....82

SECTION D – NOTICES OF MOTION.....88

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA.....88

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS .....88

SECTION G – IN CAMERA ITEMS .....89

B.16.156 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....89

B.16.157 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....89

**SECTION A – PROCEDURAL MATTERS**

- **Open**
  
- **Acknowledgement to Country**
  
- **Prayer**
  
- **Apologies**
  
- **Confirmation of Minutes**
  - 1) Statutory Meeting held on 9 November 2016
  - 2) Ordinary Meeting held on 15 November 2016
  - 2) Extraordinary Council Meeting held on 15 November 2016
  
- **Declarations of Conflict of Interest**
  
- **Receptions and Reading of Petitions, Memorials, Joint Letters and Deputations**
  
- **Public Question Time**

## **SECTION B – REPORTS**

### **B.16.146 YAMAGATA JAPANESE GARDEN**

**Responsible Officer:** Director Development and Planning  
**File Number:** S01-27-06-03  
**Attachments:** Nil

#### **Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

This report seeks a Council resolution to support the use of Swan Hill Riverfront Masterplan funding to engage a Japanese horticulturalist to travel from Yamagata, Japan to Swan Hill, Australia to develop a landscape design for a Swan Hill Yamagata garden.

#### **Discussion**

During the development of the Riverfront Masterplan it was identified that a Yamagata Japanese garden be built within the Swan Hill river precinct. The garden site was unveiled in July 2015, during the 35th anniversary celebrations of the Yamagata Sister City relationship. There were 35 Japanese delegates present at the unveiling.

The Swan Hill Yamagata Club committee (committee) is proposing to bring a horticulturist from Yamagata, Japan to Swan Hill in March/April next year for 1-2 weeks. During this time, they will develop a landscape design for the proposed Yamagata Japanese garden.

The committee will provide the horticulturist with transport to and from the airport, accommodation and meals while they are in Australia and through the Swan Hill Riverfront Masterplan budget, it is proposed that the air fares be purchased.

At the 35th anniversary celebrations there was a commitment to build the Yamagata Japanese garden prior to the 40th anniversary of the Yamagata Sister City relationship, which is four years from now.

To enact this, a letter from the Swan Hill Rural City Council Mayor to the Yamagata Mayor inviting him to identify a horticulturist who would like to come to Swan Hill, Australia to design a Yamagata Japanese garden, is needed.

#### **Consultation**

The idea of having a Yamagata Japanese garden was identified and supported through the development of the Riverfront Masterplan which involved an extensive community consultation process.

### **Financial Implications**

The committee will provide all accommodation, travel to and from Tullamarine Airport, meals and tours of our region during the horticulturist stay in Swan Hill.

Council through the Swan Hill Riverfront Masterplan budget to purchase the air fares from Japan to Australia. It is expected that these costs will not exceed \$2,000.

### **Social Implications**

Undertaking this project will continue to strengthen and build the Yamagata Sister City relationship and possibly encourage Japanese visitors to Swan Hill.

### **Economic Implications**

The Japanese garden once established will be a new experience and another attraction for people visiting the Swan Hill region.

It will beautify an uninviting section of the Swan Hill river walk and make the link from the Big4 Riverside Caravan Park to the Pioneer Settlement more attractive.

The Yamagata Group has advised that the use of a Japanese horticulturalist is the most cost effective and authentic way to have a Yamagata Japanese garden designed.

### **Environmental Implications**

Once developed, the Yamagata Japanese Garden will provide another attractive public garden within Swan Hill.

### **Risk Management Implications**

If the Yamagata Mayor is unable to identify a Yamagata Japanese horticulturist willing to come to Australia, then an additional report will be brought to Council.

### **Council Plan Strategy Addressed**

***Community Wellbeing*** - A sense of belonging, ensuring that all people have a place in our community.

### **Options**

1. That Council approve \$2,000 from the Swan Hill Riverfront Masterplan budget for this project.
2. Identify an alternative method to progress the project.

## **Recommendations**

### **That Council:**

- 1. Provide \$2,000 from the Swan Hill Riverfront Masterplan budget for this project.**
- 2. Authorise the Mayor to write a letter to the Yamagata Mayor inviting him to identify a Yamagata Horticulturalist who can come to Swan Hill, Australia to undertake a landscape design for the Swan Hill Yamagata Japanese garden.**

**B.16.147 PLANNING APPLICATION FOR EXTENSION TO EXISTING WAREHOUSE IN THE INDUSTRIAL 1 ZONE**

<b>Responsible Officer:</b>	Director Development and Planning
<b>File Number:</b>	2016/97
<b>Attachments:</b>	1 Objection 2 Applicant Response 3 Proposed Development Plan 4 Elevation Plan 5 Shadow Diagram

**Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

This report seeks a Council resolution to determine a planning permit application. The planning application is for the extension to an existing warehouse in the Industrial 1 Zone located at 152-154 Gray Street, Swan Hill.

This application has been referred to Council as the application has received one (1) objection.

The Planning Department recommends approval of the application subject to relevant conditions.

**Discussion**

Location and existing conditions

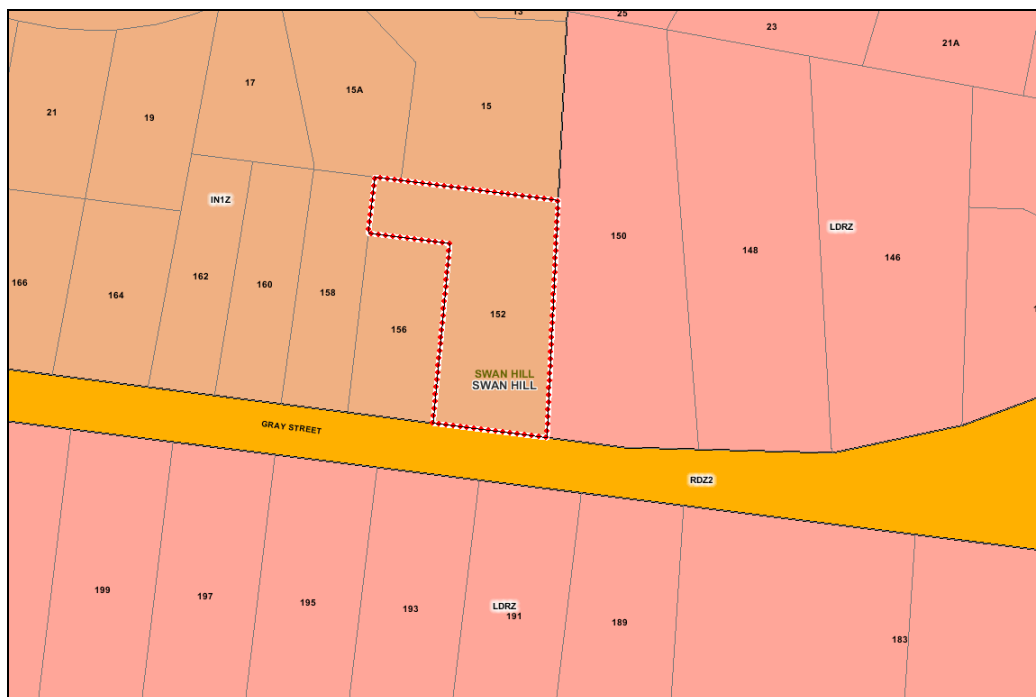
The subject site, as shown on Map 2, is currently occupied by an existing industrial warehouse to the rear of the property. The site is 4,674m<sup>2</sup> and has existing access to Gray Street.

The land and existing building is used for the storage of polystyrene fruit boxes manufactured by 'Ultrastak' in the adjacent property directly to the north being 15 Quinn Drive, Swan Hill.

The surrounding area comprises of the Industrial 1 Zone to the north and west and Low Density Residential Zone to the east and across Gray Street to the south. (refer Map 1)

The subject land is located within an existing industrial precinct but is located on the corner of the precinct abutting Low Density Residential Zone land.

Industrial buildings surround the land to the north and west and to the east and south there are existing dwellings.



Map 1: Zone Map (Industrial 1 Zone)



Map 2: Aerial photo of subject site

### Proposal

The applicant proposes the extension of an existing warehouse in the Industrial 1 Zone for the storage of polystyrene fruit boxes that are manufactured on the adjoining land to the north (15 Quinn Drive).



### Assessment

The application is only for the 'development' of the extension to the existing warehouse that exists on the land. There is no permit requirement for the 'use' of the land for the storage of the polystyrene fruit boxes in accordance with the Swan Hill Planning Scheme as the use exists on the land.

The existing building on the subject land is 28.4m x 28.4m (806.56m<sup>2</sup> internal and 840m<sup>2</sup> external) and located to the rear of the property.

The proposed extensions to the existing building is to be 42.6m x 28.4m x 6.2m (1,209.84m<sup>2</sup> internal and 1260m<sup>2</sup> external) and will be constructed of similar materials to the existing shed except for the eastern boundary of the shed abutting the Low Density Residential Zone land which will be constructed from 78mm Speedpanel to the boundary.

The type of development is considered normal for an industrial area and is the expansion of an existing local business to provide additional storage space for polystyrene fruit boxes that are manufactured on the northern adjoining allotment.

The subject land adjoins the Low Density Residential Zone (LDRZ) and the proponent wishes to build the extension on the adjoining property boundary to align with the existing shed that currently exists on the same boundary.

The existing building on the boundary extends 28.4m along the boundary which abuts a residential dwelling. The proposed extension will continue the wall on the boundary for a further 42.6m which will have a total 'post construction' length of 71.0m.

The existing dwelling on the abutting LDRZ allotment is setback approximately 12.5m from the proposed wall on boundary and no habitable room windows face the proposal.

The applicant submitted shadow diagrams during the application process demonstrating the proposed wall on boundary will not overshadow the dwelling to the east of the subject site. There will be some minor shadowing into the yard of the adjoining residential allotment up to 7.0m as demonstrated on the shadow diagrams submitted.

The applicant also submitted an elevation plan of the proposed wall demonstrating they will allow the owner/occupier of the adjoining lot to the east (150 Gray Street, Swan Hill) the opportunity to select the wall colour and have offered to supply adequate screening trees to provide a vegetated buffer between the proposal and the existing dwelling.

The existing eastern boundary fence is proposed to remain.

### **Objection**

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987 in the following way:

- Planning Notification letter to adjoining and surrounding land owners/occupiers
- Planning Notification A3 sign erected onsite for a period of 14 days.

The application was not exempt from public notification in accordance with Clause 33.01-4 of the Industrial 1 Zone (IN1Z) as the subject land is within 30m of a residential zone. Should the proposal have been greater than 30m from a residential zone, no public notification would have been required.

It is noted the use of the land does not require a planning permit and cannot be considered as part of the application.

One (1) objection was received from the owner/occupier of 150 Gray Street, Swan Hill based on the following grounds:

- There is no buffer zone between the properties
- Possibility of future noise from the building
- In peak times Ultrastak operates 24 hours a day
- No one is going to look after the 300mm gap between the proposed building and the fence
- The building will have a high impact overlooking his front garden and yard
- Future noise will be heard through the walls
- One of the bedrooms is only 10.0m from the new proposed building
- Due to the height, sunlight will be reduced substantially
- Possible fire issues
- Do not object wholly to the proposal but want the building setback 5.0m from the adjoining boundary and a maximum height of 4.0m to the gutter

A submission seeking further information was also received from the owners of 191 Gray Street opposite the subject land. It is noted that this submission was received after the advertising closing date. The requested information was provided on 5 December 2016. No further correspondence was received from the owners of 191 Gray Street, Swan Hill.

A mediation meeting was not conducted as the objector refused.

As no resolution could be made between parties, it has resulted in the application now being required to be determined by Council based on the information contained within the application.

The applicant provided a written response to the application and the information was discussed with the objector indicating the applicant/developer is willing to allow the objector to select the paint colour of the wall and the applicant will supply screening

trees for planting along the boundary to provide a landscape buffer. It is also noted the existing boundary fence will remain.

### **Industrial 1 Zone (IN1Z)**

The purpose of the Industrial 1 Zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities*

As previously stated the proposal only requires a planning permit for the buildings and works in accordance with Clause 33.01-4 and does not require a planning permit for the use of the land for the storage of polystyrene fruit boxes.

Clause 33.01.4 would normally provide an exemption from public notice requirements of Section 52 of the Planning and Environment Act 1987 but the exemption does not apply to an application for building or works within 30 metres of land (not a road) which is in a residential zone. The land is located within 30m of a residential zone, therefore public notice was given in the form of letters to adjoining and surrounding land owners/occupiers and an A3 sign on site displayed for a minimum of 14 days.

The proposed use of the land will not be altered by the proposal and will essentially expand the existing use.

The factors that should be considered in the assessment of the proposal are the implications of the building bulk on the neighbouring dwelling at 150 Gray Street, Swan Hill.

The applicant has considered the visual bulk on the neighbouring dwelling and has proposed design and buffer controls to limit the amenity impact.

It is noted the applicant has detailed on the submitted plans a tree buffer that would be required to be located on the adjoining lot at 150 Gray Street, Swan Hill. As the proposed tree buffer is located on a lot separate to this application, any decision on the application cannot consider the trees as they are not located on the land subject to the application for planning permit.

### **State Planning Policy Framework**

*Clause 15.01-1 Urban Design*

Objective: *'To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity'*.

The proposal is the extension of an existing building of similar width, height and design features except it will be longer than the existing building.

It is considered the proposal is normal for an industrial development and it is considered the applicant has considered the adjoining Low Density Residential Zone in the application.

The character of the industrial area fronting Gray Street (facade) is similar to the proposed development before Council. It is recommended the developer provide a personal access/entrance to the Gray Street facade to ensure the proposal addresses the street. Additional architectural design will ensure the facade is an attractive design outcome for the local area. This can be completed via permit condition if the application is approved.

#### *Clause 17.02-1 Industrial Land Development*

Objective: *'To ensure availability of land for industry'*.

The proposal complies with the above objective as the proposal further consolidates existing land available for industrial uses and development.

#### *Clause 17.0221 Design and Industrial Development*

Objective: *'To facilitate the sustainable development and operation of industry and research and development activity'*.

This Clause provides two (2) relevant strategies applicable to this application being:

- *'Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.'*

COMMENT: The proposal abuts a residential zone and the application has presented to Council 'buffer treatments' to reduce the amenity impact on the adjoining dwelling in the form of ensuring the existing fence remains, the owner of 150 Gray Street can select the wall paint colour and the applicant will provide a landscaping buffer on 150 Gray Street. The applicant provided elevations to detail the visual appearance of the proposed buffer works.

- *'Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals'*.

COMMENT: The proposal is located within an existing industrial precinct and is within 3.5km of the Swan Hill Airport, 2.5km from a rail terminal and 500m from a VicRoads Highway.

## **Local Planning Policy Framework (including Municipal Strategic Statement)**

The following Local Planning Policies are applicable to this proposal.

### *21.08-2 Industry*

#### *Overview*

*'The municipality's industrial base is supported by food processing and rural services industries. Future prospects for the food processing industry are growing with continued growth of horticulture in the municipality. Land use opportunities need to be made available for value added processing of local product.'*

The above section of the Overview of the Clause directly relates to the proposal by enhancing the industrial base for a local rural service industry. The infill industrial development is expanding the storage capacity of the existing polystyrene fruit boxes that are manufactured locally on the northern abutting allotment to enable the company to meet peak demand during harvest within the municipality.

#### *Objective 2*

*'To encourage the consolidation of industrial areas'*

*Strategy 2.1 'Encourage growth and infill industrial development in existing industrial areas'*

The proposal complies with the above strategy.

#### *Policy guidelines*

- *'When considering an application for industrial development, require a design report as appropriate, demonstrating that:*
  - *Building mass, scale and form have been considered having regard to the local urban character.*
  - *Streetscape character has been identified and considered.*
- *When considering an application for industrial development, consider whether the application meets the following criteria or performance measures:*
  - *Development should be connected to reticulated water, sewerage, power and storm water facilities.*
  - *Development should incorporate water sensitive urban design principles and re-use from rainwater tanks for industrial purposes.*
  - *Setback areas should be used for landscaping, vehicle and pedestrian access and car parking.*
- *Car parking areas consisting of more than ten car spaces should include trees or some other form of landscaping to reduce the visual impact of large hard surface areas and to provide shade.*

- *All loading and unloading should be carried out within property boundaries.*
- *Sites should have a minimum frontage of 28 metres to enable loading and unloading to be undertaken within the site boundaries and to enable heavy articulated vehicles to enter and exit the site in a forward direction.*
- *Driveways, car parking areas and external storage areas should be constructed of an impervious all-weather surface as a minimum standard.*
- *The façade of all buildings facing an external road should be constructed of brick, glass, or painted/treated concrete, or colorbond steel cladding, to enhance the appearance of the development. Colorbond steel or any other material which will not detract from the appearance of the building may be used for walls not fronting a street.*
- *There should be the following minimum setback distances:*
  - *10.0 metres from external walls to front boundary.*
  - *5.0 metres to side street boundary for corner allotments.*
  - *3.0 metres for steel framed structures and metal cladding, or on boundary for brick or concrete walls.*
- *Land within 10.0 metres of the front boundary should be used for car parking, access and landscaping and maintained to the satisfaction of the responsible authority.*
- *There should be a minimum setback of 3.0 metres for offices and amenity buildings where car parking is not in front of industrial buildings.*
- *There should be a minimum 2.0 metres wide strip for landscaping along the frontage of allotments and the sideage of corner allotments.*
- *When deciding on applications for industrial development, the following matters will be considered, as appropriate:*
  - *The impact of the development on the amenity and streetscape of the area.*
  - *The appearance of the proposed development.*
  - *Buffers prescribed under clause 52.10.*
  - *The design and layout of the proposed development including setbacks from property boundaries.*
  - *The type and colour of building materials.*
  - *The standards of any proposed landscape treatment.*
- *When deciding on applications for rural industrial development, the following matters will be considered, as appropriate:*
  - *The nature of the rural industry, including the hours and seasons for operation and the number of workers associated with the industry.*
  - *The anticipated off site effects associated with the rural industry, including truck movements and frequency, buffer requirements of the industry, impacts on adjoining and nearby rural and residential uses and impact on the rural landscape and the need for the developer to address these impacts.*
  - *Servicing requirements for the rural industry, including seasonal worker housing, water, effluent disposal, power, external and internal road access, drainage, and telecommunications.*

- *Accessibility to external physical and community infrastructure and services.'*

The policy guidelines of Clause 21.08-2 have been considered in the assessment of the application and the development is considered appropriate for the area.

#### *21.10-1 Swan Hill*

##### Overview

*'A strong Swan Hill regional centre greatly enhances the capacity of the municipality and the wider region to retain and attract people, businesses, investment and services.*

*Swan Hill's future will depend on whether it can retain its position within a system of regional centres located in south east Australia. For Swan Hill to consolidate its regional role it must continue to embrace a strategy that reduces the 'escape' of retail expenditure, provides regional-level facilities and services, develops its regional market for goods and services, and generates local employment opportunities.'*

The proposal consolidates Swan Hill as the regional centre enhancing the municipality's position within the system of regional centres in Victoria.

##### **Consultation**

###### *Public notification*

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987. As a result of the advertising of the application, one (1) objection was received from the adjoining land owner and occupier of 150 Gray Street, Swan Hill which is located within the Low Density Residential Zone and contains an existing dwelling and associated outbuilding.

Mediation was not undertaken as the objector refused.

###### *Internal Referrals*

The application was internally referred to the following departments for comment:

1. Building Department – No objection subject to a permit note regarding building permit requirement
2. Engineering Department – No objection subject to conditions

###### *External Referrals*

No external referrals were required for the assessment of this application.

### **Financial Implications**

There are no known financial implications. However, if the applicant or objector lodges an appeal with the Victorian Civil and Administrative Tribunal (VCAT), there will be costs associated with the VCAT hearing.

### **Social Implications**

There are no known negative social implications of the proposal.

### **Economic Implications**

There are no known negative economic implications of the proposal. The proposal may provide economic benefit to the local farming industry by enabling the company to store additional polystyrene boxes during the peak harvest times of the year. The additional storage space for the fruit boxes will enable quicker production and therefore quicker delivery of the fruit boxes to the farming industry.

### **Environmental Implications**

A possible environmental impact is potential off site effects of the proposed setback of the proposal abutting the Low Density Residential Zone land to the east. It is considered the proposed conditions of approval will limit any offsite amenity impact.

### **Risk Management Implications**

There are no known risks associated with this proposal.

### **Council Plan Strategy Addressed**

***Economic Growth*** - A prosperous, growing and diverse local and regional economy.

### **Options**

1. Council prepare a Notice of Decision to Grant a Planning Permit for the Development of the Land for an Extension to an existing Warehouse in the Industrial 1 Zone on land located at 152-154 Gray Street, Swan Hill subject to conditions and in accordance with the endorsed plans.
2. Council prepare a Notice of Decision to Refuse a Planning Permit for the Development of the Land for an Extension to an existing Warehouse in the Industrial 1 Zone on land located at 152-154 Gray Street, Swan Hill.



### **Recommendation**

**That Council grant a permit for the Development of the Land for an Extension to an existing Warehouse in the Industrial 1 Zone on land located at 152-154 Gray Street, Swan Hill subject to conditions and in accordance with the endorsed plans.**

### **Conditions as listed below:**

- 1 Before the development commences, three copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) Personal access door to the Gray Street façade**
  - b) Architectural treatment to the Gray Street façade entrance**
  - c) Landscaping schedule of the 2.0m wide landscaping area to be planted in the front setback. All species must be to the satisfaction of the Responsible Authority.****
- 2 The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.**
- 3 The development hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) Processes carried out on the land**
  - b) Transport of materials, good or commodities to or from the land**
  - c) Appearance of any building, works or materials**
  - d) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil**
  - e) Presence of vermin to the satisfaction of the Responsible Authority.****
- 4 All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.**
- 5 Provision shall be made for the appropriate storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.**

- 6 Prior to commencement of the use and/or occupation of the building, all external cladding and trim of the building hereby permitted must be coloured or painted in muted tones to the satisfaction of the Responsible Authority.**
- 7 Prior to commencement of the use and/or occupation of the building, all tilt slab, speedpanel or precast concrete buildings must be painted, treated, textured and maintained thereafter to the satisfaction of the Responsible Authority.**
- 8 The materials to be used in the construction of the buildings and works hereby permitted shall be of non-reflective type, to the satisfaction of the Responsible Authority.**
- 9 Prior to the occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:**
  - a) Constructed**
  - b) Properly formed to such levels that they can be used in accordance with the plans**
  - c) Surfaced with an all-weather sealcoat or treated to the satisfaction of the Responsible Authority to prevent dust and gravel being emitted from the site**
  - d) Drained and maintained to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times, to the satisfaction of the Responsible Authority.**
- 10 Prior to the occupation of the building, no fewer than 12 car parking spaces must be provided on the land for the development including one (1) space clearly marked for use by disabled persons to the satisfaction of the Responsible Authority.**
- 11 All car parking spaces and access lanes must be designed to allow all vehicles to enter and exit the land in a forward direction.**
- 12 The existing vehicle crossing must be upgraded in accordance with the Infrastructure Design Manual (IDM) standards to the satisfaction of the Responsible Authority.**
- 13 The applicant/owner shall restrict sediment discharges from any construction sites within the property in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.**

**14 This permit will expire if one of the following circumstances applies:**

- a) The development is not commenced within two (2) years of the date of this permit.**
- b) The development is not completed within four (4) years of the date of this permit.**

**Permit Note/s:**

- a) All building works associated with this development must be in accordance with the Building Act 1993, Building Regulations 2006 and the Building Code of Australia.**
- b) A building permit will be required for the building work associated with this development.**



Please return this completed form to: PO Box 488, Swan Hill VIC 3585 | DX 30166 45 Splatt Street, Swan Hill VIC 3585 Tel: 03 5036 2333 | Fax: 03 5036 2340 Email: planning@swanhill.vic.gov.au

### Objection to a Planning Permit

Note: A petition is considered as one objection under Section 57(3), (4a) and (4b) of the Planning and Environment Act 1987. The first person listed will receive correspondence from Council unless another contact is specifically provided.

**Who is objecting?**

Name: PHILIP JOYCE

Address: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

**What application do you object to?**

Permit application No: 2016/97

Address of proposed permit: 152/154 GRAY ST, SWAN HILL

Name of person who applied for permit: FCH CONSULTING

What is proposed? WAREHOUSE EXT.

**Reasons for your objection**


I object for this building to be built on the boundary of my residential property. There is no buffer zone between the 2 properties. Possibility of future noise from the building. In peak times Ultrastak operates 24 hour a day. No one is going to look after the 300mm gap between the building and the fence. A haven for vermin + rubbish.

**How will you be affected by the grant of this permit?**

This will have a high impact of such a large building over looking my front garden and yard. Future noise will be heard through the walls. One of the bedrooms is only 10.0m from the new proposal building. Due to the height, sunlight will be reduced substantially. Possible fire issues.

I'm looking for the building 5.0m off the boundary and a max height of 4.0m at the gutter.

If there is not enough room, attach a separate page.

Signed:  Date: 29/09/16

Important notes over page



October 17, 2016

15 Quin Drive, Swan Hill  
PO Box 1034, Swan Hill  
Phone 03/ 5032 9799

Mr Warrick Fisher  
Swan Hill Rural City Council  
45 Splatt Street  
SWAN HILL VIC 3585

Dear Sir,

**RE: PLANNING PERMIT APPLICATION 2016/97**  
152-154 Gray Street, Swan Hill

I refer to the above matter and in particular to the objection raised by the owner of the adjoining property to the east boundary of the subject property.

I can confirm I have had two extended telephone conversations with Mr Joyce and one face to face meeting with him to discuss this application. Mr Joyce quite transparently outlined his potential objection to me and we had extended discussions around potential solutions to his concerns.

Following our first meeting I met with my co-director and our consultants to seek any potential solutions to Mr Joyce's concerns and then had two further phone conversations.

I explained to Mr Joyce that it was not possible for us to move the building to the west due to the need to retain access to the rear of the adjoining Ultrastak factory building for service vehicles (including gas delivery) that is compromised by the existence of an 8 metre wide power easement to the west boundary of the subject land. I further explained that it was not practical to reduce the front setback of the building from Gray Street due to truck turning circle constraints.

It was further explained to Mr Joyce that Ultrastak requires a certain cubic storage capacity and the proposal only just meets that minimum requirement for the viability of the business. I also explained that it was not practical or cost effective to reduce the width of the building and to offset that reduction with an increase in the building height to achieve the required cubic capacity. I note that Mr Joyce is also seeking to reduce the proposed height of the building so that option is clearly not acceptable to him anyway.

Accordingly we offered a range of solutions to Mr Joyce, all of which he ultimately rejected. Those offered solutions included:

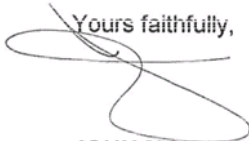
- Mr Joyce can select the colour finish to the wall adjoining his property
- Ultrastak shall provide him with a number of trees and/or shrubs to plant in his property to form a buffer between his garden and our development
- Ultrastak will provide a colorbond fence to the boundary of his property and the Ultrastak factory to the north of the subject land

I also suggested it might be possible for us to plant creepers to the wall facing his property however that is problematic for us as creepers would ultimately invade the building and become a maintenance issue and therefore is not our preferred option.

I also discussed with Mr Joyce the fact that there was a 5m wide tree buffer planted by the original owners of the land (The Naider family) prior to the subdivision permit being issued comprised of a row of sugar gum to the west and a row of melaleuca to the east side of that plantation and that this was designed to manage any transition issues from Low Density Residential to Industrial uses. Mr Joyce advised me that there were remnant melaleucas in that area when he purchased his property and that he removed them.

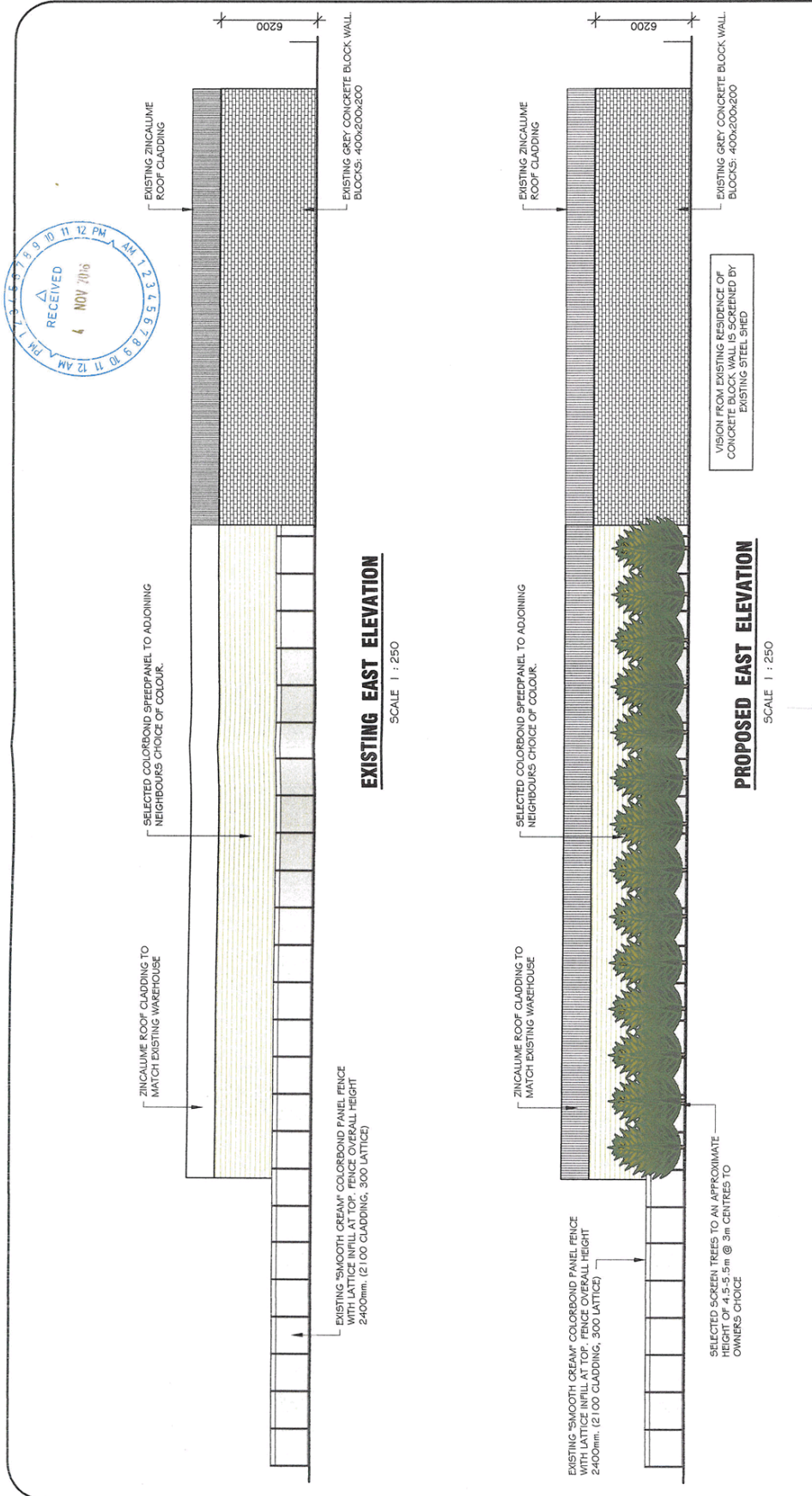
We believe we have made reasonable suggestions of compromise to Mr Joyce, however he has not accepted any of them and ultimately lodged his objection. Accordingly we now look forward to Council's determination of our application.

Yours faithfully,



**JOHN MONAHAN**  
Director



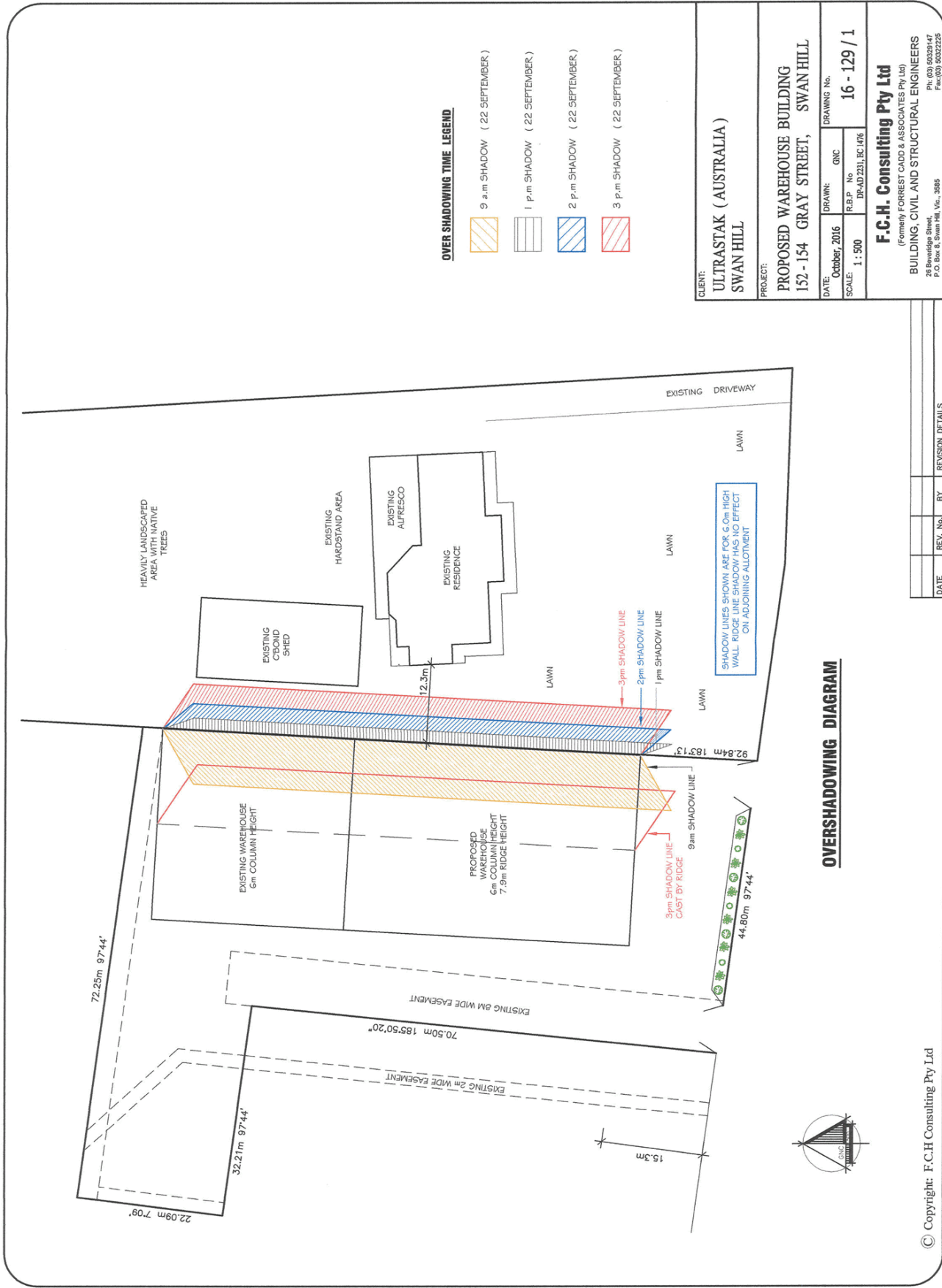


CLIENT:		ULTRASTAK ( AUSTRALIA ) SWAN HILL	
PROJECT:		PROPOSED WAREHOUSE BUILDING 152 - 154 GRAY STREET, SWAN HILL	
DATE:	DRAWN:	DRAWING No.	
October, 2016	GNC		16 - 129 / 1
SCALE:	R.B.P No		
1 : 500	DP-AD221 EC 176		
<b>F.C.H. Consulting Pty Ltd</b> (Formerly FORREST CAD & ASSOCIATES Pty Ltd) BUILDING, CIVIL AND STRUCTURAL ENGINEERS 10 Macgregor Street P.O. Box 61, Swan Hill, Vic., 3585 Ph: (03) 95039147 Fax: (03) 95022525			

DATE	REV. No.	BY	REVISION DETAILS

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## **B.16.148 PLANNING APPLICATION FOR TWO LOT SUBDIVISION (DWELLING EXCISION) IN THE FARMING ZONE IN ACCORDANCE WITH THE ENDORSED PLANS**

**Responsible Officer:** Director Development and Planning  
**File Number:** 2016/98  
**Attachments:** 1 Existing Condition Plan  
2 Proposed Plan

### **Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

This report seeks a Council resolution to refuse a planning permit application. The planning application is for the 2 lot subdivision (dwelling excision) of land in the Farming Zone located at 3925 Murray Valley Highway, Robinvale.

This application has been referred to Council as it is recommended to be refused.

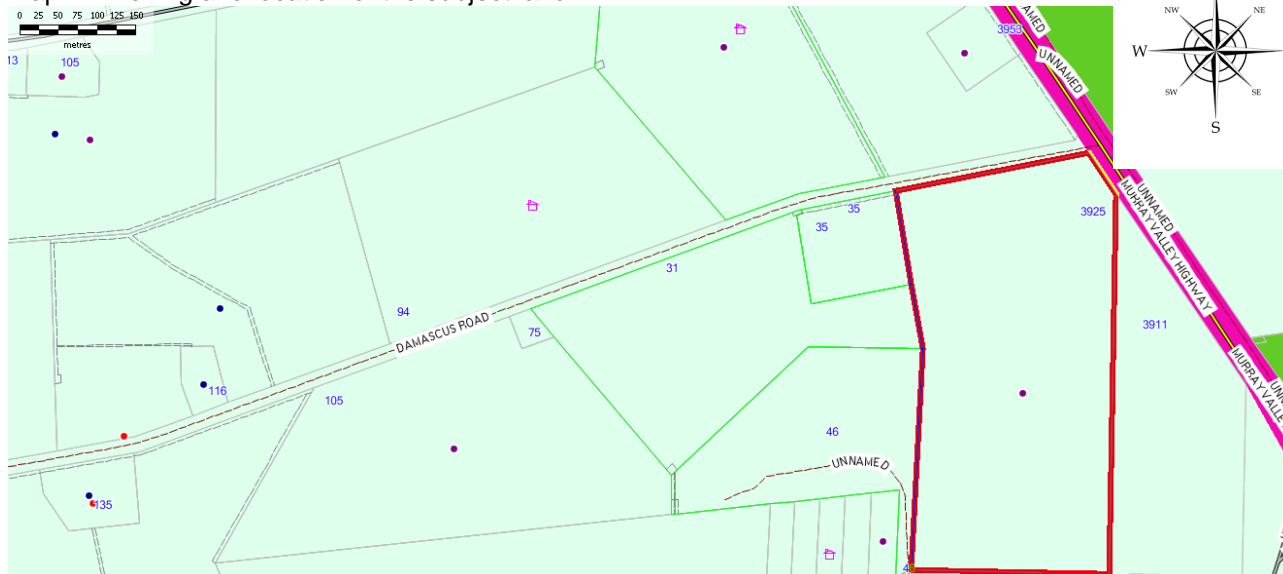
### **Discussion**

#### *Location and existing conditions*

The subject site, as shown on Map 1, is currently occupied by a dwelling and associated outbuildings and is currently being used for irrigated agriculture. The site is 13.1 hectares in size and is located on the western side of the Murray Valley Highway, which is located approximately 4 km from the Robinvale township.

The wider area is also used for irrigated agriculture on lots of varying sizes between 10ha to 30 ha although majority of multi land parcels have single ownership within 2km radius. To date there is some proliferation of 'rural living' lots within the area.

Map 1 – Zoning and location of the subject land



### *Proposal*

The applicant proposes a two lot subdivision creating a small lot of 1.893 ha for the existing dwelling and shedding and the residual lot being 11.25ha containing the agricultural activities.

The subdivision is proposed to enable a family member to retire in the existing dwelling and the larger allotment be sold to a prospective purchaser in the vicinity but not abutting the subject land.

### *Assessment*

#### Farming Zone

The purpose of the Farming Zone is as follows:

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

The proposed two lot subdivision does not meet the purpose of the farming zone and little valid justification was provided in the report to validate creating a rural living allotment in highly significant agricultural area. As stated earlier, it was noted by the applicant that *“the subdivision is proposed to enable the mother to retire within the existing dwelling upon the land”*.

Refer to the following decision by the Victorian Civil and Administrative Tribunal (VCAT).

*Mt Edgar Pastoral Holdings Pty Ltd v Murrindindi SC VCAT 1200 (30 September 2014) “House lot excisions refer to the subdivision of an existing dwelling from a larger rural lot. Subdivisions of this nature can be detrimental to the efficient operation of farming land if the subdivision does not relate to and is not required for the farming activity on the land. It is essential that any subdivision of an existing*

*dwelling protects productive rural land and does not create a de facto 'rural living' subdivision.*

Approving this application will permanently change the use of the dwelling from supporting and facilitating agriculture to creating a 'rural living' lot.

Refer to the following decision by the Victorian Civil and Administrative Tribunal (VCAT).

*Parker v Wangaratta Rural CC [2016] VCAT 59. Meagan Carew, Member states 'I do not consider the personal circumstances of the applicant are a relevant planning consideration'.*

### State Planning Policy Framework

#### *Clause 11.05-3 Rural Productivity*

Objective: 'To manage land use change and development in rural areas to promote agriculture and rural production'.

The proposal does not support the objective as it is permanently removing the dwelling from the agricultural land that is required to efficiently operate the agricultural production on the land now and in to the future.

A key strategy of the above clause is to discourage development of isolated small lots in the rural zones for use for single dwellings, rural living or other incompatible uses.

#### *Clause 11.06-8 Agricultural Productivity*

Objective: To support long-term agricultural productivity.

The proposal to subdivide the subject land to create a smaller lot for an existing dwelling, not being used for agricultural purposes, and reducing the productive agricultural land is not consistent with the above objective.

The creation of a lifestyle lot within the farming zone has the potential to create an incompatible land use conflict between rural and residential uses.

Refer to the following decision by the Victorian Civil and Administrative Tribunal (VCAT).

*Ross & Worth Land Surveyors v Baw Baw SC [2013] VCAT 885. Christina Fong, Member states 'it will be detrimental to the operation of those farming operations if the creation of this house lot generates opposition to the legitimate farming operations of surrounding lots, and which may change in practice or in the types of farming'.*

*Clause 14.01-1 Protection of agricultural land*

Objective: To protect productive farmland which is of strategic significance in the local or regional context.

This proposal does not protect productive agricultural land as the proposal will remove a required dwelling on irrigated agricultural land that is vital for the sustainable future of the land.

Refer to the following decision by the Victorian Civil and Administrative Tribunal (VCAT).

*Douglas v Campaspe SC VCAT 421 (11 April 2014) is a 2 lot subdivision in the Farming Zone and is similar to this current application. Bill Sibonis, member states 'The result of the subdivision will be to create a rural living outcome within an area of the municipality that is designated under the Planning Scheme for farming. The policy frameworks highlight the importance of protecting and maintaining the State's agricultural base, and sound caution in relation to the creation of residential activities within farming areas that are not associated with agriculture'.*

According to the above policy, to subdivide or develop agricultural land, the following factors must be considered:

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

In response to the above it is noted that:

- Agriculture is an important part of the municipalities economy and permanent removal of agricultural land for non-related agricultural purposes is strongly discouraged.
- Any proposed non-agricultural use and development may give rise to land use conflicts between the agricultural and non-agricultural use.
- Removing the dwelling associated with the agricultural productivity of the land and creating a 1.893 ha rural lifestyle block amongst irrigated farmland will detract from the long-term productivity of the land. Removing the dwelling will also limit future owners ability to effectively operate the agricultural use.

*Clause 16.02-1 Rural Residential Development*

Objective: To identify land suitable for rural living and rural residential development.

*Strategy*

- Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.

Refer to the following decision by the Victorian Civil and Administrative Tribunal (VCAT).

*Parker v Wangaratta Rural CC [2016] VCAT 59. Meagan Carew, Member states 'State planning policy Clauses 11, 14 and 16 seek to discourage development that removes land from agricultural use, discourages small lots in rural areas used for rural lifestyle purposes and directs rural residential and rural living to areas zones for these purposes'.*

Local Planning Policy Framework (including Municipal Strategic Statement)

The following Local Planning Policies are applicable to this proposal.

*21.02 – Key issues*

Key issues in relation to Natural Resource Management:

- The continued growth of the horticulture industry.
- The protection of horticultural land for agriculture.
- The need to support dry land agriculture.
- The significant potential for adding value to agricultural product including horticulture.

Any proposal for an excision within the Farming Zone must consider this Clause. The Clause details the importance of the agricultural sector within the municipality and provides a framework for decision making regarding subdivision and development.

*21.06-1 Rural areas*

*Overview*

The agricultural sector is a significant source of economic activity in the municipality. Subdivision and rural housing in rural areas that is not associated with dedicated rural and agricultural activities can potentially undermine the viability of the rural sector through land use conflict, loss of productive agricultural land, use of infrastructure and water that could be used for agricultural production, and land values exceeding agricultural value.

*Key issues:*

- *Recognising the importance of the agricultural sector to the local economy.*

- *Recognising the potential for subdivision and rural dwellings to undermine agriculture.*

Objective 1: *To ensure that any subdivision of land is for the rural or agricultural use and development of land, rather than for rural lifestyle lots and developments.*

*Strategy 1.1 Discourage any proposed excision of land to create a separate lot for an existing house in irrigated horticultural areas.*

*Strategy 1.3 Require any proposed dwelling excision of land to occur via the realignment of existing titles.*

*Strategy 1.4 Discourage any proposed excision of land if the existing dwelling is to be excised is required to maintain the ongoing agricultural production and rural use of the land.*

As can be identified from the abovementioned objective and strategies, the proposal meets none of these requirements by creating separate lifestyle lot for an existing dwelling that is required for the ongoing agricultural production and rural use of the land. Approval of this application would undermine the agricultural significance of the area.

It was also stated in the applicants report that *“there will be a small area of productive agricultural land removed by this subdivision...there will still remain over 11ha of valuable agricultural production”*. This statement contradicts the purpose of the Farming Zone and the Natural Resource Management Policy. It also contradicts the objective of Clause 14.01-1 of the State Planning Policy, that states;

- Ensure that the State’s agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.

Objective 3: *To avoid land use conflicts between agricultural and non agricultural land uses.*

*Strategy 3.1 Ensure there is an appropriate separation between agricultural and non agricultural land uses by using landscape buffers, orientation and siting of buildings.*

*Strategy 3.2 Ensure that use and development in the municipality is not prejudicial to agricultural industries or the productive capacity of the land.*

*Strategy 3.3 Discourage use and development of land that is incompatible with the use of land for agriculture.*

It can be considered that the 30 metre separation has been met.

The productive capacity of the land will be decreased without the use of the dwelling for onsite productivity and onsite farm security. The proposed dwelling lot will be surrounded by an agricultural use which is incompatible with a residential use.

The following paragraph directly supports the above objective:

The statement made by Bill Sibonis, Member in *Dean v Mitchell SC [2014] VCAT 1376* is pertinent to this application *'the ownership of Lot 1 for rural living purposes by persons not associated with the agricultural activity will create the potential for conflict between the residential use and the farming use which presently does not exist'*.

#### *21.06-2 Agriculture and horticulture*

##### Overview

Agriculture is an important industry in the municipality and its protection and enhancement is linked to the environmental and economic well being of the community.

Agricultural production is the cornerstone of the municipality's and the Murray Mallee's regional economy. Swan Hill region has one of the most productive and diverse agricultural sectors in Australia. The total annual value of agricultural production in the municipality is estimated to be at least \$344 million. Considerable opportunities have been identified for expansion and growth of the horticultural industry.

The significant development potential of the municipality's rural sector needs to be underpinned by sustainable development and management of the natural resource base especially in those areas which can be supplied with irrigated water, and where higher value products can be grown.

Land capability and land suitability are important determinants for agricultural sustainability in the municipality.

The use of land for horticultural production involves practices that can have off site effects such as spraying, scare guns and the use of machinery at night. It is essential that land use conflicts between agricultural uses and other land uses are avoided and that the productive and economic agricultural resource of the municipality is protected, particularly in the irrigated horticultural areas.

##### Key issues

- The continued growth of the horticulture industry.
- Protection of horticultural land for agriculture.

The proposed application lacks any valid supporting evidence to suggest it facilitates any of the issues raised above. As mentioned frequently within the applicant's report, the purpose of the application is to create a rural lifestyle lot to allow a family member to retire on the land, which is not supported in the zone, state or local policy of the Planning Scheme.



### **Consultation**

The application was advertised to adjoining landowners and no objections were formally received.

The application was also referred externally under Section 52 and 55 of the Act to Lower Murray Water, VicRoads and Powercor who all approved the application subject to conditions.

The application was also internally referred to the Health and Engineering Departments who also approved the application subject to conditions.

### **Financial Implications**

The development of 'lifestyle lots' in the Farming Zone can lead to cost impacts on Council for service delivery.

There is also a threat to future farming activities within the area and cost associated with that due to the impact rural living lots have within farming areas.

### **Social Implications**

There are no known negative social implications of the proposed subdivision.

### **Economic Implications**

Agriculture is an important part of the municipality's economy, and permanent removal of agricultural land for residential purposes would therefore have a negative economic impact. A negative economic impact would also be seen through the possible future uses surrounding the proposed lifestyle lot that may arise.

### **Environmental Implications**

A possible environmental impact is off site effects of the surrounding agricultural activities, such as spraying, scare guns and the use of machinery at night on the residential use of the excised dwelling.

### **Risk Management Implications**

There are no known risks associated with this proposal.

### **Council Plan Strategy Addressed**

***Economic Growth*** - A prosperous, growing and diverse local and regional economy.

### **Options**

Council generally has two options when considering an application.

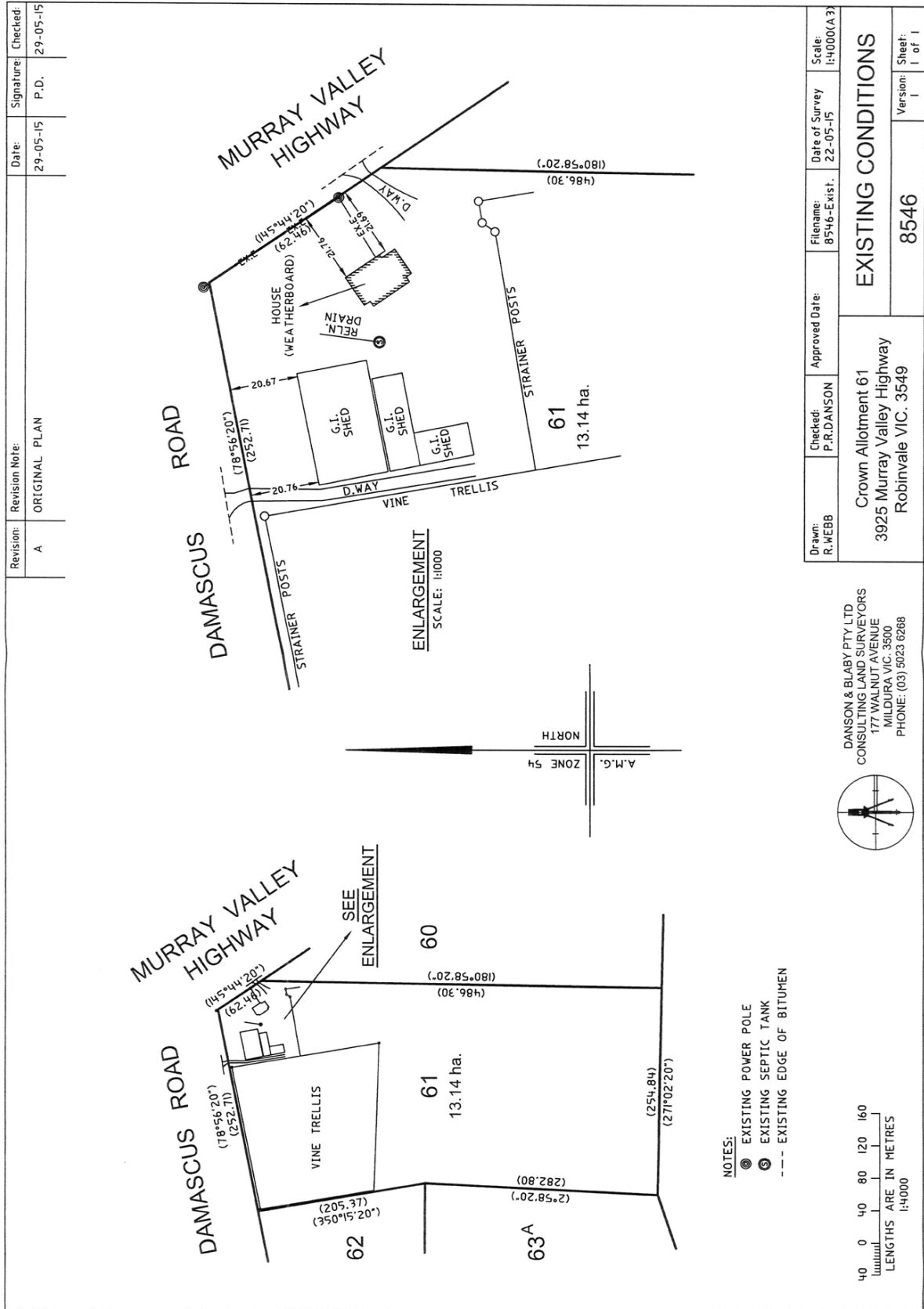
These being:

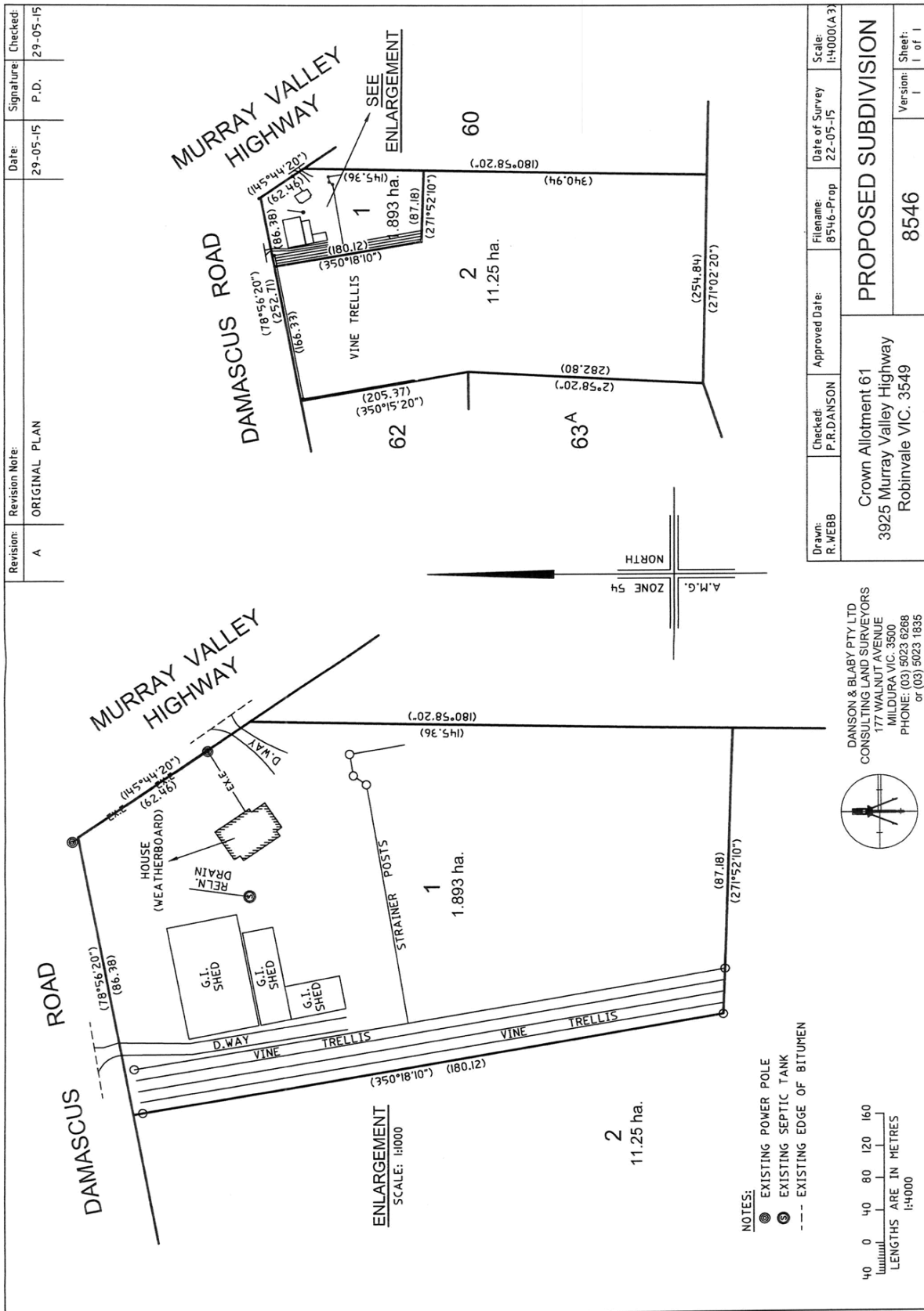
1. Council issue a notice of refusal to Grant a Planning Permit for the two lot subdivision (dwelling excision) of land located at 3925 Murray Valley Highway, Robinvale, based on the following grounds of refusal:
  - a. Inconsistent with the relevant State and Local Planning Policies;
  - b. Inconsistent with the purpose of the Farming Zone.
2. Council grant a permit for the two lot subdivision (dwelling excision) of land located at 3925 Murray Valley Highway, Robinvale subject to conditions and in accordance with the endorsed plans. However, approval of the permit application would be inconsistent with the State Planning Policy Framework, the Local Planning Policy Framework, the Municipal Strategic Statement and the purpose of the Farming Zone.

### **Recommendation**

**That Council issue a notice of refusal to Grant a Planning Permit for the two lot subdivision (dwelling excision) of land located at 3925 Murray Valley Highway, Robinvale, based on the following grounds of refusal:**

- a. Inconsistent with the relevant State and Local Planning Policies;**
- b. Inconsistent with the purpose of the Farming Zone.**





**B.16.149 PLANNING SCHEME AMENDMENT – C59 52 & 54 WERRIL STREET, SWAN HILL**

<b>Responsible Officer:</b>	Director Development and Planning
<b>File Number:</b>	S22-03-01-10
<b>Attachments:</b>	1 Instruction Sheet
	2 Explanatory Report
	3 Development Plan Overlay
	4 Low Density Residential Zone

**Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

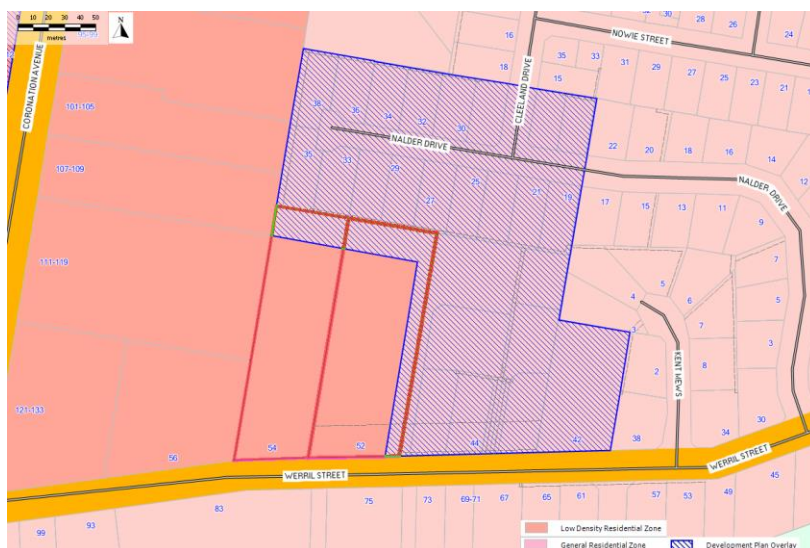
This report seeks a Council resolution that Council formally adopt Amendment C59 and forward the amendment to the Minister for Planning (Minister) for approval and gazettal.

Council at its meeting of 17 May 2016 resolved to request the Minister for Planning to authorise the preparation of amendment C59. Authorisation was received on 2 August 2016 and amendment C59 was placed on public exhibition between 22 September 2016 and 21 October 2016, with no opposing submissions received.

The amendment can now proceed to the final stage in the process, which is for Council to adopt the amendment and forward the amendment to the Minister for Planning for approval and gazettal.

**Discussion**

Both of the affected properties, 52 and 54 Werril Street, Swan Hill are subject to a dual zoning, being predominantly in the Low Density Residential Zone (LDRZ) with a small section of both properties in the General Residential Zone (GRZ), as illustrated in the map below. This dual zoning is an anomaly that has been further accentuated by a subdivision that occurred between 52 Werril Street and 44 Werril Street.



Map 1: Locality Plan

Both properties are also partly affected by the Development Plan Overlay, Schedule 1 (DPO1), which applies to the parts of both lots that are in the GRZ. The subdivision approved by planning permit 2013/114 provided for a minor adjustment to the boundaries of two existing lots (52 and 44 Werril Street), each containing dwellings. The subdivision reflected the existing use and development of the land, but further accentuated the split zoning of 52 Werril Street. A condition of the permit for this subdivision was that the permit holder must prepare and submit the necessary documentation to Council in order to undertake a planning scheme amendment, to rezone the section of land that is currently GRZ to LDRZ.

A request was made to the owner of 54 Werril Street (which has the same zoning anomaly) to rezone the GRZ portion of land to LDRZ, but the owner was not interested. The owner of 54 Werril Street advised that they would like to keep the rear portion of their land in the GRZ as it provides an opportunity to further subdivide the land and sell this portion of the land to the owners of the land to the north, fronting Nalder Drive.

The proposal to delete part of the DPO1 from both 52 and 54 Werril Street is also to correct an anomaly. There is no need for the overlay within 52 Werril Street, as it should be applied to land in the GRZ rather than the LDRZ. Even though the rear of 54 Werril Street will remain in the GRZ, the DPO1 need not remain on this land, as land to the north in Nalder Drive has already been developed.

## Consultation

As previously stated, public exhibition of the Amendment took place during the months of September and October 2016. Notice of the amendment was sent to immediate owners and occupiers; a notice appeared in The Guardian Newspaper, in the Government Gazette and on Council's website. Two submissions were received, these were from the Department of Environment, Land, Water & Planning (DELWP) and Lower Murray Water (LMW). None of the authorities objected to the amendment.

### **Financial Implications**

There are no adverse financial implications. The proponent is required to pay the Planning Scheme Amendment fees.

### **Social Implications**

There are no adverse social implications associated with this amendment.

### **Economic Implications**

The rezoning is a desirable administrative change that will allow the land to be used in a manner consistent with its built form and location.

### **Environmental Implications**

There are no adverse environmental implications.

### **Risk Management Implications**

There are no known risks in undertaking the amendment.

### **Council Plan Strategy Addressed**

***Economic Growth*** - A prosperous, growing and diverse local and regional economy.

### **Options**

At this stage of the amendment process, the options available to Council under the *Planning and Environment Act 1987* are:

- Option 1:
  - To adopt amendment C59 as exhibited;

Or

- Option 2:
  - Decide to abandon the amendment.

The Planning Scheme Amendment C59 has proceeded through the public exhibition process. There were no objections. Council has previously supported the amendment. There has been no change in material circumstances such that the Council approach to the rezoning should be changed. Accordingly, there is strong support for adopting Option 1.

## **Recommendations**

### **That Council:**

- 1. Formally adopt amendment C59 to the Swan Hill Planning Scheme without change, pursuant to Section 29 of the *Planning and Environment Act 1987*;**
- 2. Authorises the Chief Executive Officer (or delegate) to finalise the amendment documentation for Ministerial approval;**
- 3. Submit the adopted amendment C59, together with the prescribed information, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.**



*Planning and Environment Act 1987*

**SWAN HILL PLANNING SCHEME**

**AMENDMENT C59**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Swan Hill Rural City Council.

The Swan Hill Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

**Zoning Maps**

1. Amend Planning Scheme Map No. 40 in the manner shown on the attached map marked "Swan Hill Planning Scheme, Amendment C59".

**Overlay Maps**

2. Amend Planning Scheme Map No 40DPO in the manner shown on the attached map marked "Swan Hill Planning Scheme, Amendment C59".

Planning and Environment Act 1987

**SWAN HILL PLANNING SCHEME  
AMENDMENT C59  
EXPLANATORY REPORT**

**Who is the planning authority?**

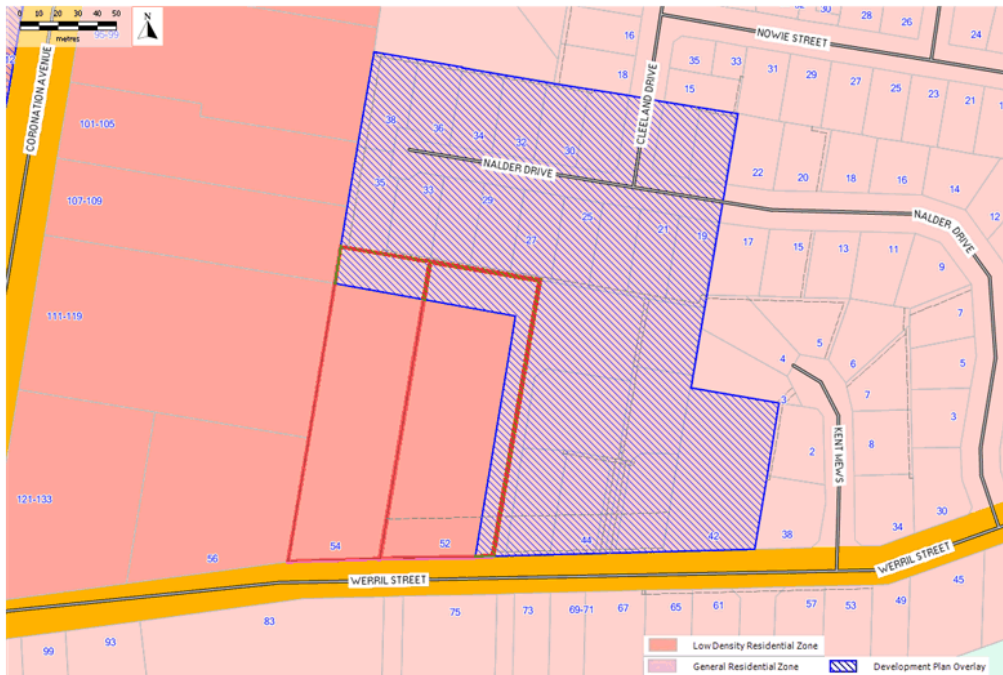
This proposed amendment has been prepared by the Swan Hill Rural City Council, which is the planning authority for this amendment.

The proposed amendment has been made at the request of the land owners James and Leonie Gleeson.

**Land affected by the amendment**

The proposed amendment applies to parts of 52 and 54 Werril Street, Swan Hill.

The following map depicts the location of the above lots highlighted with red boundaries:



Map 1: Locality Plan

**What the amendment does**

The proposed amendment

- Rezones part of 52 Werril Street, Swan Hill from General Residential Zone to Low Density Residential Zone;
- Deletes the Development Plan Overlay, Schedule 1 from part of the properties located at 52 and 54 Werril Street, Swan Hill;
- Amends Planning Scheme Map 40; and
- Amends Planning Scheme Map 40DPO.

## **Strategic assessment of the amendment**

### **Why is the amendment required?**

Both of the affected properties, 52 and 54 Werril Street, Swan Hill are subject to a dual zoning, being predominantly in the Low Density Residential Zone (LDRZ) with a small section of both properties in the General Residential Zone (GRZ), as illustrated in the above plan. This dual zoning is an anomaly that has been further accentuated by a subdivision that occurred between 52 Werril Street and 44 Werril Street.

Both properties are also partly affected by the Development Plan Overlay, Schedule 1 (DPO1), which applies to the parts of both lots that are in the GRZ. The subdivision approved by planning permit 2013/114 provided for a minor adjustment to the boundaries of two existing lots (52 and 44 Werril Street), each containing dwellings. The subdivision reflected the existing use and development of the land, but further accentuated the split zoning of 52 Werril Street. A condition of the permit for this subdivision was that the permit holder must prepare and submit the necessary documentation to Council in order to undertake a planning scheme amendment, to rezone the section of land that is currently GRZ to LDRZ.

A request was made to the owner of 54 Werril Street (which has the same zoning anomaly) to rezone the GRZ portion of land to LDRZ, but the owner was not interested. The owner of 54 Werril Street advised that they would like to keep the rear portion of their land in the GRZ as it provides an opportunity to further subdivide the land and sell this portion of the land to the owners of the land to the north, fronting Nalder Drive.

The proposal to delete part of the DPO1 from both 52 and 54 Werril Street is also to correct an anomaly. There is no need for the overlay within 52 Werril Street, as it should be applied to land in the GRZ rather than the LDRZ. Even though the rear of 54 Werril Street will remain in the GRZ, the DPO1 need not remain on this land, as land to the north in Nalder Drive has already been developed.

### **How does the amendment implement the objectives of planning in Victoria?**

The amendment implements the objectives of planning in Victoria through providing orderly planning in relation to the land and ensuring its ongoing future use and development is consistent with the framework of the planning scheme. Specifically the amendment is consistent with the following objective:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;*

### **How does the amendment address any environmental, social and economic effects?**

There will be no negative environmental, social or economic effects from this amendment as it seeks to correct a mapping anomaly.

### **Does the amendment address relevant bushfire risk?**

The proposed amendment will not have any impact upon bushfire risk to the affected land.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The proposed amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes (September 2009). No changes are proposed to the form of the existing Swan Hill Planning Scheme. The proposed amendment only involves changes to Map 40 and Map 40DPO of the Swan Hill Planning Scheme.

No other Ministerial Directions are applicable to this amendment.

**How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The proposed amendment directly supports and implements the State Planning Policy Framework through facilitating the orderly development of urban areas as outlined in Clause 11.02-3.

The amendment is broadly consistent with Clause 11.11 - Loddon Mallee North Regional Growth Plan.

The Regional Growth Plan ('the plan') supports incremental expansion of Swan Hill and the provision of infrastructure to facilitate population and economic growth, including improvements to transport infrastructure to service regional industries. It emphasises the need for integrated strategic planning to support for growth and enable healthy and supportive communities.

The plan recognises Swan Hill as a regional centre that services a wider catchment beyond its municipal boundaries and its stronger relationships with New South Wales, South Australia and adjoining Victorian regions. However, the plan does not provide any specific reference to the proposed amendment due to the minor nature of the amendment.

The amendment is an appropriate response to the existing built environment as per Clause 15 – Built environment and heritage.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The proposed amendment implements and supports the Local Planning Policy Framework (including the Municipal Strategic Statement) as follows:

- Maintaining the settlement hierarchy and orderly growth as per Clause 21.04 – Settlement and Housing.

**Does the amendment make proper use of the Victoria Planning Provisions?**

The strategic objective of the proposed amendment is to rectify the split zoning. Given that the majority of land is included within the Low Density Residential Zone, it is considered that it is an appropriate response to apply that zoning to the entire land parcel. The deletion of Development Plan Overlay, Schedule 1 that applies to the land simply removes the overlay where it is not relevant.

**How does the amendment address the views of any relevant agency?**

All relevant agencies will be notified and consulted as part of the amendment exhibition process.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not have an impact upon the transport system as defined by Section 3 of the Transport Integration Act 2010.

**Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The impact of the proposed amendment on the resource and administrative costs of the responsible authority will be minimal. The rezoning will not trigger any additional permit requirements for the land.

**Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

Swan Hill Rural City Council

45 Splatt Street

Swan Hill Vic 3585

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

**Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 21 October 2016.

A submission must be sent to:

Chief Executive Officer

PO Box 488

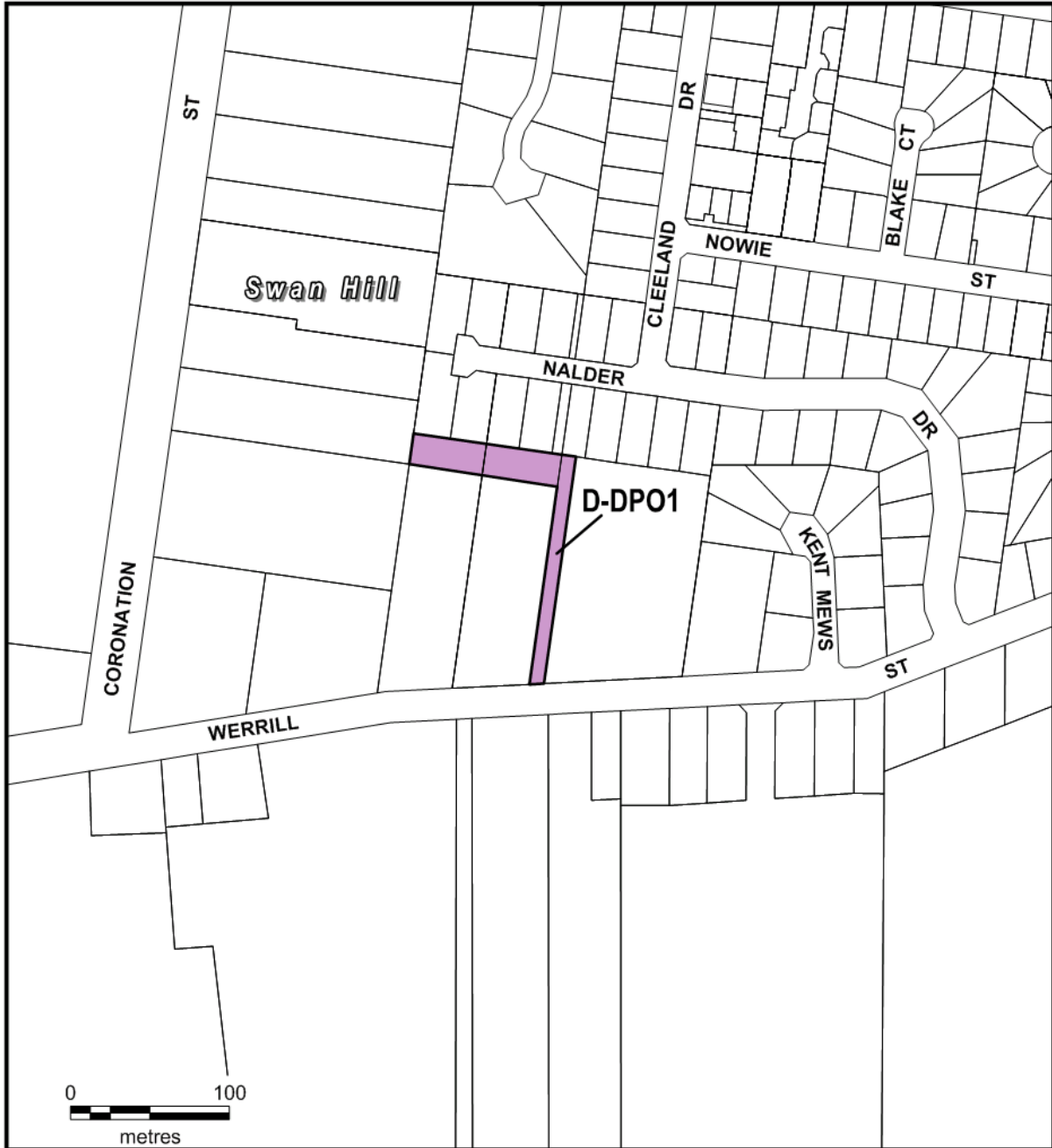
Swan Hill Vic 3585

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

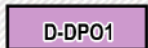
- Directions hearing: Week commencing 1 November 2016
- Panel hearing: Week commencing 21 November 2016

# SWAN HILL PLANNING SCHEME LOCAL PROVISION



### LEGEND

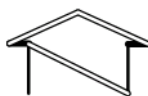
Part of Planning Scheme Map 40DPO



**D-DPO1** Area to be deleted from a Development Plan Overlay (DPO1)

## AMENDMENT C59

| Planning Mapping Services |  
 | Amendments Coordination Team |  
 | Planning & Building Systems |  
 | Planning, Building & Heritage |

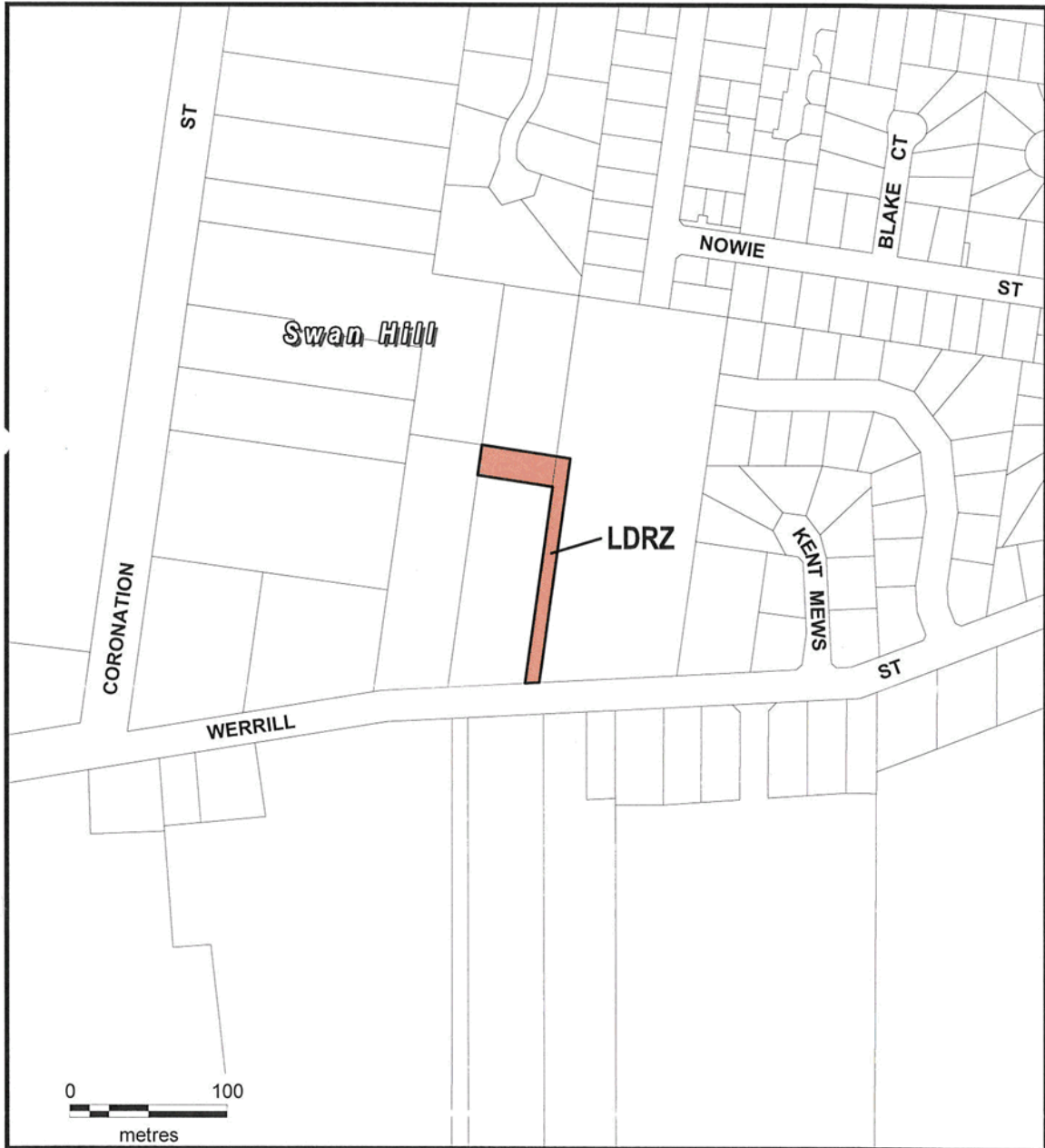


Department of  
 Transport, Planning and  
 Local Infrastructure



006

### SWAN HILL PLANNING SCHEME LOCAL PROVISION



**LEGEND**

Part of Planning Scheme Map 40

 Low Density Residential Zone

## AMENDMENT C59

| Planning Mapping Services |  
| Amendments Coordination Team |  
| Planning & Building Systems |  
| Planning, Building & Heritage |



Department of  
Transport, Planning and  
Local Infrastructure



005

**B.16.150 MONTHLY PLANNING AND BUILDING FIGURES - NOVEMBER 2016**

**Responsible Officer:** Director Development and Planning  
**File Number:** 13-05-01  
**Attachments:** Nil.

**Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

The purpose of this report is for Council to note the monthly planning and building figures for November 2016.

**Discussion**

**Planning**

Type	2016		2015	
	No. November	No. YTD	No. November	No. YTD
Planning Permit Applications Received	14	162	16	161
Approvals under delegation	12	126	17	141
Notice of Decision to Grant a Planning Permit	0	4	0	1
Notice of Decision to refuse a Planning Permit	0	0	0	3
Application Lapsed or Withdrawn	1	7	1	2
VCAT upheld Council decision	0	0	0	1
VCAT set aside Council decision	0	0	0	0
Total number of decisions	12	130	17	146

**Monthly decision breakdown by town**

	Approved November 2016	Approved YTD	Refused November 2016	Refused YTD
<b>Swan Hill</b>	5	49	0	0
<b>Robinvale</b>	3	38	0	0
<b>Lake Boga</b>	2	7	0	0
<b>Nyah</b>	0	5	0	0
<b>Nyah West</b>	0	1	0	0



**Building  
 November – Comparisons**

TYPE	2016		2015	
	No.	VALUE	No.	VALUE
Dwelling	4	1,727,189	3	661,000
Dwelling additions	3	24,865	6	617,440
Unit Developments	0 *(0)	0	0*(0)	0
Shops	0	0	1	250,000
Offices	0	0	2	330,000
Warehouses	1	48,000	1	87,758
Factories	0	0	0	0
Public Buildings	0	0	2	54,600
Out Buildings	10	126,640	13	334,769
Other	6	118,066	5	31,650
<b>Total</b>	<b>24</b>	<b>\$2,044,760</b>	<b>33</b>	<b>\$2,367,217</b>

\*( ) denotes total number of Dwelling Units

New Dwellings - November			
2016		2015	
Swan Hill	2	Swan Hill	3
Nyah	1		
Kunat	1		

**Year to Date – Comparisons**

TYPE	1/01/2016 to 30/11/2016		1/01/2015 to 30/11/2015	
	No.	VALUE	No.	VALUE
Dwelling	49	17,419,163	54	16,136,022
Dwelling additions	70	3,888,928	79	2,954,649
Unit Developments	4*(12)	1,011,800	4*(4)	188,500
Shops (1)	6	231,000	12	6,123,824
Offices (2)	2	2,213,711	9	1,157,500
Warehouses (3)	12	1,946,460	9	2,682,842
Factories (4)	16	4,201,481	5	722,288
Public Buildings (5)	6	1,024,654	17	14,477,002
Out Buildings	101	2,623,269	133	3,107,951
Other	53	1,170,715	53	1,329,849
<b>Total</b>	<b>319</b>	<b>\$35,731,182</b>	<b>375</b>	<b>\$48,880,428</b>

\*( ) denotes total number of Dwelling Units

- (1) The majority of the 2015 'Shops' amount relates to the Bunnings Store development valued at \$4.5M (Stage 3);
- (2) The majority of the 2016 'Offices' amount relates to the Kyndalyn Park Administration Building at Bannerton valued at \$2.069M
- (3) The majority of the 2015 'Warehouses' amount relates to Workshop at 18 Aerodrome Road, Swan Hill at \$1.5M;
- (4) The majority of the 2016 'Factories' amount relates to Kyndalyn Park Factory (Stage 1) at Bannerton valued at \$1.68M and Kyndalyn Park Factory (Stage 2) valued at \$600,000 and a Factory at 180 Karinie Street, Swan Hill valued at \$619,000;
- (5) The majority of the 2015 'Public Buildings' amount relates to the Swan Hill Hospital Aged Care Facility valued at \$9.8M and the SuniTAFE Extensions valued at \$2.16M

### **Consultation**

Not applicable

### **Financial Implications**

Not applicable

### **Social Implications**

Not applicable

### **Economic Implications**

Not applicable

### **Environmental Implications**

Not applicable

### **Risk Management Implications**

Not applicable

### **Council Plan Strategy Addressed**

***Economic Growth*** - A prosperous, growing and diverse local and regional economy.

### **Options**

Not applicable

### **Recommendation**

**That Council note the Planning and Building figures for November and the Year to Date comparisons as reported.**

## **B.16.151 SWAN HILL INDOOR SPORTS AND RECREATION CENTRE – LIGHTING UPGRADE**

**Responsible Officer:** Director Development and Planning  
**File Number:** S11-27-16-2119  
**Attachments:** Nil

### **Declarations of Interest:**

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The purpose of this report is to recommend that Council allocate \$40,000 to upgrade the Swan Hill Indoor Sports and Recreation Centre lighting.

### **Discussion**

The Swan Hill Indoor Sport and Recreation Centre (the Stadium), is a Council owned stadium in Gray Street, Swan Hill. The original Stadium facility was opened in 1967 and consisted of two highball courts, amenity/change facilities, office and foyer. The Stadium now includes the following components:

- Four highball courts (basketball courts)
- Two squash courts
- Storage facilities in various locations around the facility
- Five administration offices – used by the tenant sports and venue management
- Kiosk and café seating and tables
- Two meeting rooms
- Three separate toilet/shower facilities
- Air conditioning throughout the venue
- Car parking and outdoor recreation facilities

One of the largest areas of cost for the stadium to operate are electricity costs. For the 2016/17 year, the electricity costs are budgeted to be \$15,375, this represents 9% of the stadiums operating expenditure. Of that \$15,375, \$12,114 of it is spent on lighting the stadium's four courts.

A business case has been undertaken to look at the payback of removing the current court lighting and replacing it with LED (or a variety of LED) lighting. Three quotes have been received, these quotes cover LED lights, high reflector lights and induction lights. These are all varieties of 'LED type' lights that use significantly less power than the current traditional lights at the stadium.

The detailed business case is attached with a summary below, the business case assumptions are:

**SECTION B - REPORTS**

20 December 2016

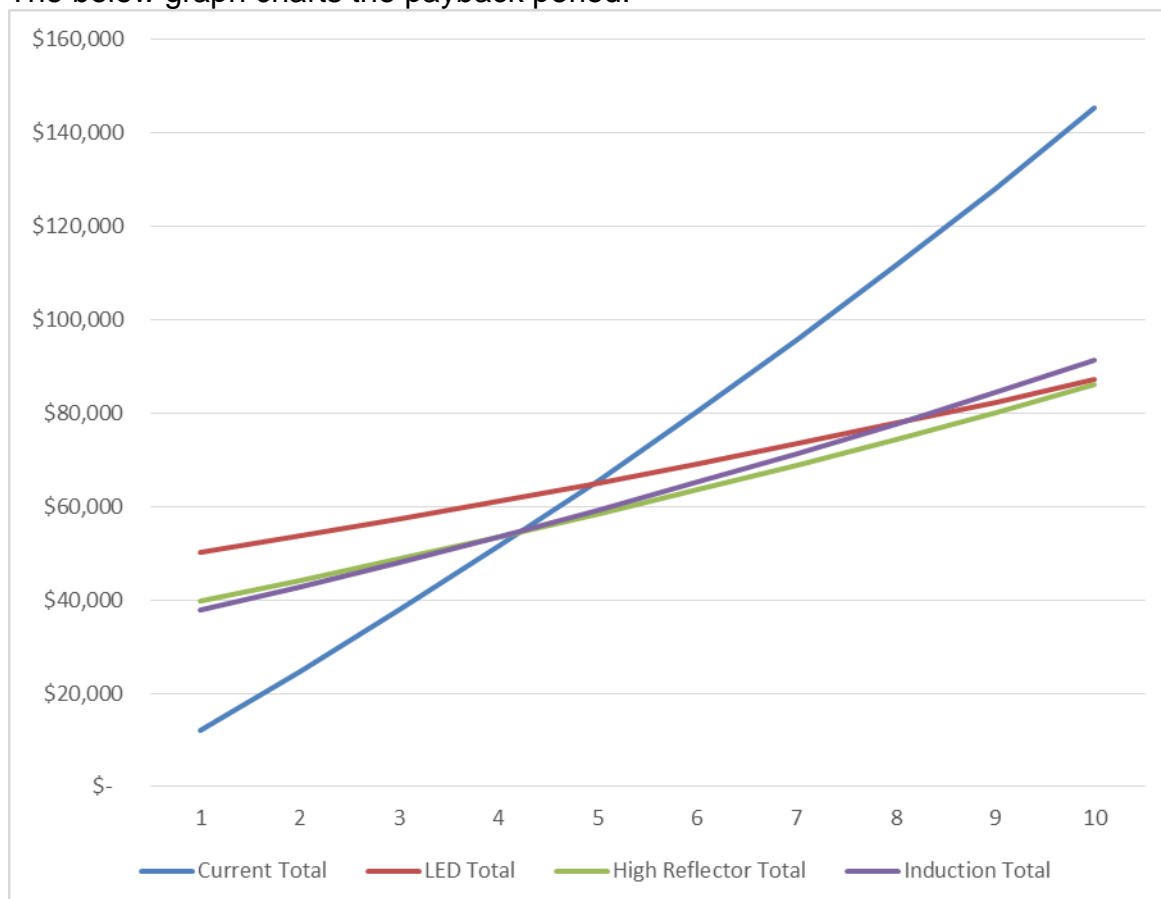
- Electricity price of \$.26 per kWh
- The lights are used on average for four hours per day
- The lights are used on 260 days per year
- Electricity prices will increase by 4% per annum
- The discount rate for the Net Present Value (NPV) calculation was 4%

Across ten years the following payback is achievable:

	Capital Cost	Ten Year Cost	Payback period	NPV	Internal Rate of Return
Current	-	\$145,441	-	-	-
LED	\$46,939	\$87,195	Year 5	\$37,301	17%
High Reflector	\$35,624	\$86,112	Year 5	\$40,421	22%
Induction	\$32,897	\$91,133	Year 5	\$36,783	21%

The above table shows that changing to any of the three 'LED type' lights, will provide a significant reduction in operating cost. All three options achieve a five-year payback, with the High Reflector lights achieving the cheapest cost across ten years. This is also demonstrated by the High Reflector lights having the highest NPV and Internal Rate of Return. These savings will translate to a reduction of approx. \$7,000 annually in operating expenditure for the stadium.

The below graph charts the payback period:



Sensitivity analysis of the business plan assumptions has also been undertaken, with the following results achieved:

<b>Assumption</b>	<b>Payback period</b>
20% reduction in electricity price	Year 6
20% increase in electricity price	Year 4
20% reduction in hours of use	Year 6
20% increase in hours of use	Year 4
20% reduction in days per year	Year 6
20% increase in days per year	Year 4
20% reduction across all assumptions	Year 8
20% increase across all assumptions	Year 3

The sensitivity analysis shows that none of the individual assumptions will have a significant impact on the business case. If all of the assumptions were to increase or decrease by 20%, this would add or reduce 2-3 years from the payback. Even if this were to take place the switch to LED would still be worthwhile given the short and long term savings. Additionally, the LED type globes have a 50,000-hour life, whereas the current globes only have a 10,000-hour life.

### **Consultation**

Upgrading the lights at the Stadium has been discussed by all user groups and is well supported.

### **Financial Implications**

Through the savings achieved from the 'Lighting the Region' project, which saw Council upgrade street lights to LED's, there is sufficient budget available to fund this project.

Two of the quotes received to complete this project are under \$40,000. Officers request a budget of \$40,000 to complete this project, a budget of \$40,000 provides a 10% contingency for the project.

While the lighting upgrade is expected to achieve a 5-year payback, the financial returns/savings from this project will be passed directly on to the facility user groups through reduced hire fees.

### **Social Implications**

Reductions in the Stadium operating costs will allow user groups to conduct their competitions at cheaper rates and in turn encourage increased physical activity.

### **Economic Implications**

The Stadium provides an economic benefit through hosting competitions and events.

### **Environmental Implications**

This project will mean that the stadium uses less power to light the stadium. This will in return lead to a reduction in carbon emissions resulting from the stadium.

### **Risk Management Implications**

Not applicable

### **Council Plan Strategy Addressed**

***Community Wellbeing*** - A sense of belonging, ensuring that all people have a place in our community.

### **Options**

1. Undertake the lighting upgrade – The upgrade is expected to achieve a five-year payback and achieve an annual saving of \$7,000 in stadium operating costs
2. Do not undertake the lighting upgrade – Electricity costs will remain at current levels for the stadium and no savings will be achieved

### **Recommendation**

**That Council allocate \$40,000 to upgrade the lighting at the Swan Hill Indoor Sports and Recreation Centre using funds saved from the upgrade of LED Street Lights and held in reserve.**

## **B.16.152 BLACKWIRE RESERVE – RELOCATION OF MODEL AERO CLUB**

**Responsible Officer:** Director Development and Planning  
**File Number:** AST-BU-36263-03  
**Attachments:** Nil

**Declarations of Interest:** Officer

Adam McSwain - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

This report seeks Council approval to provide \$30,000 funding for the relocation of the Swan Hill Model Aero Club from Lot 1 Blackwire Reserve to Lot 2 Blackwire Reserve in Swan Hill.

### **Discussion**

Council has recently formalised the sale of Lot 1 Blackwire Reserve to Australia Solar Group (ASG) for the purpose of establishing a solar farm. The site is ideally located next to a sub-station which allows for the electricity that is generated to be fed back into the grid. ASG are looking at developing a 15.76MW (DC) solar farm.

To ensure a smooth transition occurs, Council has been working with the Swan Hill Model Aero Club that currently occupy and use Lot 1 Blackwire Reserve. Issues that have been tabled for discussion include the location of a new 'home' for the Model Aero Club, identifying necessary infrastructure requirements and their associated costs and scoping out future timeframes for implementation.

Discussions were held between Council and the Swan Hill Model Aero Club to:

- Identify a suitable location for the Swan Hill Model Aero Club at Lot 2 Blackwire Reserve;
- Finalise and cost all necessary infrastructure requirements for this new site including club house, toilet facilities and runways;
- Facilitate timelines for the relocation process / transition period.

To finalise the process, it is recommended to:

- Provide the Swan Hill Model Aero Club a User Agreement (ten years) with Council, at a peppercorn rate of \$1, for access and usage of Lot 2 Blackwire Reserve;
- Finalise an agreement to facilitate a 'one off' payment up to \$30,000 (funded through the sale of the Blackwire reserve land) to the Swan Hill Model Aero Club towards acquiring and implementing agreed infrastructure assets and works.
- Provide Swan Hill Model Aero Club temporary access and usage of Lot 2 Blackwire Reserve while formal procedures are undertaken.

Essential capital works and associated costs for relocating the Swan Hill Model Aero Club include the following items.

Infrastructure	Cost
New clubrooms – (Ranbuild Shed 6mx6m span 3m eave);	\$ 12,000.00
Concrete inside shed ( 6m X 6m)	\$ 3,000.00
Toilet facilities – Inc sewerage facilities	\$ 5,500.00
Rain water tank – 10,000lt	\$ 2,000.00
New runway - Quarry dust / road base	\$ 6,000.00
Planning requirements	\$ 1,500.00
<b>TOTAL</b>	<b>\$ 30,000.00</b>

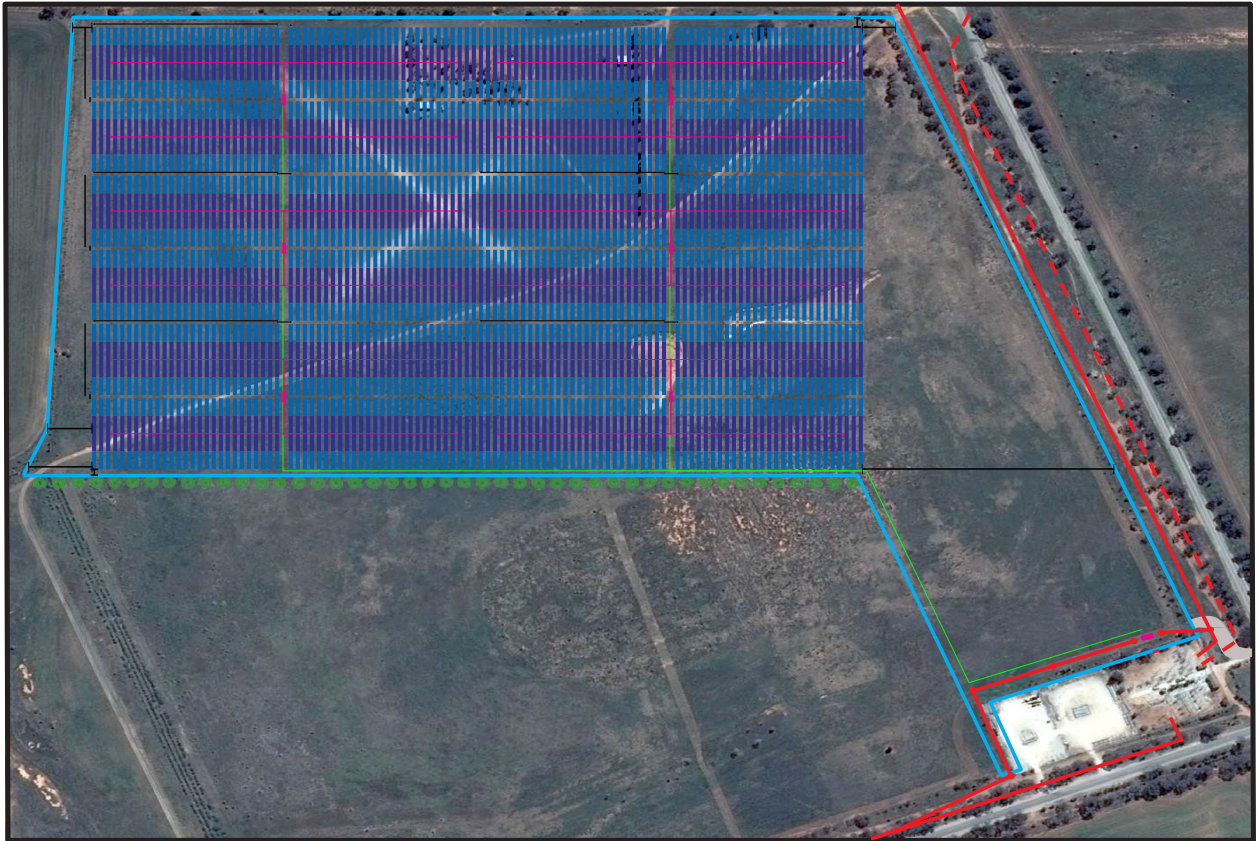
The Swan Hill Model Aero Club committee has been fully consulted on all these proposed capital works to date.

The proposed new location for the Swan Hill Model Aero Club is illustrated on the below map, highlighted in blue.





ASG's proposed development for the site includes 650 single axis rows and almost 50,000 PV panels that orientate the path of the sun, as depicted below.



The Council owned land at Blackwire Reserve was subdivided in 2015 into two separate titles due to waste contamination found on site. This contamination was located near Swan Hill and Sea Lake Road (now Lot 2).

The Swan Hill Model Aero Club is fully aware of this situation and is completely satisfied it will have no impact on their intended operations and or future plans for this site.

### **Consultation**

Council officially informed the Swan Hill Model Aero Club they would be required to relocate from their current premises in 2012. Since then a number of discussions and meetings have taken place between Council staff and representatives from the Swan Hill Model Aero Club.

Since July this year, these meetings have become more regular, as both parties sought to derive a suitable outcome for all concerned.

Council has provided the Swan Hill Model Aero Club with a clear timeframe around relocating from their current site, which the Model Aero Club have agreed to. This includes being completely off the current site by Thursday, 1 December 2016 (this has taken place).

Council has also consulted with ASG regarding the need to relocate the Swan Hill Model Aero Club and outlined their proposed future plans of relocating to Lot 2 Blackwire Reserve.

### **Financial Implications**

Relocation costs for the Swan Hill Model Aero Club will be sourced from Swan Hill Rural City Council's Acquisition and Disposals Program budget.

All infrastructures assets developed and placed on Lot 2 Blackwire Reserve will be the sole responsibility of the Swan Hill Model Aero Club, and as such Council will have no legal obligations such as asset management and ongoing maintenance costs.

A budget of \$30,000 is proposed to be allocated for the model aero club relocation.

### **Social Implications**

Access to alternative and unique recreational activities will increase social inclusion and participation in active outdoor activities resulting in positive social impact.

### **Economic Implications**

Transforming Lot 1 Blackwire Reserve from a Model Club Flying precinct into a large solar park will derive the following economic benefits to the Swan Hill region and Council:

- Expected to support 10 full time positions during construction
- Support 1 full time ongoing position

### **Environmental Implications**

Not applicable

### **Risk Management Implications**

Not applicable

### **Council Plan Strategy Addressed**

***Economic Growth*** - A prosperous, growing and diverse local and regional economy.

### **Options**

1. Allocate a budget of \$30,000 from the sale of Blackwire Reserve to the relocation of the Swan Hill Model Aero Club from Lot 1 Blackwire Reserve to Lot 2 Blackwire Reserve in Swan Hill
2. Identify an alternative way to support the Swan Hill Model Aero Club

### **Recommendations**

#### **That Council:**

1. **Allocate a budget of \$30,000 from the sale of Blackwire Reserve to the relocation of the Swan Hill Model Aero Club from Lot 1 Blackwire Reserve to Lot 2 Blackwire Reserve in Swan Hill**
2. **Approve the CEO to enter into a ten-year User Agreement with the Swan Hill Model Aero Club for access and usage of Lot 2 Blackwire Reserve**

### **B.16.153 2017 AUSTRALIAN JAZZ CONVENTION**

**Responsible Officer:** Director Community & Cultural Services  
**File Number:** 26-02-00  
**Attachments:** Nil

#### **Declarations of Interest:**

Bruce Myers - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

Council has been approached with a request for support to enable Swan Hill to apply to host the 2017 Australian Jazz Convention (AJC) across the Christmas/New Year period.

This report is provided for Council to consider the level of support to be committed to the event should the application be successful.

#### **Discussion**

The Australian Jazz Convention began in 1946 and has run continuously since then. It is the longest running jazz event of its kind in the world and is held in a different town in Australia each year. It begins on Boxing Day and concludes on New Year's Eve. The Convention is organised by a volunteer committee on a non-profit basis, with musicians and patrons of the convention paying to perform and attend.

Mr Reg Packer has requested 6 days of access to the Town Hall PACC free of charge for the Australian Jazz Convention Committee, which will consider whether to hold the six-day event in the Swan Hill region from Tuesday 26 December to Sunday 31 December 2017.

Mr Packer has requested confirmation of Council support to enable him to present at the 2016 AJC Annual General Meeting in Ballarat on 30 December 2016.

A majority of the Mr Packer's requests, such as access to the Soundshell, assisting with road closures, and Visitor Information Centre staff undertaking registrations, can be achieved with minimal cost to Council.

Council Officers have met with Mr Packer to discuss the requirements of the organisers.

While there may be no direct cost associated with hosting the event, it is expected that some of Council's key facilities and services may be provided in-kind.

It is expected that an event of this size would provide substantial economic benefit to the region. As outlined earlier it is expected that patrons and visitors to the

region would provide direct economic benefits to the region by purchasing accommodation and by participating and in retail and social activities. The event also provides a great opportunity to market and showcase the Swan Hill region.

The Convention is expected to attract around 400 participants, officials, staff, spectators and accompanying people, therefore the opportunities that this event will provide for the region will be substantial.

### **Consultation**

Mr Packer has held discussions with key personal from Council and the request has been discussed at a Councillor Assembly.

Officers also consulted with hospitality business to ascertain whether an event at this time of year was beneficial. The response was mixed with some businesses very busy and other quiet.

### **Financial Implications**

Council's waiving of hire fees for the Town Hall PACC would be considered an in-kind contribution for two days, and any provision and training of casual staff will be outside the operational budget of the facility.

### **Social Implications**

Major events that bring people together during traditional holiday periods add additional choice of activities for the community.

### **Economic Implications**

The Economic Development team met with the Town Hall team and weighed up the economic benefits against the cost to Council (financial and in-kind) of giving access to the Town Hall for the period requested.

Officers are of the opinion that spreading the Convention across venues would be beneficial for the town, as it will provide economic benefits for a variety of venues and create atmosphere in the whole of the town.

Remplan modelling indicates that the economic impact will be in excess of \$200,000 and the equivalent of two jobs will be generated.

### **Environmental Implications**

Not applicable

### **Risk Management Implications**

Risk management processes would be required during the planning for the Convention if it is to be held in Swan Hill in 2017.

### **Council Plan Strategy Addressed**

***Governance and Leadership*** - Effective and efficient utilisation of resources.

### **Options**

Council may decide to adopt or vary the recommendations contained in this report.

### **Recommendation**

**That Council support the application to stage the Australia Jazz Convention in the Swan Hill region in 2017 by:**

- 1. Notifying Mr Reg Packer that Council will waive the hire fees of the Town Hall PACC for the evening of New Years Eve 2017, and one additional earlier day, to allow the Australian Jazz Convention to conduct its Gala event, budgeting for the additional costs associated with casual staff to operate the venue on that date.**
- 2. Providing additional advice and support commensurate with the size of the Convention, should Swan Hill be selected for the 2017 event.**

## **B.16.154 SOCIAL MEDIA POLICY**

**Responsible Officer:** Director Corporate Services  
**File Number:** 17-16-01  
**Attachments:** 1 Social Media Policy and Procedure

**Declarations of Interest:** Officer  
David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The Social Media Policy and Procedure have been reviewed and are presented for the approval of Council.

### **Discussion**

The Social Media Policy and Procedure have been reviewed.

Policy changes are being suggested as a result of the review. Additional policy wording has been added to further clarify intent, and changes made to update relevant legislation and related policies.

Minor changes have been suggested in the Procedure. This includes listing new social media platforms, changes to reflect new Facebook comment management tools, and changes to names of responsible departments and positions.

A section about social media advertising has also been added, following increased interest in this avenue across Council.

### **Consultation**

Media and Events Unit, Executive Leadership Team

### **Financial Implications**

The Media and Events Unit continues to resource the Social Media Policy and Procedure implementation. Social media continues to provide a cost-effective means of communication.

### **Social Implications**

The continued use of social media will improve community participation and understanding of Council programs and initiatives.

### **Economic Implications**

Not applicable

### **Environmental Implications**

Not applicable

### **Risk Management Implications**

The procedure provides guidance to employees and Councillors on appropriate use of social media, including content and comment management.

### **Council Plan Strategy Addressed**

***Governance and Leadership*** - Positive community engagement and inclusiveness.

### **Options**

1. Adopt the Social Media Policy and Procedure
2. Seek to make changes to the attached policy and procedure

### **Recommendations**

#### **That Council:**

- 1. Adopt the Social Media Policy and Procedure**
- 2. Review the Social Media Policy and Procedure in 2017**



Date Adopted	February 2013
Date Reviewed	August 2016
To be Reviewed	August 2018

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



**POLICY TITLE      SOCIAL MEDIA**

**POLICY NUMBER    POL/GOV017**

#### **PURPOSE**

The purpose of this policy is to improve the effectiveness of Council's communication and engagement with the community.

#### **SCOPE**

This policy applies to all Council employees and Councillors.

#### **POLICY**

Council is committed to actively using social media as a form of community engagement.

Council will establish protocols for managing Council's social media platforms, including content approval, setting up new platforms, social media monitoring and comment management.

Council will also provide guidelines for employees and Councillors about the personal and professional use of social media platforms.

#### **RELATED POLICIES/DOCUMENTS**

Website Directive – DIR/CORP225  
IT Acceptable Use Directive – DIR/CORP218  
Media Policy and Procedure – POL/GOV003D and PRO/GOV003D  
Disciplinary Directive – DIR/STAFF104  
Corporate Credit Card Directive – DIR/CORP203  
Communications Strategy 2015 – 2018  
Privacy Directive – DIR/CORP211

#### **RELATED LEGISLATION**

Copyright Act 1968 (Cth)  
Defamation Act 2005 (Vic)  
Local Government Act 1989 (Vic)  
Privacy and Data Protection Act 2014 (Vic)

**Signed:** \_\_\_\_\_ **Mayor**      **Date:** \_\_\_\_\_ **1**

Date Adopted	February 2013
Date Reviewed	August 2016
To be Reviewed	August 2018

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



**PROCEDURE TITLE      SOCIAL MEDIA**

**PROCEDURE NUMBER    PRO/GOV017**

**ENABLING POLICY/DIRECTIVE**  
SOCIAL MEDIA DIR/GOV017

**ENABLING LEGISLATION**

Copyright Act 1968 (Cth)  
Defamation Act 2005 (Vic)  
Local Government Act 1989 (Vic)  
Privacy and Data Protection Act 2014 (Vic)

**PURPOSE**

To establish protocols for managing the use and content of Council's social media sites, and provide guidelines for employees and Councillors about the personal and professional use of social media platforms.

**SCOPE**

This procedure applies to all Council employees and Councillors.

**PROCEDURE**

**GENERAL PRINCIPLES**

Social media includes web-based and mobile-based technologies, which are used to turn communication into interactive dialogue between organisations, communities and individuals.

Social media is expected to be used by Council as a medium to update the community on Council projects, promote Council events and to seek feedback. It can also be used to promote community events and news.

Social media should be seen as a conversational tool, rather than just a promotional tool.

For the purpose of this procedure, social media is described as (but not limited to):

- Social networking sites like Facebook - Video and photo sharing websites like Instagram, YouTube
- Micro-blogging sites like Twitter
- Blogs, including corporate blogs, personal blogs or blogs hosted by traditional media
- Forums and discussion boards like Whirlpool Yammeror Google Groups
- Online encyclopaedias such as Wikipedia
- Any other websites that allow individuals or companies to use simple publishing tools

Social media should be used as part of wider campaigns, including mainstream media advertising, media releases, Council websites, community announcements, printed promotional material and other methods of communication. Advice is available from the Media and Public Relations Co-ordinator.

Date Adopted	February 2013
Date Reviewed	August 2016
To be Reviewed	August 2018

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



## NEW COUNCIL SOCIAL MEDIA SITES

While Council should aim to avoid diluting the corporate social media profile, individual programs or events can establish their own social media presence in accordance with this procedure.

All new Council social media sites must be approved through the Media Unit. The Executive Leadership Team is to be informed of any planned new social media sites prior to work starting to create them.

An employee wanting to set up a social media site must provide evidence that the site is needed, its purpose and how the site will be administered.

Prior to approval being granted, the administrator must seek advice from the Media and Public Relations Co-ordinator about engagement, practical uses and management of their social media presence.

The use of all Council social media sites will be reviewed on an annual basis by the administrator to ensure they remain relevant and useful.

## MANAGING COUNCIL'S OFFICIAL SOCIAL MEDIA SITES

### Content

While social media is often more casual than other communication tools, it still represents the views and image of Council. At all times, the site's administrator should ensure they:

- Use only approved social media sites
- Behave with caution, courtesy, honesty and respect, just like they would with any other Council-related communication
- Comply with relevant laws and regulations, including the Local Government Act and Privacy and Data Protection Act prohibiting the disclosure of personal and confidential information, the Copyright Act and the Defamation Act.
- Reinforce the integrity, reputation and values of Council
- Use correct spelling and proper grammar
- Keep messages short and simple
- Link to Council's websites for more details when necessary
- Engage in conversations when appropriate
- Ask questions to help engage users, when appropriate
- Include photos and videos where possible to help engage users
- Think about what the community wants to know, not just what Council wants them to know

Date Adopted	February 2013
Date Reviewed	August 2016
To be Reviewed	August 2018

Fully compliant with Victorian  
Charter of Human Rights and  
Responsibilities Act 2006



Images of people are considered to be their personal information, so administrators must ensure they comply with Council's Privacy Directive DIR/CORP211. It states "...SHRCC will take reasonable steps to advise the individuals concerned of what information is being sought about them, for what purpose, whether any law requires the collection of the information and the main consequences, if any, of not providing the information."

Particular care should be taken when including photos of people under the age of 18. Written parental consent must be received.

The following content is not permitted on Council's social media sites at any time:

- Abusive, profane or sexual language
- Content not relating to the subject matter of that site
- Content which is false or misleading
- Confidential information about Council or third parties
- Copyright or Trademark protected materials
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation.
- Illegal material or materials designed to encourage law breaking
- Material that could compromise Council, employee or system safety
- Materials that would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material that would bring Council into disrepute
- Personal details or references to Councillors, Council employees or third parties, which may breach privacy laws
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements that might be considered to be bullying or harassment
- Commercial and external advertising

### Responsibility

The Media Unit is responsible for Council's corporate social media sites. Other employees must only administer approved sites that relate to their areas of responsibility and must have the prior authorisation of their Director or the Chief Executive Officer. Employees must ensure compliance with this procedure.

Each social media site should have an appointed administrator to ensure consistency. The Media and Public Relations Co-ordinator and/or Media Officer, through Council's corporate page, should be a secondary administrator. Log-in and password details should also be forwarded to the Media Unit to be included on a register.

Date Adopted	February 2013
Date Reviewed	August 2016
To be Reviewed	August 2018

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External social media training will be available for administrators and other employees and Councillors as needed.

### Content approval

Content for social media sites will comprise a mixture of existing communications re-worked for the appropriate medium, and content produced exclusively for social media.

**Existing communication** – Items that don't require additional approval for publication on social media include published media releases, information from public notices and Local Government notices, event promotion and leveraging website updates. These items will have had prior approval from the Chief Executive Officer or relevant Director.

Depending on subject matter and length, press releases and other communication forms might be paraphrased to lighten or humanise the tone.

**Exclusive communication** – For all other content, including responding to questions or comments, the site administrator must exercise sound judgement and commonsense to ensure posts are appropriate, accurate and comply with relevant legislation.

Administrators should only post, respond and engage in conversation on issues where they are comfortable and knowledgeable about the topic. If they are unclear on facts, they should seek advice and approval from relevant Managers, Directors or the Chief Executive Officer.

For issues that could present legal concerns or for those that are politically sensitive in nature, the administrator should seek the advice and approval of their Director or the Chief Executive Officer. Guidance can also be provided by the Media Unit.

### Frequency

Social media sites must be updated regularly to engage with users and to remain effective and relevant.

Council's corporate sites should aim to have at least one post per business day. On other sites, administrators should aim to post at least once a week.

### Monitoring

Sites must be monitored by their administrator to ensure posts that require a reply receive one in an appropriate timeframe, usually within 24 hours.

Inappropriate comments should be removed immediately or the site disabled until the inappropriate content is removed.

It is appropriate to note on the site, if possible, the hours during which it is monitored. For example: *"Council employees will monitor this page during business hours, usually Monday to Friday from 8.30am until 5pm (excluding public holidays)."*

The administrator might like to subscribe to status updates of their site via RSS to assist with monitoring, and should contact the IT Department for advice.

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The Media Unit will monitor content posted on all official Council social media sites to ensure adherence to the Social Media Policy and Procedure for appropriate use, messaging and consistency.

### Comment management

Administrators should ensure they:

- Answer questions as soon as possible
- Correct any incorrect information as soon as possible
- Respond accurately at all times. If they do make a mistake, administrators should acknowledge it and correct it as soon as possible
- Exercise sound judgment and commonsense when responding
- Do not enter or start arguments
- If they are unclear on facts, seek advice and approval from relevant Managers, Directors or the Chief Executive Officer.

Negative or inappropriate comments, or those that raise legal, privacy or political concerns, should be managed immediately and in consultation with Directors or the Chief Executive Officer.

Inappropriate comments or those that raise legal or privacy concerns should be removed, and the administrator should reply to the author privately, through private messaging, email or phone. Ensure the comment is captured and forwarded to records before removal.

For negative comments, general principles are:

**Straight problem** – always respond, either privately or on the public forum. Take action to rectify the problem.

**Constructive criticism** – always respond. Thank the user for their suggestion and forward the suggestion to relevant program manager for consideration. If the suggestion is taken up, further response at a later date might be appropriate.

**Warranted criticism** – always respond, the quicker the better. Be positive, empathetic. Alert the program manager and communicate any response to the problem/issue if appropriate.

**Trolling** – do not respond and if necessary, remove it from the page.  
(Trolling is when posts are inflammatory or off-topic with the main purpose being to provoke an emotional response or to disrupt the normal, relevant conversation.)

It is appropriate to note on the site, if possible, that content deemed unsuitable could be removed. For example: "Swan Hill Rural City Council reserves the right to remove content that does not comply with its Social Media Policy or any associated policies. To view the policy, visit [swanhill.vic.gov.au](http://swanhill.vic.gov.au)."

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Comments on the Facebook wall/timeline can be restricted so that only the administrator can post directly.

Members of the public have the option to comment only on administrator posts. Although not recommended, this feature can be disabled if necessary.

### Promotion

Council's social media sites should be promoted using social media buttons to link from Council's main website and other program websites.

Social media sites should be promoted in Council communications like employee and community newsletters, email groups, advertisements and media releases.

Sites should all be linked (for example, liking each other on facebook, and following each other on twitter).

Employees are also encouraged to link to social media sites by using social media buttons on their email signatures. Please see the IT Department to alter email signatures.

### Records management

Daily or weekly feeds (depending on site's usage) will be established through the IT department to capture and send to the Records Management department.

Records officers will be required to monitor feeds and any content deemed relevant to another file will be recorded there.

## EMPLOYEE GUIDELINES FOR USING SOCIAL MEDIA

Only employees authorised by their Director must administer Council social media sites and content.

The Media Unit is responsible for Council's corporate social media sites. Any officer who would like their program or event included on Council's corporate social media sites should contact the Media Unit at least a week prior to their proposed post date.

Other employees must only administer sites that relate to their areas of responsibility, after approval from their Director, and must be aware of the guidelines contained in this procedure.

When representing Council on social media sites, all employees are required to comply with the statutory requirements contained in the Privacy and Data Protection Act and Local Government Act, which prohibit the disclosure of personal and confidential information, and act within the guidelines of the Staff Code of Conduct.

Posts must accurately reflect Council's position on the topic as determined by Council and in accordance with the Council Plan and Council policies.

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Employees should also be aware that defamation law covers them as it does everyone else. It could be considered defamatory to harm another person's reputation through social media sites.

Non-compliance with the Social Media Policy and Procedure by Council representatives will result in action under Council's Disciplinary Directive.

#### **Personal use of social media**

Employees should be conscious about mixing their personal and work lives. There is no separation for others between your personal and business profiles within social media.

Any online activity that brings damage to Council's reputation will ultimately be the responsibility of the employee who created or published the content. Employees should use commonsense and take the same caution with social media as with all other forms of communication.

It is not appropriate to use Council email addresses to create personal accounts in sites unrelated to Council.

**Information** – If posting about Council, employees should only share publicly available information and engage only in discussions where they are comfortable and knowledgeable about the topic.

**Opinion** – It is recommended that employees not use personal accounts to make adverse comments about Council or its programs, services, projects, elected members, employees, volunteers, community members or decisions.

If personal comment is made, employees should not identify themselves as Council employees and should be mindful of the Swan Hill Rural City Council Code of Conduct, their position description and delegated responsibility level.

Employees should consider using a formal disclaimer to separate official Council positions from theirs and others' personal opinions.

Personal opinions should not be expressed using Council hash tags or other identifications.

**Access** – When accessing social media via the Council's internet system, employees must do so in accordance with this procedure and with Council's IT Acceptable Use Directive (DIR/CORP218). This directive allows employees to use internet resources for personal purposes provided use is limited, lawful and reasonable in terms of time and cost to Council.

Personal access to social media should not interfere with your work. Examples of reasonable use include using social media during a lunch break.

Council resources should not be used to access or post any material that is fraudulent, harassing, threatening, bullying, embarrassing, sexually explicit, profane, obscene,



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racist, sexist, intimidating, defamatory or otherwise inappropriate, as defined in this procedure.

### **COUNCILLOR GUIDELINES FOR USING SOCIAL MEDIA**

The Mayor is the official spokesperson for Council, and can work with the Chief Executive Officer and the Media Unit to establish official social media sites and profiles to represent Council.

Councillors with their own social media sites and profiles should ensure they state that comments and posts are being made in their role as an individual and are not necessarily the views of the Council.

Councillors must seek guidance from the Chief Executive Officer or Mayor prior to posting on Council's official social media sites, especially relating to issues of a legally or politically sensitive nature.

All posts about Council issues should be accurate. If Councillors are uncertain, they should seek the advice of the relevant Manager, Director or the Chief Executive Officer.

Councillors are required to comply with the statutory requirements contained in the Privacy and Data Protection Act, Local Government Act and Councillor Code of Conduct, which prohibit the disclosure of personal and confidential information.

Matters raised in closed sessions of Council and at Councillor Assemblies are confidential and cannot be mentioned in any way on social media sites.

Councillors should also be aware that defamation law covers them as it does everyone else. It could be considered defamatory to harm another person's reputation through social media.

Social media sites should not be used to post any material that is fraudulent, harassing, threatening, bullying, embarrassing, sexually explicit, profane, obscene, racist, sexist, intimidating, defamatory or otherwise inappropriate.

### **SOCIAL MEDIA DURING CARETAKER MODE**

Council's social media sites should not be used for election campaigning.

Any publication on official Council social media sites during caretaker mode requires certification by the Chief Executive Officer. This excludes publications relating to standard operational requirements, for example, posts promoting community events.

Council should consider limiting access to social media sites during caretaker mode (for example, restricting Facebook wall/timeline posts or temporarily closing down a site) and should undertake constant monitoring to ensure no electoral matter is posted.

**Councillors** - During caretaker mode it is especially important that Councillors ensure their social media sites state that comments and posts are being made in their role as an individual, and that views expressed are not necessarily the views of the Council.

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**SOCIAL MEDIA USED IN CRISIS COMMUNICATION**

Social media can be an effective way to communicate important messages in the case of a municipal or Council crisis. However, in times of crisis, social media posts can have far reaching effects. Therefore employees and Councillors should note that informal comment or discussion on social media is to be avoided.

**Council emergency management** - In the event of a declared Council crisis, any communication, including that on social media, is to be approved by the Disaster Recovery Committee in conjunction with the Council Crisis Communication Plan.

**Municipal emergency management** - In the event of a municipal disaster, communication, including that on social media, is to be approved by the Municipal Emergency Command Centre, in conjunction with Council’s Media Policy (POL/GOV003D) and Procedure (PRO/GOV003D).

**ADVERTISING**

Social media can be an effective tool to promote events, generate community interest or increase awareness of community consultation. Advertisements can be targeted to specific audiences, age brackets and areas and using a number of social media platforms.

All social media advertising requests must be approved by a Director or the Chief Executive Officer and submitted to the Media Unit. A corporate credit card is required for advertising costs and a pre determined budget must be agreed upon before advertising will be approved.

Signed: \_\_\_\_\_ CEO Date: \_\_\_\_\_

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## **B.16.155     AUDIT COMMITTEE**

**Responsible Officer:**             Director Corporate Services  
**File Number:**                     42-02-03  
**Attachments:**                    1     Confidential Minutes 8-12-16

### **Declarations of Interest:**

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

Council's Audit Committee met on 8 December, 2016 and this report summarises the items that were discussed at the meeting.

### **Discussion**

The Audit Committee met on 8 December 2016 and as well as the usual procedural items the agenda items included:

1. A presentation on the current Staff Survey completed by Insync was given to members. Results were discussed with a pleasing outcome for Council.
2. Landfill Remediation Provision Calculation report was presented to the Committee. It was noted by Audit Committee that the External Auditors were satisfied with this result.
3. Sitting Fees for the External Members have been revised with CPI increases now in place and to be paid to members from 8 December 2016.
4. The Risk Register was presented with some improvements to the layout of the report as requested by the Committee.
5. Review of Financial reports for the quarter ending 30 September 2016 was presented noting a favorable result for Council.
6. Internal Audit Plan was presented by RSM Bird Cameron.
7. The Draft Long Term Financial Plan 2016/17 to 2025/26 was presented. Council's financial position is forecast to remain strong over the next 10 years.
8. CEO reported on Legislative changes affecting Council.

### **Consultation**

Not applicable.

### **Financial Implications**

The sitting fees paid to independent members on the Audit Committee is adjusted annually by CPI. Sitting fees are included in Councils Budget.

### **Social Implications**

Not applicable.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.

### **Risk Management Implications**

The Audit Committee helps to oversee Councils risk management practices. Internal and other audits are routinely done to reduce the risk to Council.

### **Council Plan Strategy Addressed**

***Governance and Leadership*** - Effective and efficient utilisation of resources.

### **Options**

Not applicable.

### **Recommendation**

**That Council note the contents of this report.**

## **Attachment**

- Audit Committee Confidential Minutes  
8 December 2016

## **SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION**

### **C.16.21 SIGN & SEAL REPORT**

**Responsible Officer:** Chief Executive Officer

**Attachments:** Nil.

**Declarations of Interest:**

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

The following documents and agreements have been signed and sealed by the Councillors and the Chief Executive Officer on the respective dates. Those actions require the ratification of the Council.

**Discussion**

During the course of any month Council is required to sign and seal a range of documents arising from decisions made on a previous occasion(s). Examples include sale of land, entering into funding arrangements for Council programs etc.

As the decision to enter into these agreements has already been made, these documents are signed and sealed when received, with Council ratifying the signing and sealing at the next Council meeting.

**Consultation**

Not Applicable

**Financial Implications**

Not applicable

**Social Implications**

Not applicable

**Economic Implications**

Not applicable

**Environmental Implications**

Not applicable

**Risk Management Implications**

Not applicable

## Background

During the course of any month Council is required to sign and seal a range of documents arising from decisions made on a previous occasion(s). Examples include sale of land, entering into funding arrangements for Council programs etc.

As the decision to enter into these agreements has already been made, these documents are signed and sealed when received, with Council ratifying the signing and sealing at the next Council meeting.

## Issues

The following documents were signed and sealed since the last Council meeting:

No.	Document Type	Document Description	Date signed/sealed
776	Transfer of Land Lot 5 on title plan	Between Swan Hill Rural City Council and SJ and SL Graham	15/11/16
777	Transfer of Land Vol 11380 Folio 336	Between Swan Hill Rural City Council and D and B Hinton	15/11/16
778	Transfer of Land Vol 11380 Folio 339	Between Swan Hill Rural City Council and D and B Hinton	15/11/16
779	Transfer of Land Vol 11643 Folio 221	Between Swan Hill Rural City Council and Hinton Building Pty Ltd	15/11/16
780	Instrument of Appointment and Authorisation – Awais Sadiq	Planning and Environment Act 1987	15/11/16
781	Transfer of Land Vol 11380 Folio 338	Between Swan Hill Rural City Council and D and B Hinton	15/11/16
782	Transfer of Land Vol 11643 Folio 219	Between Swan Hill Rural City Council and M Barnes and J Ewart	22/11/16
783	Transfer of Land – Creation of Easement Vol 4813 Folio 513	Between S and E Bull and Swan Hill Rural City Council	22/11/16
784	Transfer of Land – Creation of Easement Vol 7390 Folio 9893	Between P and A Hayes and Swan Hill Rural City Council	22/11/16



**DECISIONS WHICH NEED ACTION/RATIFICATION**

20 December 2016

785	Transfer of Land Vol 9596 Folio 608	Between Swan Hill Rural City Council and A Watson	22/11/16
786	Section 173 Agreement Vol 11535 Folio 291	Between Swan Hill Rural City Council and VicSuper Ecosystem Services Pty Ltd	22/11/16
787	Section 173 Agreement Vol 8985 Folio 976	Between CM Stevens and Swan Hill Rural City Council	6/12/16
788	Transfer of Land Vol 11659 Folio 399	Between Swan Hill Rural City Council and Solar Powerstations Victoria Pty Ltd	13/12/16

**Conclusion**

Council authorise the signing and sealing of the above documents.

**Recommendation**

**That Council note the actions of signing and sealing the documents under delegation as scheduled.**

**C.16.22 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS**

**Responsible Officer:** Chief Executive Officer  
**File Number:** 22-13-12  
**Attachments:** 1 Councillor Record of Attendance

**Declarations of Interest:**

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

The Local Government Act 1989 requires that the details of Councillor Assemblies be reported to Council meetings on a monthly basis.

**Discussion**

The State Government has amended the Local Government Act 1989 which requires Council to report on Councillor Assemblies.

Whilst Minutes do not have to be recorded, Agenda items and those in attendance must be, and a report presented to Council.

An assembly of Councillors is defined as a meeting that is planned or scheduled at which at least half of the Council and one Officer are in attendance, and where the matters being considered that are intended or likely to be the subject of a Council decision.

No formal decisions can be made at an assembly but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent assemblies of Council are attached.

**Consultation**

Not applicable.

**Financial Implications**

Not applicable.

**Social Implications**

Not applicable.

**Economic Implications**

Not applicable.

**Environmental Implications**

Not applicable.

**Risk Management Implications**

Not applicable.

**Council Plan Strategy Addressed**

***Governance and Leadership*** - Community leadership through effective strategic planning.

**Options**

Council must comply with the requirements of the Local Government Act 1989.

**Recommendation**

**That Council note the contents of the report.**

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**22 November 2016 at 1.00pm**  
**Swan Hill Town Hall, Council Chamber**

**AGENDA ITEMS**

- Major Events Support Scheme Monthly Update
- Planning Scheme Amendment – C59
- Subdivision Proposal – 44 Werril Street, Swan Hill
- Planning Application – Gray Street Swan Hill
- Proposed new member for Agribusiness Advisory Committee
- Strategic Planning Update
- Model Aero Club Relocation
- Aged Care Package Transition Update

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr John Katis
- Cr Gary Norton
- Cr Bill Moar
- Cr Lea Johnson
- Cr Ann Young

**Apologies**

- Nil

**OFFICERS**

- John McLinden, Chief Executive Officer
- David Lenton, Director Corporate Services
- Oliver McNulty, Director Infrastructure
- Adam McSwain, Director Development and Planning
- Bruce Myers, Director Community and Cultural Services
- Muriel Scholz, Senior Economic Development Officer
- Stefan Louw, Development Manager
- Nathan Keighran, Economic Development Officer

Other

- Nil

**CONFLICT OF INTEREST**

- Bruce Myers – conflict of interest in relation to Model Aero Club Relocation due to an indirect interest because of conflicting duties.

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**

**29 November 2016 at 1.00pm**

**Information Centre, Conference Room**

**AGENDA ITEMS**

- Update of Murray River Cultural Centre and Riverfront Commercial Development Strategy
- Economic Development Strategy
- Confidential Report
- Report on recent visits to Horticulture Growers, Packers and Processors
- Agribusiness Forum presentation on objectives
- Gray Street Planning Application – Industrial Development

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr John Katis
- Cr Gary Norton
- Cr Bill Moar
- Cr Lea Johnson
- Cr Ann Young

**Apologies**

- Nil

**OFFICERS**

- John McLinden, Chief Executive Officer
- David Lenton, Director Corporate Services
- Oliver McNulty, Director Infrastructure
- Adam McSwain, Director Development and Planning
- Muriel Scholz, Senior Economic Development Officer
- Amanda Young, Economic Development Officer

Other

- Nil

**CONFLICT OF INTEREST**

- Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**6 December 2016 at 1.00pm**  
**Swan Hill Town Hall, Council Chambers**

**AGENDA ITEMS**

- Goulburn Murray Water Presentation
- Recreational Reserve Master Plan briefing
- Social Media Policy
- Youth Engagement Policy
- Councillor Development Training
- 10 Year Major Projects Plan
- Unsealed Roads Update
- Planning Application, Robinvale
- Caravan Park Tree Removal
- Yana Street Childcare Update

**ADDITIONAL ITEMS DISCUSSED**

- Jazz Festival

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr John Katis
- Cr Gary Norton
- Cr Bill Moar
- Cr Lea Johnson
- Cr Ann Young

**Apologies**

- Nil

**OFFICERS**

- John McLinden, Chief Executive Officer
- David Lenton, Director Corporate Services
- Adam McSwain, Director Development and Planning
- Bruce Myers, Director Community and Cultural Services
- Muriel Scholz, Senior Economic Development Officer
- Sam Steel, Senior Environment Officer
- Stefan Louw, Development Manager
- Helen Morris, Organisational Development Manager
- Meagan Monk, Community Recreation and Grants Officer
- Dallas Free, Works Manager
- Felicia Chalmers, PR and Media Coordinator
- Nathan Keighran, Economic Development Officer

Other

- Jay Whittaker, GMW Recreational and Land Management Officer
- Andrew Shields, GMW Manager River Operations
- Adrian Fernon, ASR Research

**CONFLICT OF INTEREST**

- Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**

**13 December 2016 at 8.00am**

**Swan Hill Town Hall, Council Chambers**

**AGENDA ITEMS**

- 10 Year Major Projects Discussion
- Ellwaste Report
- Nyah West Roads
- Local Law No 2 Review
- Consultation for off leash dog park

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr John Katis
- Cr Gary Norton
- Cr Bill Moar
- Cr Lea Johnson
- Cr Ann Young

**Apologies**

- Nil

**OFFICERS**

- John McLinden, Chief Executive Officer
- David Lenton, Director Corporate Services
- Adam McSwain, Director Development and Planning
- Bruce Myers, Director Community and Cultural Services
- Oliver McNulty, Director Infrastructure
- Trish Ficarra, Public Health and Regulatory Services Coordinator
- Darren Rovere, Authorised Officer
- Harold Rovere, Authorised Officer

Other

- Gary Huges, Victoria Police

**CONFLICT OF INTEREST**

- Nil

**SECTION D – NOTICES OF MOTION**

**SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA**

**SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS**



## **SECTION G – IN CAMERA ITEMS**

### **Recommendation**

**That Council close the meeting to the public on the grounds that the following report(s) include personnel matters and contractual matters**

- B.16.156 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**
- B.16.157 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**