



**Swan Hill Rural  
City Council**

## **SCHEDULED COUNCIL MEETING**

**Tuesday 19 March 2024  
to be held at 2:00 PM  
Robinvale Community Arts Centre  
37 Robin Street Robinvale. VIC  
3549**

## **AGENDA**

### **PUBLIC ACCESS**

**Open to the public and  
Live streaming from Council's  
website: [www.swanhill.vic.gov.au](http://www.swanhill.vic.gov.au)**

## Governance Rules

A copy of Swan Hill Rural City Council's governance rules can be found at <https://www.swanhill.vic.gov.au/about/overview/policies/governance-rules-2020/>

## Executive Leadership Team

Scott Barber, Chief Executive Officer

Bruce Myers, Director of Community and Cultural Services

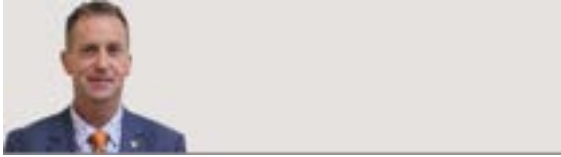
Michelle Grainger, Director of Development and Planning

Bhan Pratap, Director of Corporate Services

Leah Johnston, Director of Infrastructure

## Swan Hill Elected Members

### Mayor

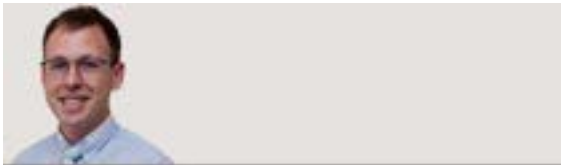


**Cr Stuart King**

0437 967 531

[stuart.king@swanhill.vic.gov.au](mailto:stuart.king@swanhill.vic.gov.au)

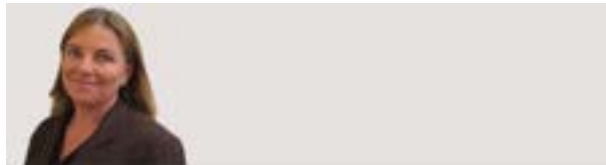
### Councillors



**Cr Chris Jeffery**

0429 447 802

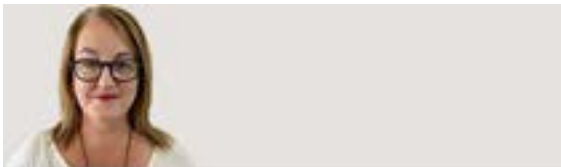
[chris.jeffery@swanhill.vic.gov.au](mailto:chris.jeffery@swanhill.vic.gov.au)



**Cr Nicole McKay**

0436 299 842

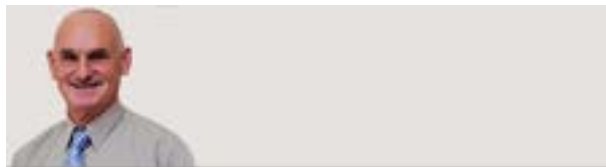
[nicole.mckay@swanhill.vic.gov.au](mailto:nicole.mckay@swanhill.vic.gov.au)



**Cr Jacquie Kelly**

0436 804 012

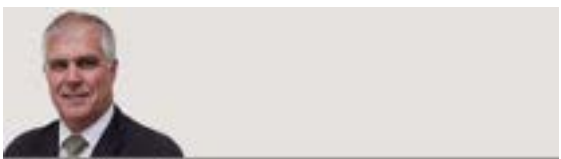
[jacquie.kelly@swanhill.vic.gov.au](mailto:jacquie.kelly@swanhill.vic.gov.au)



**Cr Bill Moar**

Mobile: 0429 496 194

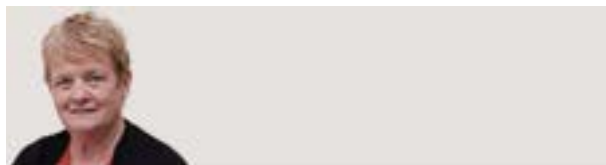
[bill.moar@swanhill.vic.gov.au](mailto:bill.moar@swanhill.vic.gov.au)



**Cr Les McPhee**

0427 319 394

[les.mcphee@swanhill.vic.gov.au](mailto:les.mcphee@swanhill.vic.gov.au)



**Cr Ann Young**

0409 503 711

[ann.young@swanhill.vic.gov.au](mailto:ann.young@swanhill.vic.gov.au)

## Vision Statement

Built on strong foundations that embrace our rich History and natural environment, our region will be a place of progressions and possibility. We are a community that is happy, healthy and harmonious - we are empowered, we are respectful and we are proud.

## Our Mission

We will lead, advocate, partner and provide efficient services and opportunities for growth and the wellbeing of our community, environment and economy.

## Our Values

Council values our residents and community and will be responsive to their needs. In pursuing our objectives, we believe in, and are committed to, the following values:

**Community engagement** - We will ensure that our communities are consulted, listened to and informed.

**Leadership** - We will be at the centre of our community and by actively engaging our community we will form the collective view on strategic issues and will then express our views through strong advocacy and action.

**Fairness** - We will value and embrace the diversity of our community and ensure that all people are treated equally.

**Accountability**- We will be transparent and efficient in our activities and we will always value feedback.

**Trust** - We will act with integrity and earn the community's trust by being a reliable partner in delivering services, projects and providing facilities.



## Table of Contents

<b>1 Procedural Matters</b> .....	<b>7</b>
1.1 Welcome .....	7
1.2 Acknowledgement Of Country .....	7
1.3 Prayer.....	7
1.4 Apologies / Leaves of Absence.....	7
1.5 Directors / Officers Present.....	7
1.6 Confirmation of Minutes .....	7
1.7 Disclosures of Conflict of Interest.....	7
1.8 Joint Letters and Reading of Petitions .....	7
1.9 Public Questions Time .....	7
1.10 Open Forum .....	9
<b>2 Officer Reports for Decision</b> .....	<b>11</b>
2.1 Robinvale Riverfront Masterplan 2023.....	11
2.2 Robinvale Play Precinct - Centenary Park Update .....	111
2.3 Planning Application - 124 Lae Road Robinvale -Subdivision of Land (2 Lots) and Change of Use in the Farming Zone .....	132
2.4 Planning Application - 10 River Road Swan Hill - Subdivision of land (2 Lots) in the Farming Zone affected by LSIO .....	163
2.5 Ken Harrison Reserve Advisory Committee.....	213
2.6 KSI - CP progress report Second quarter update (December) .....	222
2.7 Request for Council to join Victorian Local Governance Association (VLGA) .....	254
2.8 Leave of Absence .....	257
<b>3 Officer Report for Noting</b> .....	<b>258</b>
<b>4 Decisions Which Need Action / Ratification</b> .....	<b>258</b>
4.1 Sign and Seal.....	258
4.2 Councillor Assemblies - Record of Attendance and Agenda Items.....	260

<b>5 Notices of Motion .....</b>	<b>264</b>
5.1 Public Library Funding .....	264
<b>6 Foreshadowed Items .....</b>	<b>265</b>
<b>7 Urgent Items Not Included In Agenda .....</b>	<b>265</b>
<b>8 To Consider and Order on Councillor Reports .....</b>	<b>265</b>
<b>9 In-Camera Items .....</b>	<b>265</b>

## 1 Procedural Matters

### 1.1 Welcome

### 1.2 Acknowledgement Of Country

*“Swan Hill Rural City Council acknowledges the traditional custodians of the land on which we meet, and pays its respects to their elders, past and present.”*

### 1.3 Prayer

*“We beseech you Lord, that we may be granted wisdom, understanding and sincerity of purpose, in the decisions we are called on to make for the welfare of the people of the Rural City of Swan Hill.”*

### 1.4 Apologies / Leaves of Absence

Apology Cr Jeffery, leave of absence Cr McPhee.

### 1.5 Directors / Officers Present

### 1.6 Confirmation of Minutes

#### 1.6.1 Confirmation of Minutes

**Recommendation/s**

**That the minutes of the Scheduled Council Meeting held on the 20 February 2024 be confirmed.**

### 1.7 Disclosures of Conflict of Interest

### 1.8 Joint Letters and Reading of Petitions

Nil.

### 1.9 Public Questions Time

**You can access the form Public Question Time form from:**

<https://forms.swanhill.vic.gov.au/council-meeting-public-question-time/>

**Please note**

- Only ONE question per form submission.

- Submission must be received no later than 10:00am on the day prior to the meeting.
- A time is set aside for public questions during a Council meeting at which time each question will be read after the Chairman has looked at its contents and determined that the question is appropriate.
- Statements and opinions are not permitted during question time and will not be read to the meeting.
- The Chairman may disallow any question. This may be because the question is repetitive of a question already asked, objectionable, irrelevant, raises an issue of a confidential nature or is asked to embarrass a Councillor or Council officer. The Chairman will provide reasons where a question is disallowed. Questions considered to be inappropriate will be made available to Councillors on request.
- The Chairman will nominate the appropriate Councillor or Council officer to answer the question or elect to answer it himself/herself.
- No debate or discussion of the questions or answers is permitted.
- The Chairman may elect to take a question on notice in which case a written response will generally be provided within 10 working days.
- A summary of the text of the question and the response will be recorded in the minutes of the Council meeting.

**Who can use this form**

- Any community member

**While completing this form, we will request**

- Your contact details (including your name, address, phone and email)
- Your question

It will take about 5 minutes to complete this form.

**After you submit this form**

- We will send you an email receipt to confirm we have received your submission

**What happens with your information?**

The information requested in this form is collected by Swan Hill Rural City Council to assist us in responding to your question.

Your name, suburb and question may be read out at the Council meeting and will be recorded in the Council meeting minutes but will not be used for any other purpose unless required by law.

We will handle any personal information you provide on this form in accordance with the Privacy and Data Protection Act 2014. We record this information on our customer databases and make it available to relevant Council staff in line with our [Privacy Statement](#).

You can access your personal information by [contacting our Privacy Officer](#).



## 1.10 Open Forum

Please see below “Governance Rules 2023 – Section 7 referring to Open Forum” which outlines the rules and procedure of open forum.

### **7. Community questions and submissions**

#### **7.1. Open Forum and Questions Of Council Time To Be Held**

- (1) The Council will hold Open Forum and Questions of Council Time for up to 30 minutes duration at the beginning of each Scheduled Meeting to allow public submissions and questions of Council. Extension of time may be granted by resolution of Council.
- (2) Open Forum is an opportunity for the general public to present to Council on a matter listed on the Agenda or any other matter.
- (3) Questions of Council are an opportunity for the general public to submit a question prior to the Scheduled Meeting and receive a response from Council in the Questions of Council time.
- (4) Council meetings are recorded and broadcasted to the public; this includes community questions and submissions.

#### **Open forum and questions of council guidelines**

**7.2.** Questions of Council time and Open Forum will not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the Act.

**7.3.** Submissions as part of Open Forum and Questions of Council may be on any matter except if it:

- (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- (b) relates to confidential information as defined under the Act;
- (c) relates to the personal hardship of any resident or ratepayer; or
- (d) relates to any other matter which the Council considers would prejudice the Council or any person;
- (e) If a person has submitted more than 2 questions to a meeting, the third and further questions may, at the discretion of the Chairperson be deferred until all other person who have asked a question have had their questions asked and answered and not be asked if the time allotted for public question time has expired.

**7.4.** Where the Mayor does not accept a question, the submitter is to be informed of the reason or reasons for which their question was not accepted.

**7.5.** The Mayor reserves the right to cease a submission as part of Open Forum if they deem the submission inappropriate.

**7.6.** Where possible Copies of all questions allowed by the Mayor will be provided in writing to all Councillors.

- 7.7. A submission or question submitted in writing by a member of the public, which has been disallowed by the Mayor will be provided to any Councillor on request.

#### **Open forum**

- 7.8. For any member of the public who wishes to be heard at Open Forum they must give prior notice:
- (a) in written form;
  - (b) contain the name, address and email or contact telephone number of the person to be heard;
  - (c) by online request <https://www.swanhill.vic.gov.au/>;
  - (d) in a letter to the Chief Executive Office, 45 Splatt Street, Swan Hill, Vic 3585; or
  - (e) in an email [council@swanhill.vic.gov.au](mailto:council@swanhill.vic.gov.au); or
  - (f) hand delivery to the Council's Office, 45 Splatt Street, Swan Hill or 72 Herbert Street, Robinvale.
- 7.9. It is preferable for any group or association that wishes to be heard at Open Forum to nominate a spokesperson for an issue upon which the group or association may wish to be heard.

#### **Open Forum Procedure**

##### **7.10. Public addressing the Meeting**

- (1) Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.
- (2) Council may suspend standing orders to hear from a community member or representative of an organisation, on matters of significance to the Council, only if prior arrangements have been made by written request to the Mayor or Chief Executive Officer.

- 7.11. The Chair will allocate a maximum of 3 minutes to each person who wishes to address Council.

- 7.12. The Chair will first invite any person who has given prior notice to present to Council.

- 7.13. The Chair will then invite members of the gallery who would like to present to Council.

- 7.14. The Chair has the discretion to alter the order of persons to be heard.

##### **7.15. The person in addressing the Council:**

- (a) must confine their address to the 3-minute allocation of time;
- (b) shall extend due courtesy and respect to the Council and the processes under which it operates; and
- (c) shall take direction from the Chair whenever called upon to do;
- (d) There will be no discussion or debate with the attendees to Open Forum however Councillors may ask questions of clarification of the attendee;
- (e) Standing Orders do not need to be suspended to allow discussion for the purposes of clarification.

## 2 Officer Reports for Decision

### 2.1 Robinvale Riverfront Masterplan 2023

**Directorate:** Development and Planning  
**File Number:** S01-24-01-14  
**Purpose:** For Decision

#### Council Plan Strategy Addressed

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

##### **1.1 A modern municipality: Vibrant, connected and resilient**

1.1.1 Attractive urban areas and regional townships

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

##### **1.2 Careful and responsible management of our environment for a sustainable future**

1.2.2 Accessible open spaces, healthy rivers and lakes

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

##### **1.3 Building Healthy Communities**

1.3.1 Encourage active healthy lifestyles for people of all ages, abilities and interests

1.3.2 Spaces where people of all ages, abilities and backgrounds can flourish

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

##### **1.4 Foster Creative and Cultural opportunities**

1.4.1 Promote and celebrate the creative and cultural pursuits within the region

**3. Harmony** - We will be a welcoming community for all, recognised for our maturity and respect for each other.

##### **3.2 An engaged and respected Aboriginal community**

3.2.3 Celebration and recognition of Aboriginal and Torres Strait history and culture

#### Current Strategic documents

Council Plan  
Robinvale Community Plan 2031

#### Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

## Summary

This report seeks Council's adoption for the Robinvale Riverfront Masterplan 2023

## Discussion

Council engaged Group GSA to undertake a masterplan for the Robinvale Riverfront which included an Aboriginal and Historical Heritage Assessment to inform and support the Masterplan design. Key considerations of the Masterplan included:

- Protecting and highlighting Aboriginal heritage and sensitive zones within the designated site area;
- Highlighting the culturally diverse character of Robinvale;
- Creating an intuitive connection between the Town Centre and the Riverfront;
- Supporting the development of facilities and infrastructure that promote inclusive and flexible community spaces for all ages;
- Providing integrated open spaces for annual events including temporary and permanent parking;
- Improving the riverfront amenities and the connection to the Murray River;
- Responding to community needs and expectations.

### Vision/Design Principles

- Celebrate Multicultural Identity
- Accessibility, Wayfinding & Parking
- Flexible Open Spaces
- Enhance Riverfront Environment
- Human Scale Design

The Masterplan focus areas and strategic intent has been segregated into the following key sites within the Riverfront Precinct:

- Robin Street - streetscaping (avenue of trees), signage, carparking and improve pathway connection between CBD to riverfront;
- Centenary Park - nature and active play precinct with supporting path networks linking Murray Valley Highway;
- Murray Riverfront - waterfront terrace, pathway, lighting, nodes and wayfinding signage;
- Community Art Centre - raised crossing, shade, seating and entrance signage;
- Riverfront East – lookout/view platform, pathway and public art;
- Bill McGinty Park - beatification, art sculpture and seating.





To support this investigation, for each key identified site, Group GSA conducted:

- Background analysis;
- Incorporated community feedback;
- Listed opportunities & constraints;
- Earmarked design intent;
- Provided reference images and clear visualisation conceptual designs, as depicted below for the Murray Riverfront precinct.

## MURRAY RIVERFRONT VISUALISATION



In particular, the Masterplan recognises Centenary Park as the jewel of the town's public parks and should be improved to accommodate the communities needs while becoming a main destination and attraction in Robinvale.



The Masterplan also provides guidelines and examples for street furniture/amenities, gateways, wayfinding & signage, cultural inclusion, public art and planting.

### Cultural Heritage

Due to the majority of the Robinvale Riverfront being within an area of Aboriginal Cultural Heritage Sensitivity, certain areas will be protected from all use and designated as No-Impact zones. A key recommendation from the Masterplan is that local Traditional Owner Groups be invited to assist with the design and development of any Aboriginal Cultural Heritage material and consulted with to determine the most suitable locations to install/integrate these on site.

### Consultation

This masterplan has been workshopped and presented to Council at Assembly during its preparation and at the conclusion of community consultation.

Approximately 600 stakeholders and community members provided input into the Draft Robinvale Riverfront Masterplan, through a number of engagement activities. During the 30-day public exhibition for the draft masterplan, 1,400 online views and 497 formal responses were recorded, resulting in the following outcomes:

#### Top three potential developments

##### Robin Street -118 comments

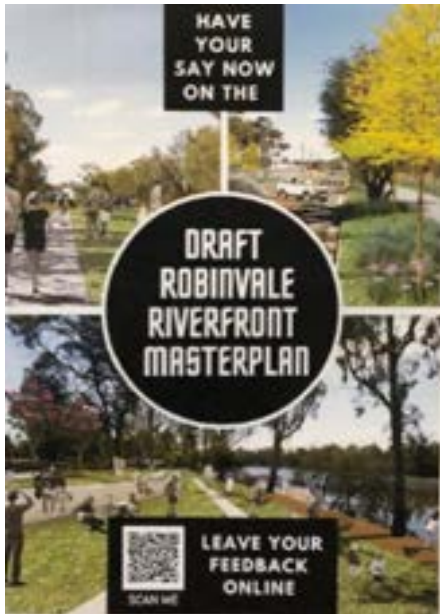
- Shade trees
- Gardens beds
- Connective footpath

#### Centenary Park -150 comments

- Nature play area
- Seating/picnic tables
- Cultural spaces

#### The Riverfront -120 comments

- Timber boardwalk
- Seating terrace
- Flexible space for community events



#### Other suggestions:

- The need for commercial development/opportunity along the riverfront such as a café/restaurant. The rowing club building and Robinvale Community Centre (west side) were highlighted as a potential location. “To activate the Riverfront area, it must start with commercial development to be sustainable”
- The appropriate design and strategic placement of shade structures, seating and trees due to summertime heat in Robinvale;
- Active recreation development including playgrounds and connective concrete footpaths;
- Cultural relevant in potential various methods including interactive cultural gardens, indigenous artwork and cultural history (information boards);
- Community events space and services to grow local markets and community gatherings;
- Consideration future maintenance requirements for Centenary Park.
- This information was provided to the consult to support final draft documentation, including detailed implementation plan.

#### Financial Implications

- Council’s 10 Year Major Project Plan 2023/24 to 2032/33 has allocated funding to support the Robinvale Riverfront Masterplan



- Council has been successful securing approximately \$1.500,000 from State Government to support activating Centenary Park
- The implementation of earmarked projects within the Masterplan will increase Council's infrastructure assets and ongoing maintenance costs

### **Social Implications**

- Increase social inclusion
- Increase community pride
- improve health & wellbeing outcomes

### **Economic Implications**

- Support the Robinvale Riverfront precinct capability to attract events and activities
- Support business growth and development along the Riverfront precinct
- Create new employment opportunities
- Support liveability factors

### **Environmental Implications**

- Working within native vegetation zones
- Strategically placed trees to create shade opportunities and improve environment outcomes including revegetation

### **Risk Management Implications**

Cultural Heritage– Aboriginal & Historical Assessment has been undertaken that provides recommendations for development content within the masterplan. A more detailed Cultural Heritage Management Plan will be undertaken for the delivery of key activity projects, as they come to realisation.

**Attachments:** 1. Robinvale Riverfront Masteplan 2023 [2.1.1 - 94 pages]

### **Options**

1. Adopt the Robinvale Riverfront Masterplan 2023
2. Do not adopt the Robinvale Riverfront Masterplan 2023

### **Recommendation/s**

**That Council adopt the Robinvale Riverfront Masterplan 2023.**



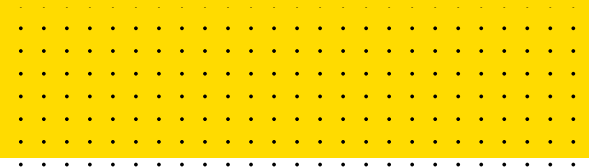
GROUPGSA



# ROBINVALE RIVERFRONT MASTERPLAN

## FINAL LANDSCAPE MASTERPLAN REPORT

Prepared for Swan Hill Rural City Council | GroupGSA



*We acknowledge the traditional custodians of the land, and pay our respects to their elders past present and emerging, recognising their continuing connection to land, waters and culture.*

Issue	Title	Date	Prepared	Checked
1	Robinvale Riverfront Masterplan - Draft Masterplan	22/04/2022	JV/HZ	ZC/NM
2	Robinvale Riverfront Masterplan - Final Masterplan	12/09/2023	JV/HZ	ZC/RF
3				
4				
5				
6				
7				

Pg 2 Robinvale Riverfront Final Masterplan  
For Swan Hill Rural City Council

---

# CO N TENTS

01. INTRODUCTION	Pg 4
02. SITE ANALYSIS	Pg 8
03. OPPORTUNITIES & CONSTRAINTS	Pg 19
04. CONNECTION TO COUNTRY	Pg 28
05. MASTERPLAN DESIGN	Pg 30
06. ROBIN STREET	Pg 34
07. CENTENARY PARK	Pg 40
08. MURRAY RIVERFRONT	Pg 47
09. COMMUNITY CENTRE	Pg 54
10. RIVERFRONT EAST RESERVE	Pg 59
11. BILL MCGINTY PARK	Pg 63
12. AMENITIES	Pg 67
13. GATEWAYS	Pg 70
14. WAYFINDING & SIGNAGE	Pg 73
15. CULTURAL INCLUSION	Pg 76
16. PUBLIC ART	Pg 79
17. PLANTING	Pg 82



---

# INTRODUCTION

# 01

Pg 4 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council

# INTRODUCTION

## Introduction

**Robinvale is a Town located in North Western Victoria, on the South bank of the Murray River. It is home to 7,900 people and it is known for its multicultural diversity, as well as it's touristic character and location.**

With an increasing population growth and people influx between November and March each year, Robinvale is facing a need for improvements in the connection between the Town Centre and the Riverfront, as well as to what it is able to offer the community on a daily basis.

With over 40 different nationalities living and working in the region, Robinvale has a strong and vibrant multicultural community. To help the community thrive, the public domain must be comfortable, inclusive, attractive and functional to the residents, visitors and local communities of the area.

This project will provide opportunity to design further meaningful and beneficial improvements to Robinvale, which will focus on the following areas:

- Robin Street;
- Centenary Park;
- Community Centre;
- Murray Riverfront;
- Riverfront East
- Bill McGinty Park.

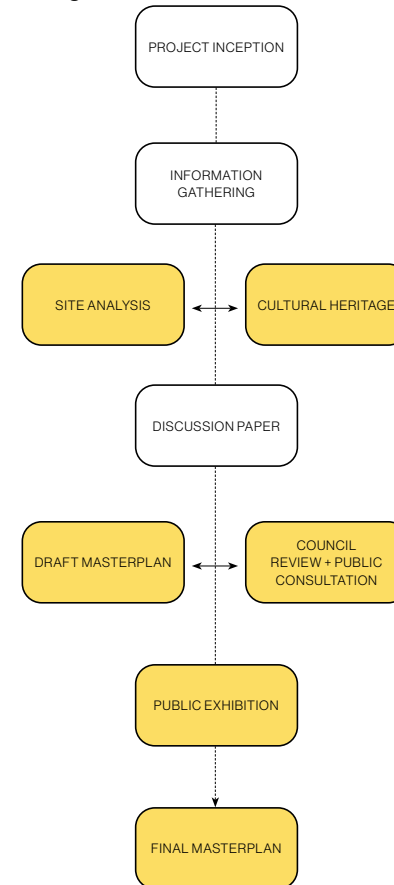
## Executive Summary

Group GSA was commissioned in August 2020 by Swan Hill Rural City Council to develop a Master Plan for Robinvale. Based on a Council's brief including objectives and aspirations for the project, this document covers the initial community engagement and site walk material with a summary on key findings and feedback. This will form the basis of the Concept Design stage. As described in the brief, this will form an action plan implementing long term improvements to Robinvale design strategy and supporting framework guided by project objectives.

### Project Objectives:

- Highlight and protect the Aboriginal heritage and sensitive zones along the site;
- Integrate and highlight the cultural diversity character of Robinvale;
- Create a strong and intuitive connection between the Town Centre and the Riverfront;
- Support development of facilities and infrastructure that promote inclusivity, flexible community spaces for all age groups;
- Provide integrated open spaces for annual events and temporary parking, as well as permanent parking zones;
- Highlight and improve the riverfront amenities and connection to the Murray River;
- Integrate sustainable solutions where possible;
- Respond to community needs by improving and implementing supporting amenities to the different areas of the masterplan..

## Design Process:





# LOCATION & CONTEXT



Robinvale is located in north-west Victoria, along the Murray River. It is located approximately 470km away from Melbourne.

# STUDY AREAS

## Site Extent

As previously mentioned, this project will provide opportunities to design further meaningful and beneficial improvements to Robinvale. These areas are as follow;

- Robin Street;
- Centenary Park;
- Community Centre;
- Murray Riverfront;
- Riverfront East
- Bill McGinty Park.

The diagram on the side highlights the location and extent of the identified scope areas. It is also possible to identify transitions points and how each of these sites relate to on another, as well as foresee a stronger connection between them all with the design proposal.



- |                    |                           |
|--------------------|---------------------------|
| ① Robin Street     | ④ Murray Riverfront       |
| ② Centenary Park   | ⑤ Riverfront East Reserve |
| ③ Community Centre | ⑥ Bill McGinty Park       |



---

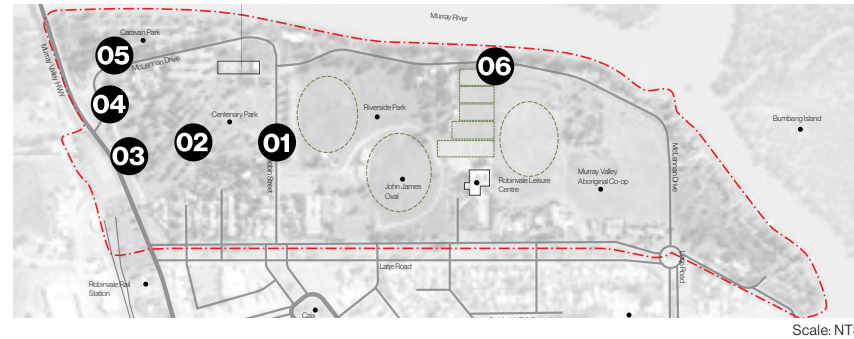
## SITE ANALYSIS

# 02



# SITE AUDIT

---



01

Robin Street



02

Centenary Park



03

Centenary Park West Path



04

Harradine Park



05

Robinvale Windmill

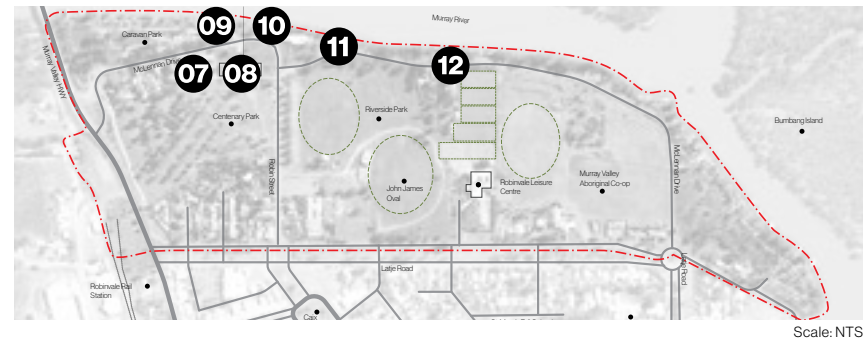


06

Existing Signage

# SITE AUDIT

---



**07**  
Community Centre Carpark



**08**  
Community Centre Outdoors



**09**  
Existing Boat Ramp & Public Toilet



**10**  
Existing Rowing Club Deck



**11**  
Existing Amenities

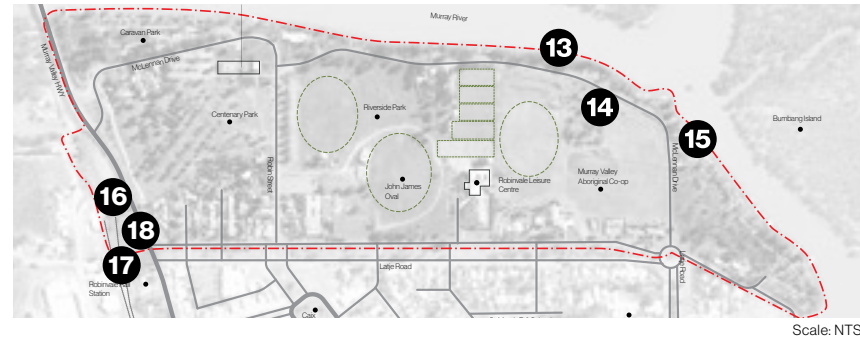


**12**  
Existing Riverfront Path



# SITE AUDIT

---



**13**  
Riverfront Access and Vegetation



**14**  
Warrina Aboriginal Centre



**15**  
The Cut



**16**  
Bill McGinty Industrial remains

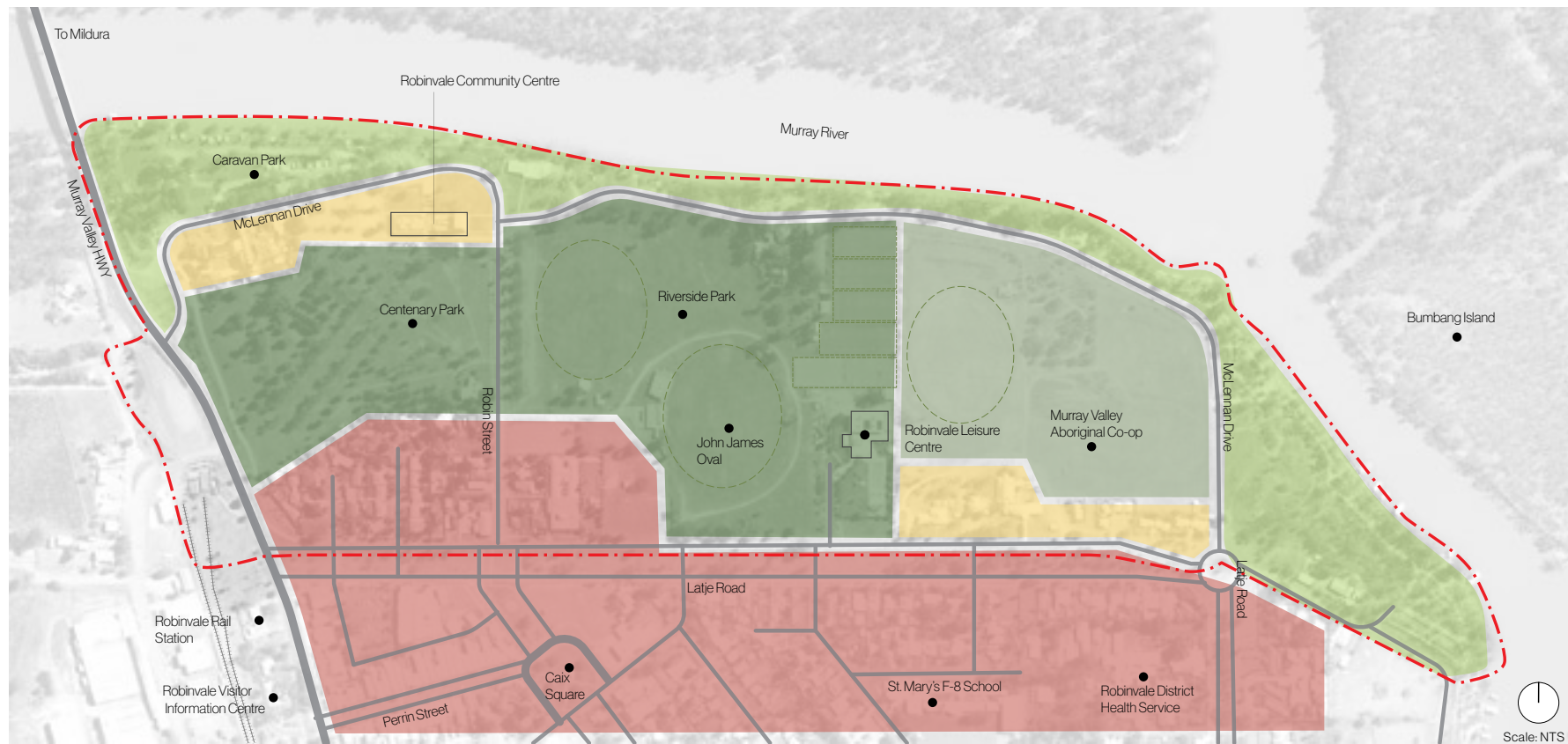


**17**  
Bill McGinty Open Area



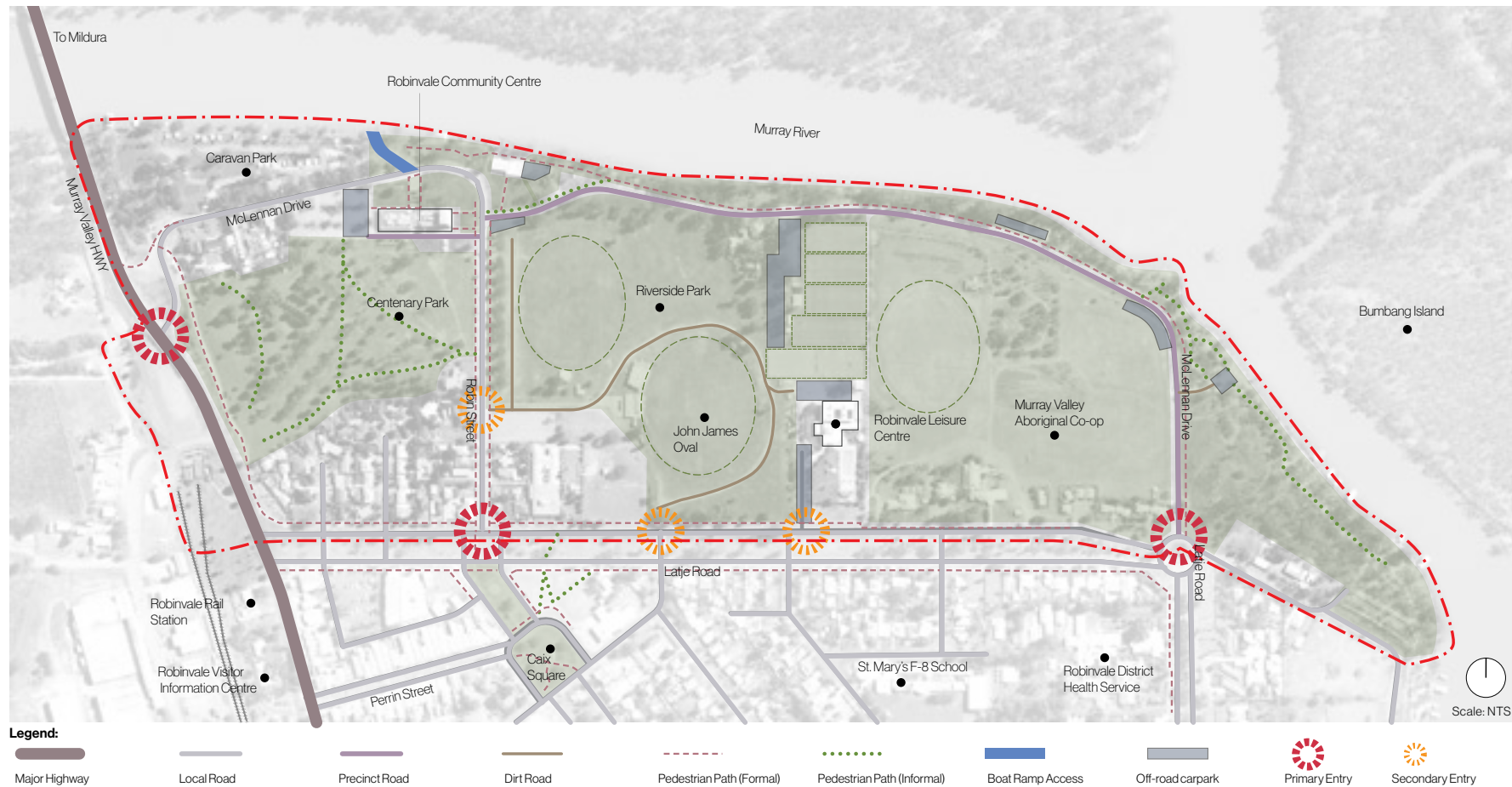
**18**  
Information Panels

# SITE ANALYSIS | LANDSCAPE CHARACTER



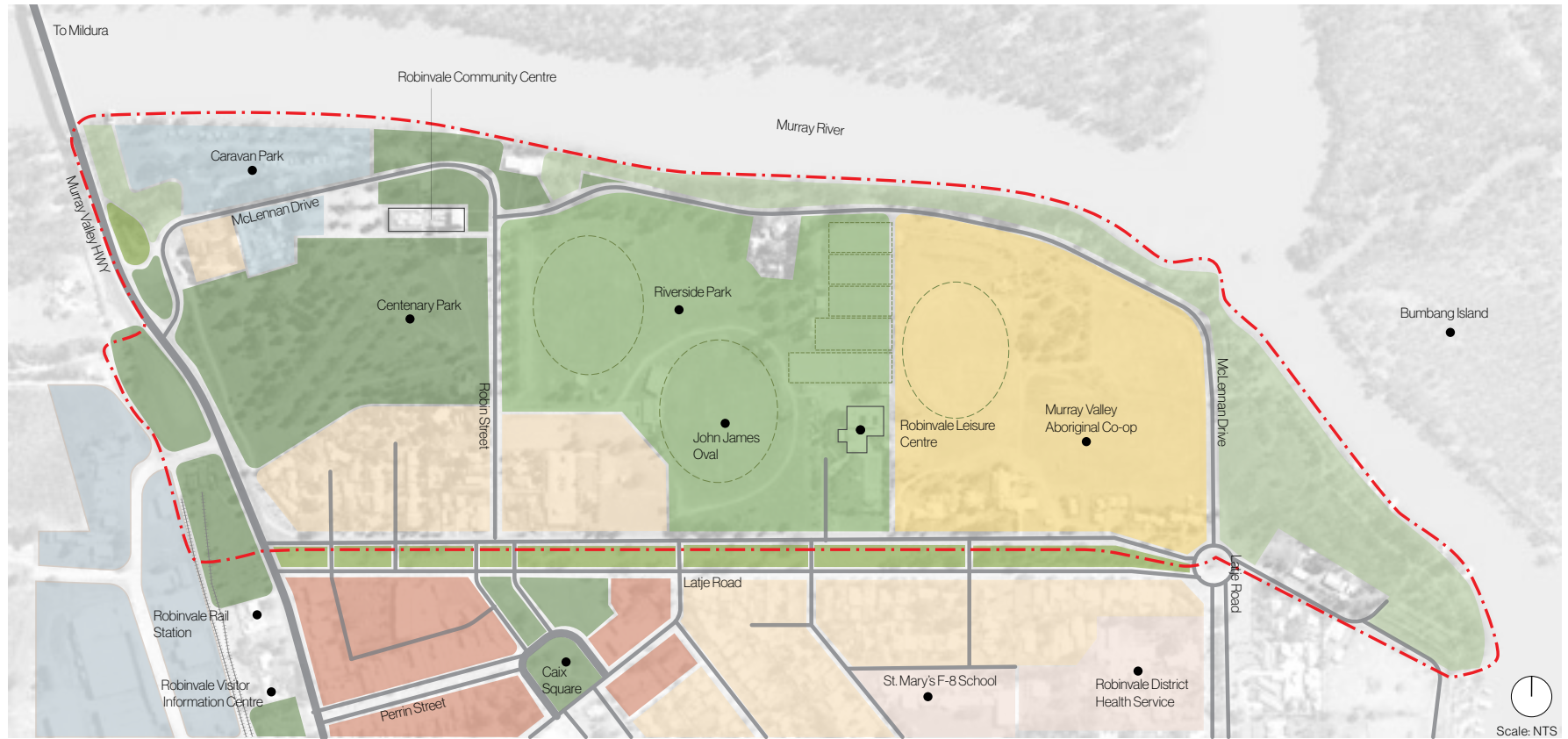
- Legend:**
- Riverfront - Native Riparian Zone
  - Parklands - Structured Open Space
  - Open Scrub and Unstructured
  - Low Density Township Transition
  - Township & Residential

# SITE ANALYSIS | ACCESS AND CIRCULATION





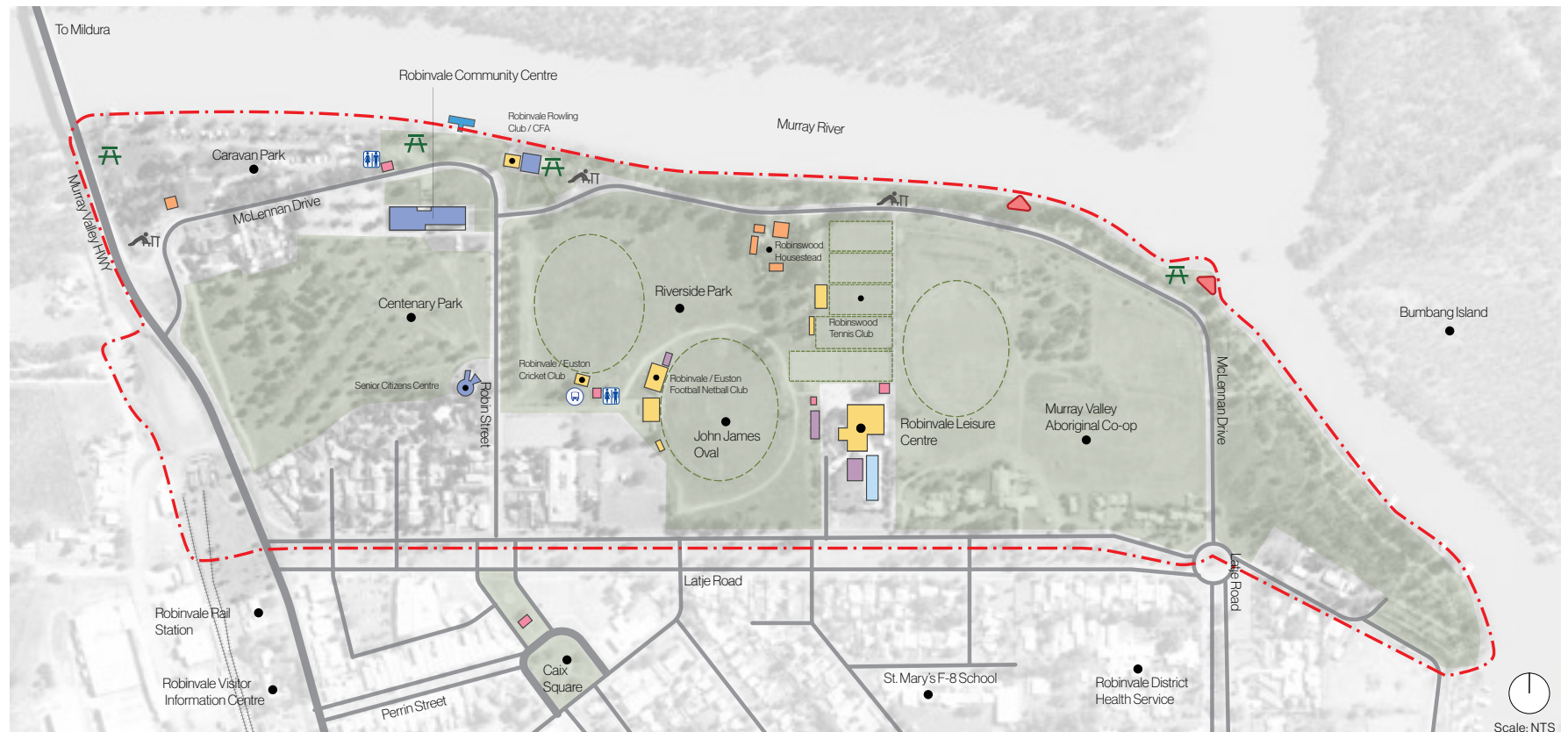
# SITE ANALYSIS | SITE FUNCTIONS AND AREAS



**Legend:**

	Riverfront + Remnant Vegetation		Sporting Precinct		Open Space + Passive Rec.		Open Space + Road Reserve		MVAC		Residential		Robinvale CBD Commercial Area		Robinvale Caravan Park		Industrial Area
--	---------------------------------	--	-------------------	--	---------------------------	--	---------------------------	--	------	--	-------------	--	-------------------------------	--	------------------------	--	-----------------

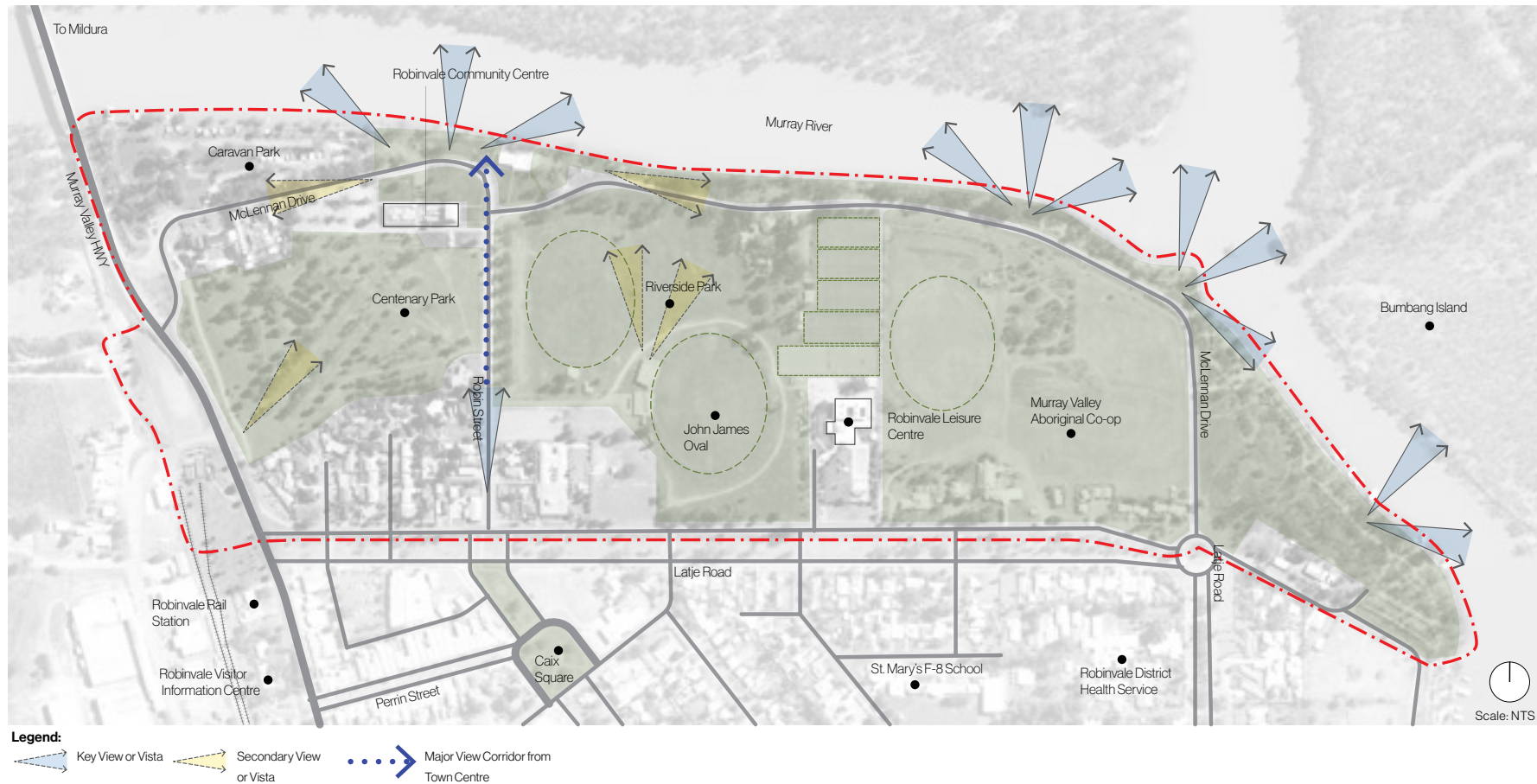
# SITE ANALYSIS | PARK FACILITIES



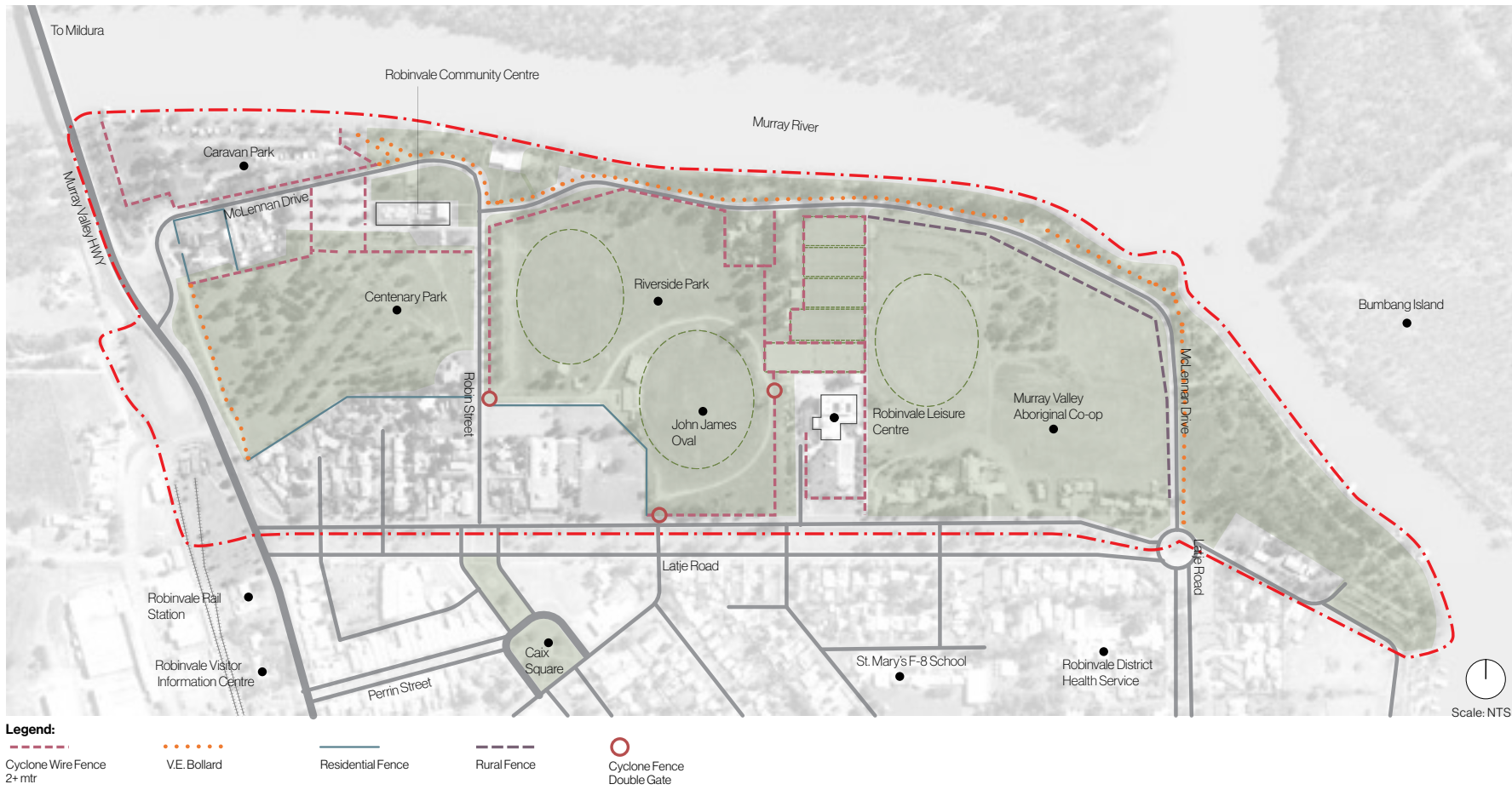
- Legend:**
- Sporting Facility Building
  - Heritage Building / Structure
  - Community Facility Building
  - Public Toilet / Change Room Facility
  - Play and Skate Facility
  - Swimming Pool
  - Pontoon
  - RV Dump Point
  - Toilet Block
  - Fitness Stations
  - Picnic shelter
  - Informal River Access



# SITE ANALYSIS | VIEW CORRIDORS

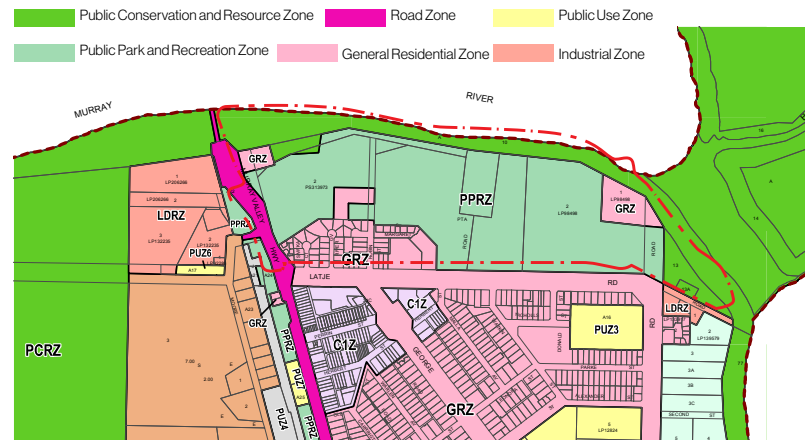


# SITE ANALYSIS | EXISTING SITE FENCING

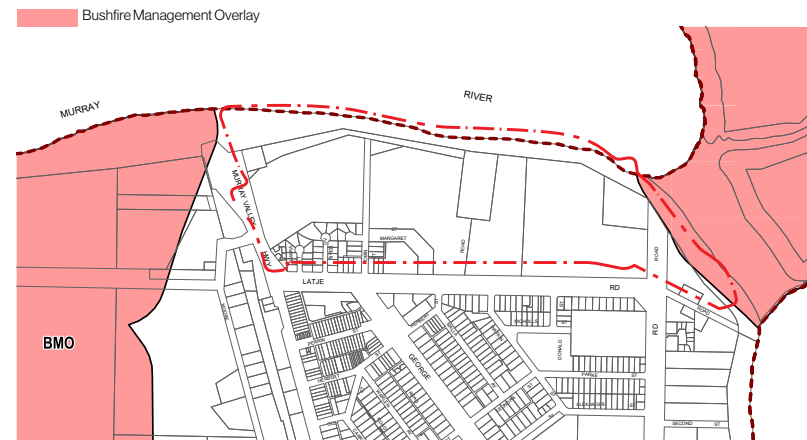


# SITE ANALYSIS | PLANNING SCHEME

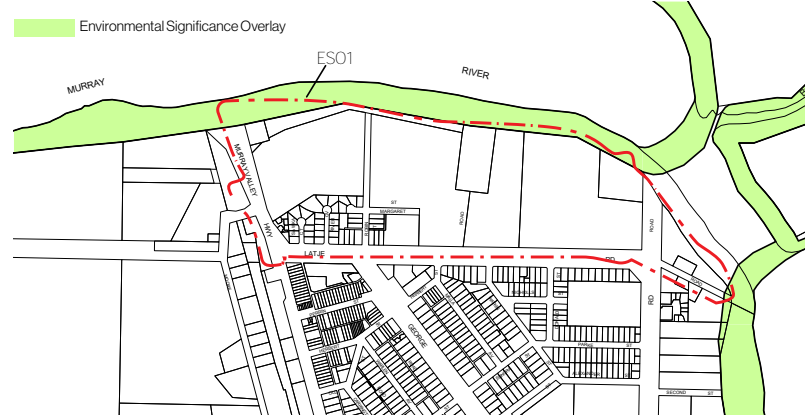
Swan Hill Planning Scheme - Zoning Map



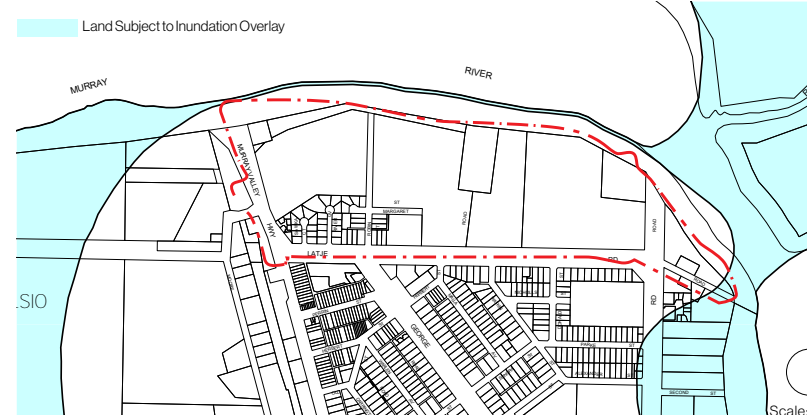
Swan Hill Planning Scheme - Bushfire Management



Swan Hill Planning Scheme - Environmental Significance



Swan Hill Planning Scheme - Land subject to Inundation







---

## OPPORTUNITIES & CONSTRAINTS

# 03

# OPPORTUNITIES & CONSTRAINTS SUMMARY

---

## Opportunities Summary

This section includes a summary of all the key analysis on opportunities within the site. These findings are a compilation of observations from both desktop analysis and site observations.

The next pages show detailed diagrams with notes and considerations to each of the areas and a colour code is applied to facilitate legibility. Within the opportunities, the diagrams focus on the following considerations:

- Green Spine & River Connection
- Site Access and circulation
- Quality open space and destinations
- Waterfront facilities

These diagrams are crucial to understand the current functioning of the site and the proposed location of specific interventions.

## Constraints Summary

Similarly to the opportunities diagrams, this section includes a summary of all the key analysis on challenges and constraints within the site. These findings are also a compilation of observations both on desktop analysis and also on site.

Within the challenges and constraints section, the diagrams focus on the following considerations:

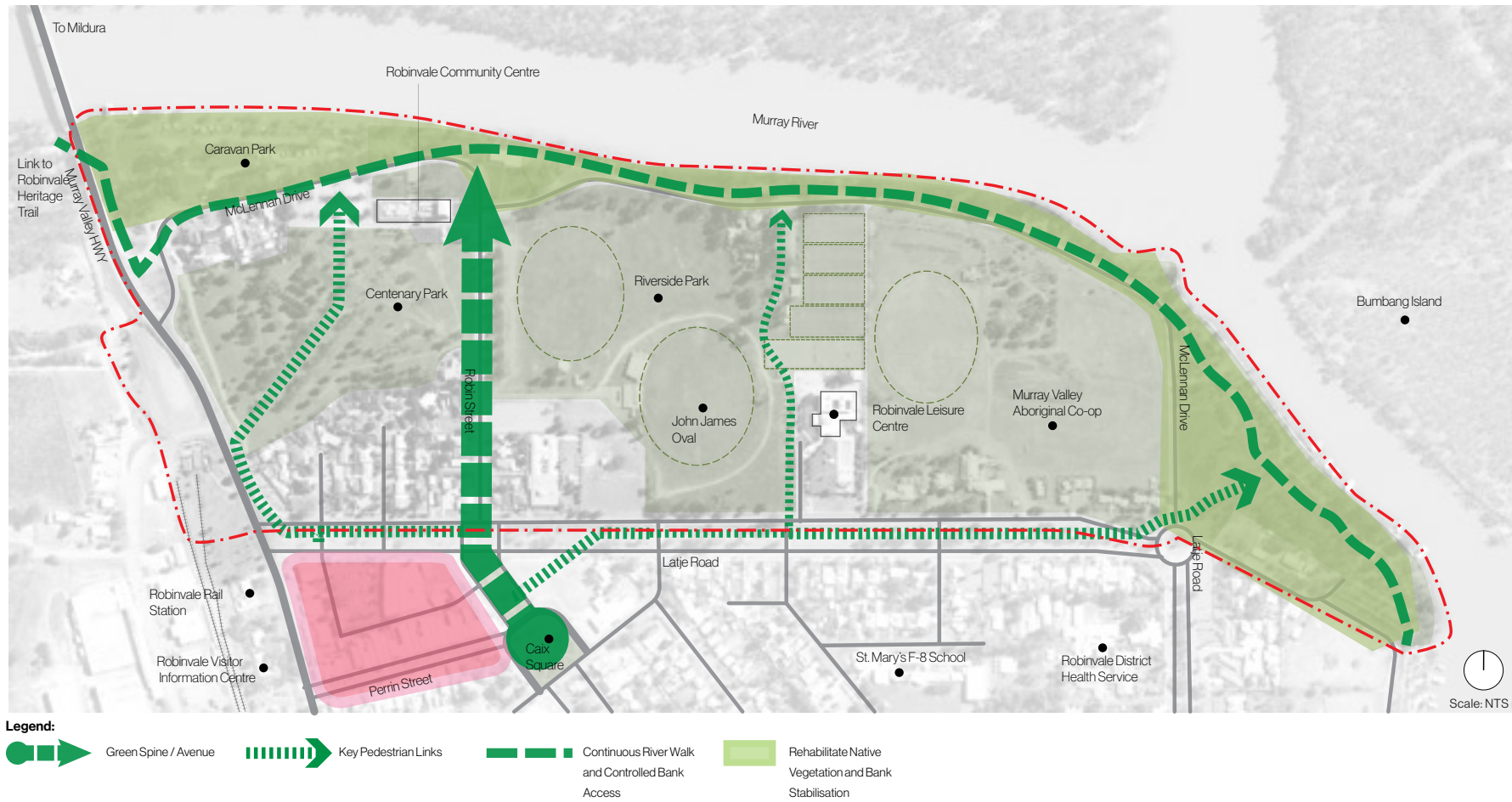
- Fences and excluded areas
- Access to River & views
- Connectivity

These diagrams help identify areas of concerns as well as intervention focus on transforming these challenges into opportunities when possible.

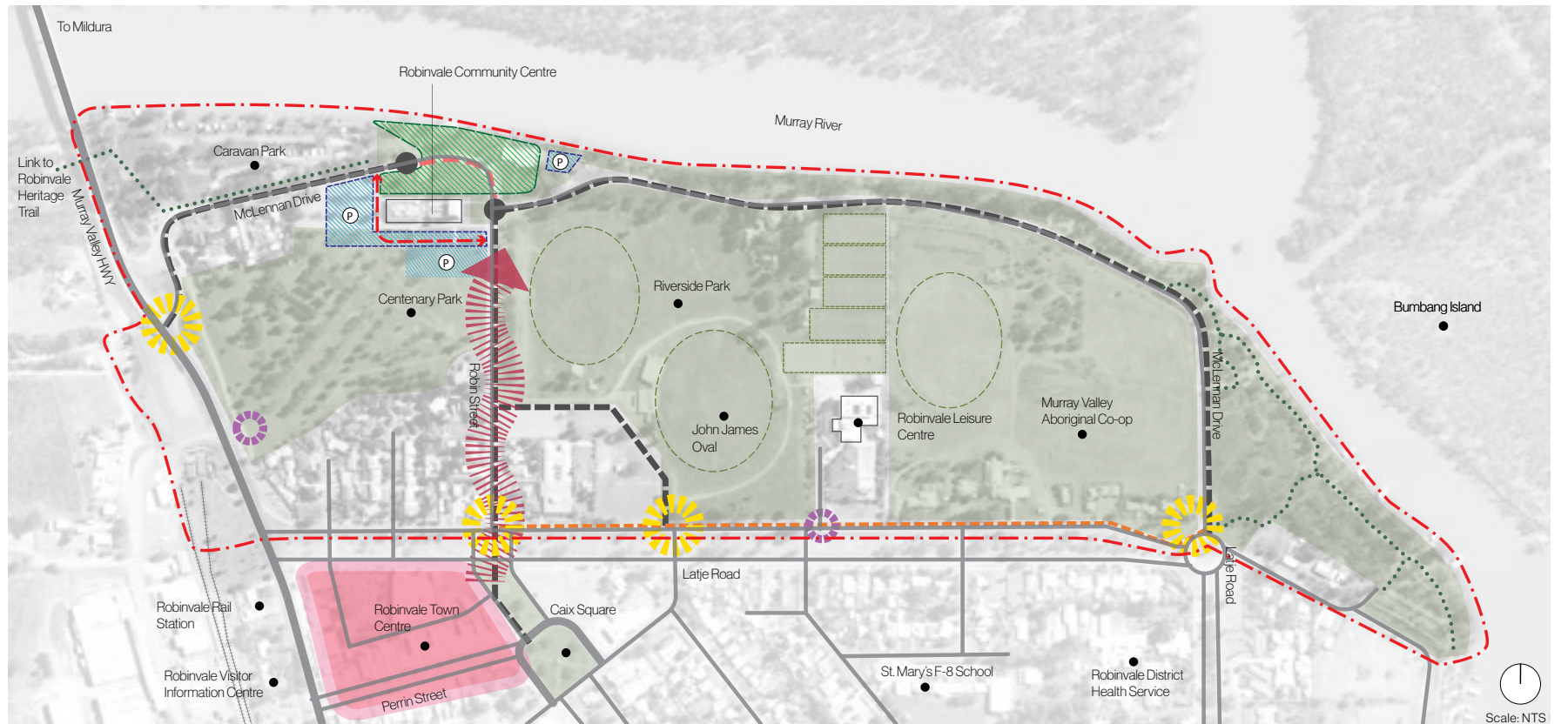




# OPPORTUNITIES | GREEN SPINE & RIVER CONNECTION



# OPPORTUNITIES | SITE ACCESS & CIRCULATION



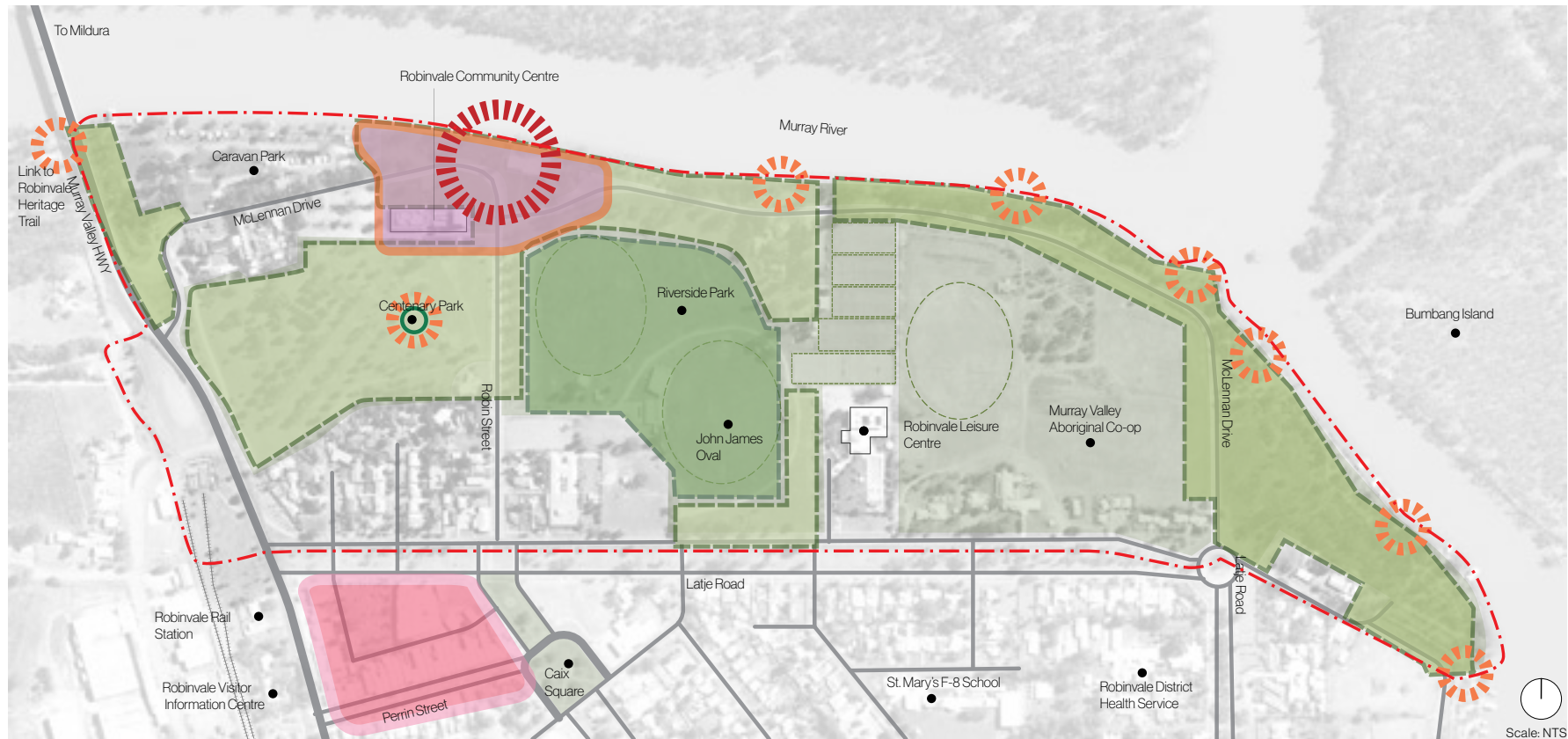
**Legend:**

- Vehicle Access
- Option 1: Shared Zone for Event (Removable bollards for traffic management during the event period)
- Option 2: New Vehicular Access (Close the McLennan Drive off from vehicular access and divert traffic through the car park instead)
- Main Access to Riverfront
- Upgrade Pedestrian Link to Town Centre
- Upgrade Walking Trail
- Proposed Riverfront Hub
- Boat Trailer / Car Park
- Overflow Car Park
- Key Access Points
- Secondary Access Points

Pg 22 Robinvale Riverfront Masterplan - Draft Masterplan For Swan Hill Rural City Council

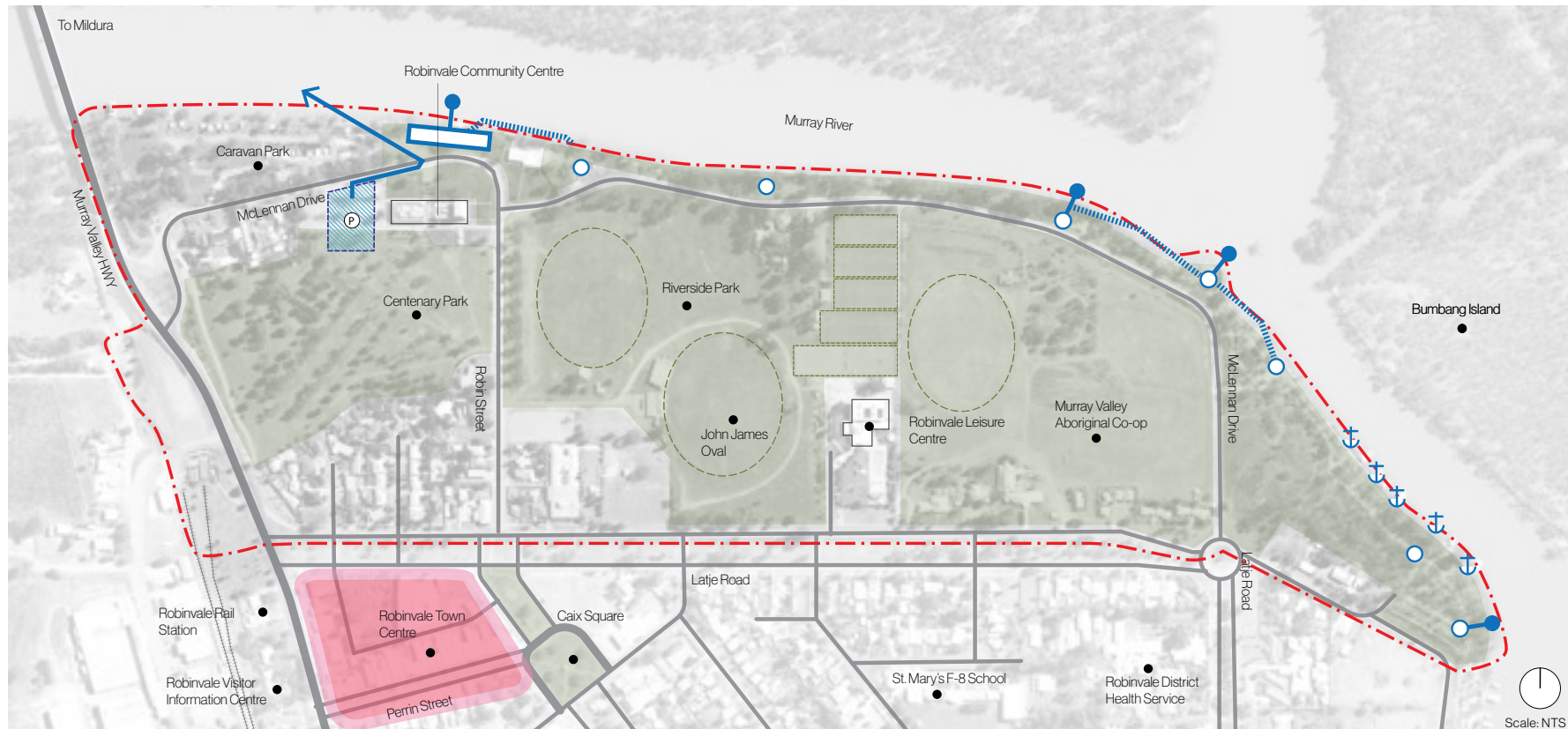
Scale: NTS

# OPPORTUNITIES | QUALITY OPEN SPACE & DESTINATIONS













# OPPORTUNITIES | WATERFRONT FACILITIES



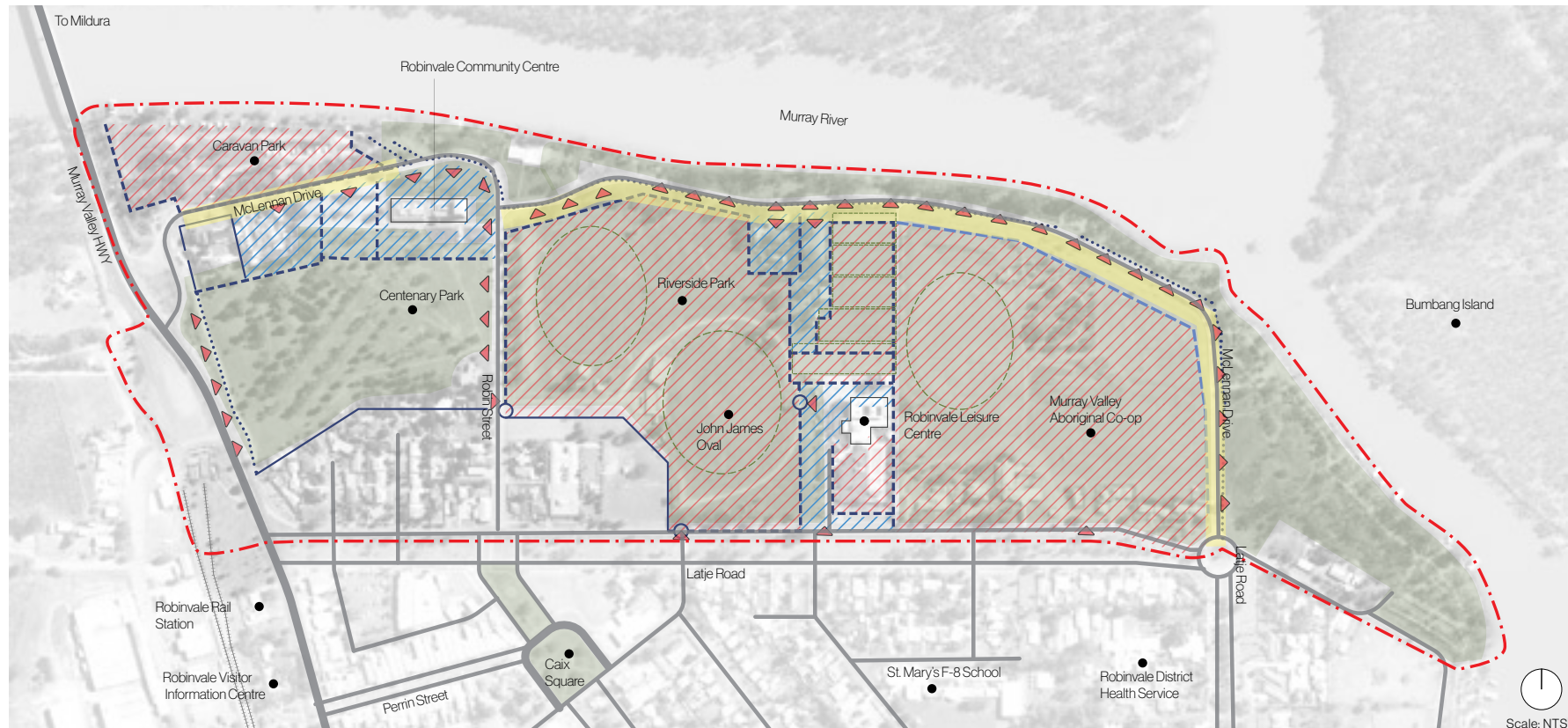
**Legend:**

-  Water Activities Hub
-  Water Access and Viewing Spot
-  River Bank & Pontoon Destination
-  River Bank Observation Points
-  Boat Ramp
-  Boat Trailer Parking
-  Mooring Points
-  Over water Boardwalk

Pg 24 Robinvale Riverfront Masterplan - Draft Masterplan  
For Swan Hill Rural City Council

Scale: NTS

# CHALLENGES & CONSTRAINTS | FENCING & EXCLUDED AREA



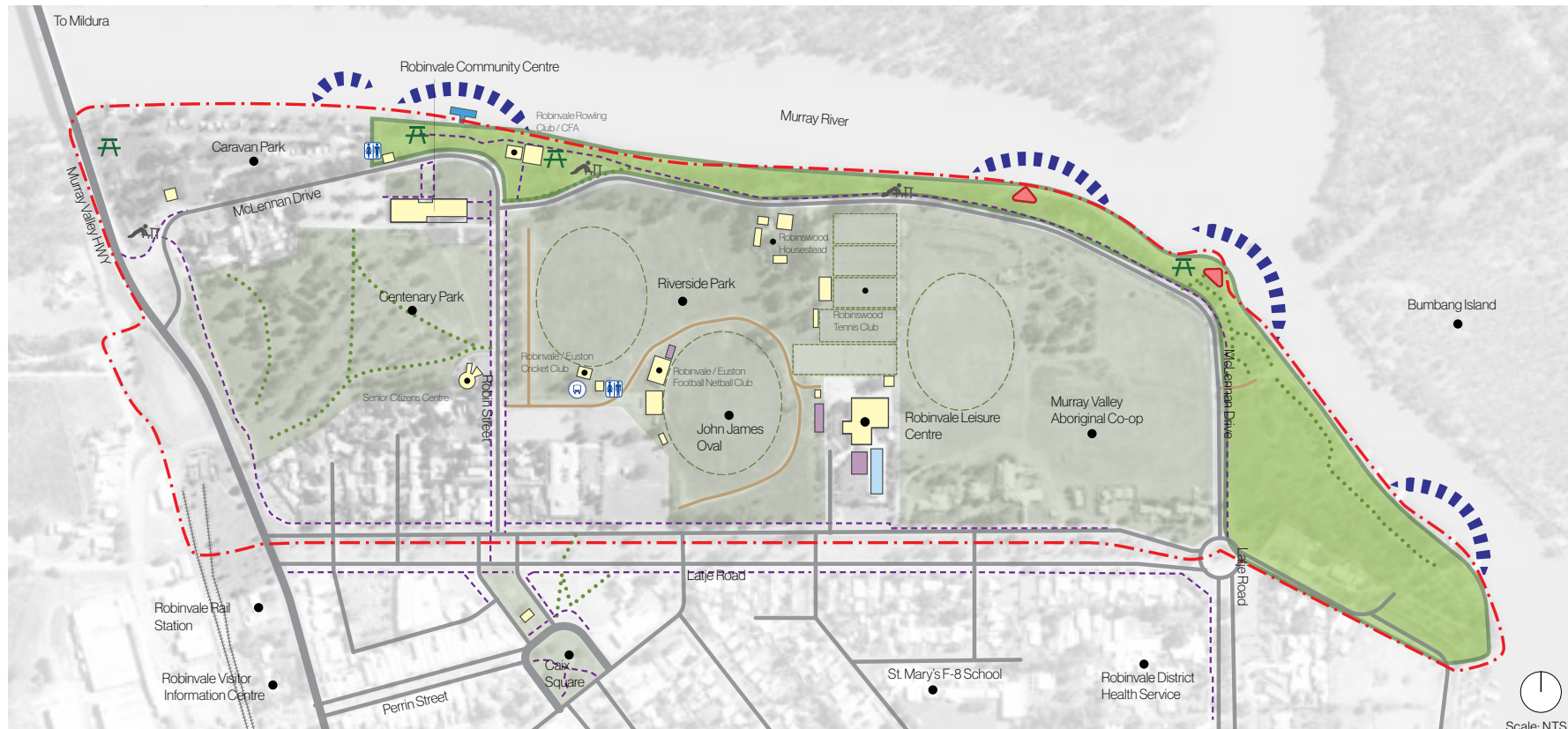
**Legend:**  
 Cyclone Wire Fence and Gates  
 V.E. Bollard  
 Residential Fence  
 Rural Fence  
 User Exclusion Area  
 Low Permeability Public Space  
 Low Permeability Access  
 Access to Public Space

Pg 25

**GROUPSA**



# CHALLENGES & CONSTRAINTS | ACCESS TO RIVER & VIEWS



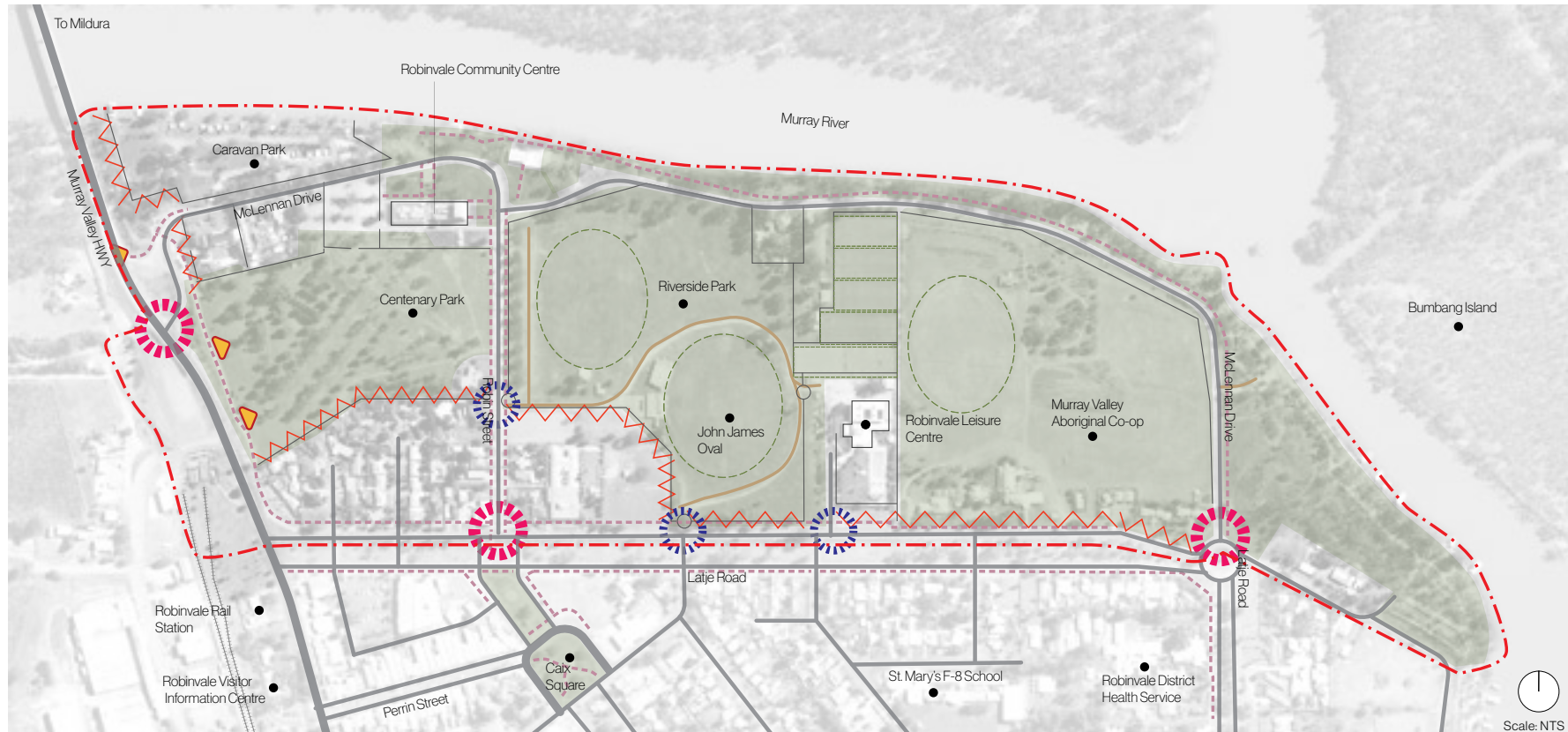
**Legend:**

- Vehicular Access Road
- Dirt Road
- Pedestrian Path (Formal)
- Pedestrian Path (Informal)
- Insufficient River Access and Activities Area
- Existing Building Structure
- Key View to River
- Informal River Access

Pg 26 Robinvale Riverfront Masterplan - Draft Masterplan  
For Swan Hill Rural City Council

Scale: NTS

# CHALLENGES & CONSTRAINTS | CONNECTIVITY



Legend:

-  Main Access Point to Precinct (Vehicle and Pedestrian)
-  Access Point to User Exclusion Area
-  Pedestrian Access to Precinct
-  Barrier Interface to Precinct
-  Vehicular Access Road
-  Unsealed Road
-  Pedestrian Path (Formal)
-  Barrier Fence and Gates



---

## CONNECTION TO COUNTRY

# 04



# TRADITIONAL OWNERS ENGAGEMENT & RECOMMENDATIONS

## AHHA Assessment

**As part of the Robinvale Riverfront Masterplan development process, Ecology & Heritage partners have prepared an Aboriginal and Historical Heritage Assessment (AHHA) to inform and support the design**

This assessment consisted of the review of relevant heritage registers and databases, previous archaeological publications and unpublished reports, as well as a review of the environmental context of the site.

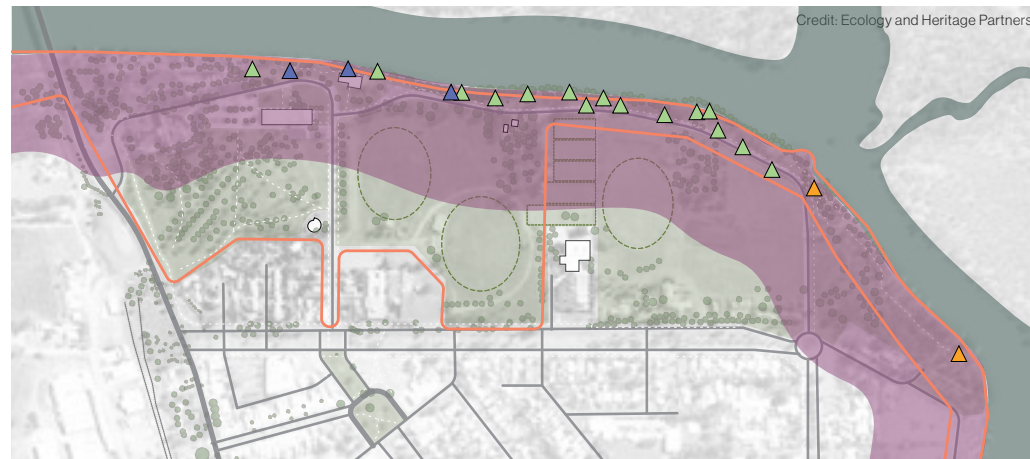
As a result of the above assessment, a number of recommendations have been suggested, which summarise in the following recommendations:

- Creation of Non-Impact Zones in the Masterplan development;
- Consultation with the local Traditional Owner Groups to be undertaken in the design and development process;
- Masterplan to avoid tree loss in the study area;
- An area of Centenary Park to be cordoned off from public and private use
- Interpretation to be installed within Centenary Park;
- Ground disturbing works to be avoided in Centenary Park sandy rise;
- An Aboriginal Cultural Heritage Management Plan be undertaken for the Masterplan Development;
- An interpretation 'trail' for Aboriginal Cultural Heritage be developed as part of the Masterplan;
- A separate study be undertaken to correct inaccurate data of Aboriginal Places at the river front;
- The Place extents of the Aboriginal middens

registered as occurring within the study area be re-examined;

- The Robinvale Riverfront be registered on the VAHR as a Cultural Landscape.
- An annual audit of the scarred trees along the riverfront be undertaken;
- Aboriginal Heritage Place Information not be made public;
- Contingency for Aboriginal Heritage;
- Masterplan development to avoid harm to known Heritage Overlay sites;
- No Requirement for Further Archaeological Investigation;
- Contingency for Historical Heritage.

The maps shown on the side highlight the Study Area and Area of Sensitivity, as well as the significant Aboriginal places. Refer pages 75 - 77 and maps 2, 2a and 2b in AHHA report for more detailed information.



- Site extents
- Ecology & Heritage Partners Study Area
- Earth Feature
- Shell Midden
- Scarred Trees
- Areas of Aboriginal Cultural Heritage Sensitivity





---

## MASTERPLAN DESIGN

# 05

# VISION / DESIGN PRINCIPLES

---



01/

## Celebrate Multicultural Identity

HIGHLIGHT THE LOCAL IDENTITY OF ROBINVALE BY ENHANCING THE MULTICULTURAL VALUE THROUGH ART AND STORYTELLING



02/

## Accessibility, Wayfinding & Parking

PRIORITISE SAFE AND CLEAR PEDESTRIAN FLOW AND INCLUSIVE ACCESSIBILITY FOR ALL AGES AND NEEDS, WHILE ALSO AIMING TO PROVIDE SUFFICIENT PARKING NUMBERS THAT WILL SUPPORT ANNUAL FESTIVALS AND EVENTS



03/

## Flexible Open Spaces

CREATE FLEXIBLE AND MULTI-USE AREAS TO SUPPORT LOCAL EVENTS SUCH AS THE ALMOND BLOSSOM FESTIVAL, POP UP EXHIBITIONS AND ALIKE



04/

## Enhance Riverfront Environment

IMPROVE AND PROTECT THE RIVERFRONT OF ROBINVALE BY RE-VEGETATING KEY ZONES AND INCORPORATING VIEWS AND CONNECTION POINTS TO THE MURRAY RIVER



05/

## Human Scale Design

ENSURE ALL ASPECTS OF THE PROPOSED MASTER PLAN FACTOR IN HUMAN SCALE DESIGN, INCLUSIVE OF CONSIDERATION TO DDA COMPLIANCE AND CPTED PRINCIPLES

# LANDSCAPE MASTERPLAN

## Design intent / approach

The design intent and approach of this masterplan aims to align with the design principles resulting from consultation, as well as consider all aspects discussed with the community and council, both on engagement sessions and on undertaken site walks.

The main considerations and guidelines include the following:

### Access points

To provide clear accessibility to the site, specifically from the CBD to the riverfront and from Murray Valley HWY to Centenary park.

These connection points, as well as McLennan Drive, represent the key for accessibility and could incorporate landmarks that help make it more clear and intuitive.

### Signage and Way-finding

To achieve proper safety for all users and avoid conflicting situations within the site, the design should consider the clear separation of the pedestrian paths, cars / trucks and the boat ramp, as well as incorporating clear signage.

### Safety

To provide both circulation and lighting assets to encourage active usage at all different times and seasons during the year.

### Events

To ensure that the Community Centre and adjacent area can cater for local annual events by keeping an open flexible space; provide opportunities for indigenous art exhibitions and other cultural expressions, to consider space for food trucks / pop up cafe and improve the Community Centre's outdoor open space areas.

### Amenities

To improve existing and provide new amenities along site, to meet the communities needs and instigate further use of the riverfront of Robinvale.

### Shade / Canopy cover

To include design solutions that will help mitigate the sun exposure on site and the urban heat island, as well as consider materials that are UV resistant and do not impose the risk of skin burn.

### Art & Cultural inclusion

To integrate and highlight the cultural diversity of Robinvale by inclusion of Indigenous story walks and local art sculptures along the site to emphasise the multicultural character and educate visitors

### Activities

To provide high quality public space amenities catering to all ages and users, including families and provide universally accessible options.

### Carparking

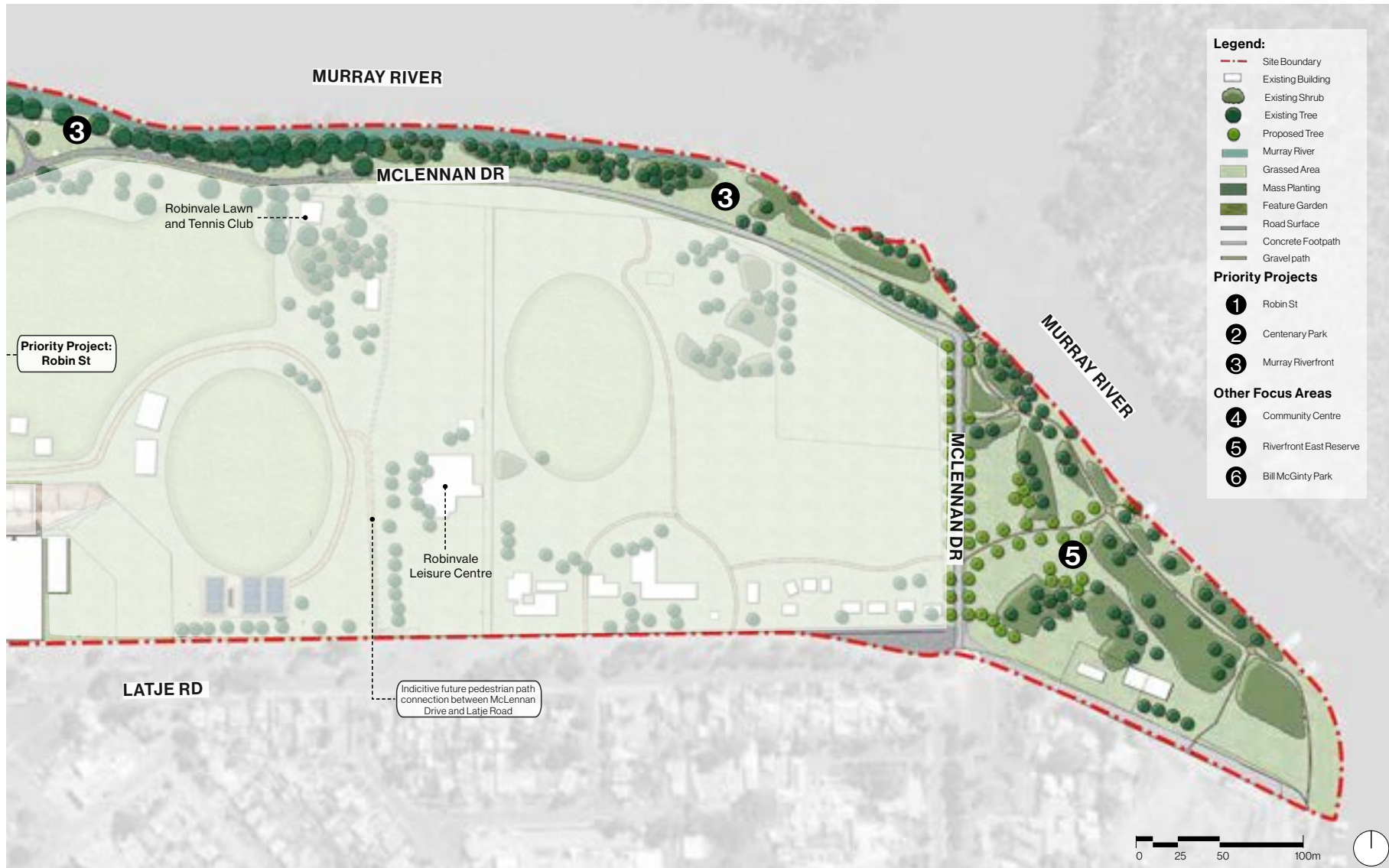
To improve the traffic flow in and out of the site, as well as to increase the carparking availability while defining areas and ameliorate safety and pedestrian circulation within the area.

### Riverbank interventions

To improve and offer a better connection to the environment by introducing riverfront interventions such as: water links for the public through points of access and lookout, re-vegetation of the riverfront and signage and wayfinding.











---

## ROBIN STREET

# 06

# ROBIN STREET SUMMARY

## Background Context

Robin Street acts as the main vehicle and pedestrian access for locals and tourists through to the Riverfront. Due to the high demand for parking within the area during events such as Almond Blossom Festival and the annual Robinvale Ski Race, Robin Street has been identified as the appropriate location for additional parking.

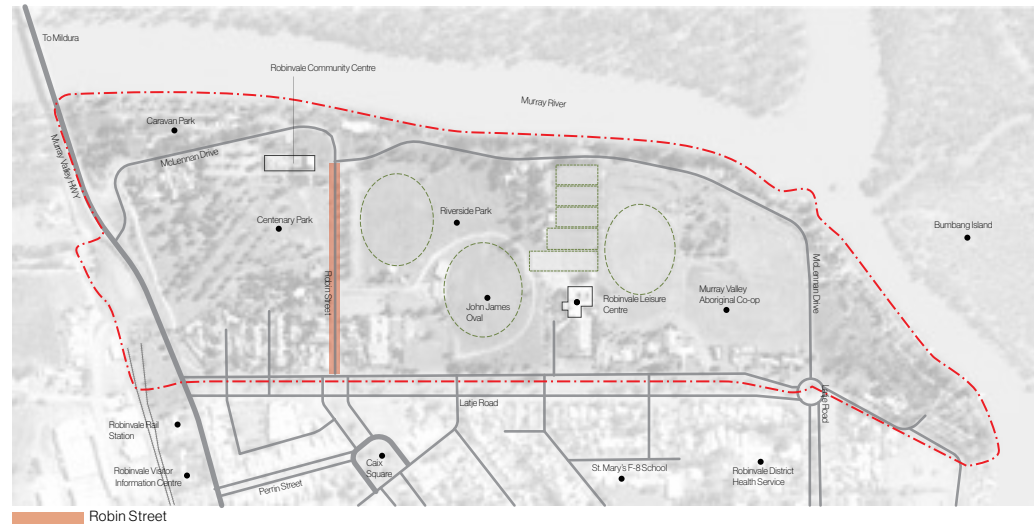
Robin Street currently lacks shade amenity resulting in limited shelter from the heat of summer.

Pedestrian and cycle connections are to be improved through Robin Street, focusing on pedestrian footpath rectification, and the addition of a cycle path in order to integrate a healthy active transportation solution within Robinvale.

Other matters to consider include lighting for safety and planting beds for mitigation of the urban heat island.

## Community Feedback:

- Need for more shade / Native canopy cover;
- Consider deciduous and Autumn coloured trees;
- Upgrade to footpath / inclusion of shared footpath - consider prams and senior citizens;
- Integrate planting strips along the footpaths;
- Signage & wayfinding from CBD to Robin St / Perhaps cultural signage along Robin St;
- Balance between car and pedestrian access
- Provide parallel parking along Robin St and assess overflow carparking needs on event occasions ;
- Provide a safe and clear connection between Robin St and Centenary Park;



## Existing Conditions



Current Robin St profile (looking South)

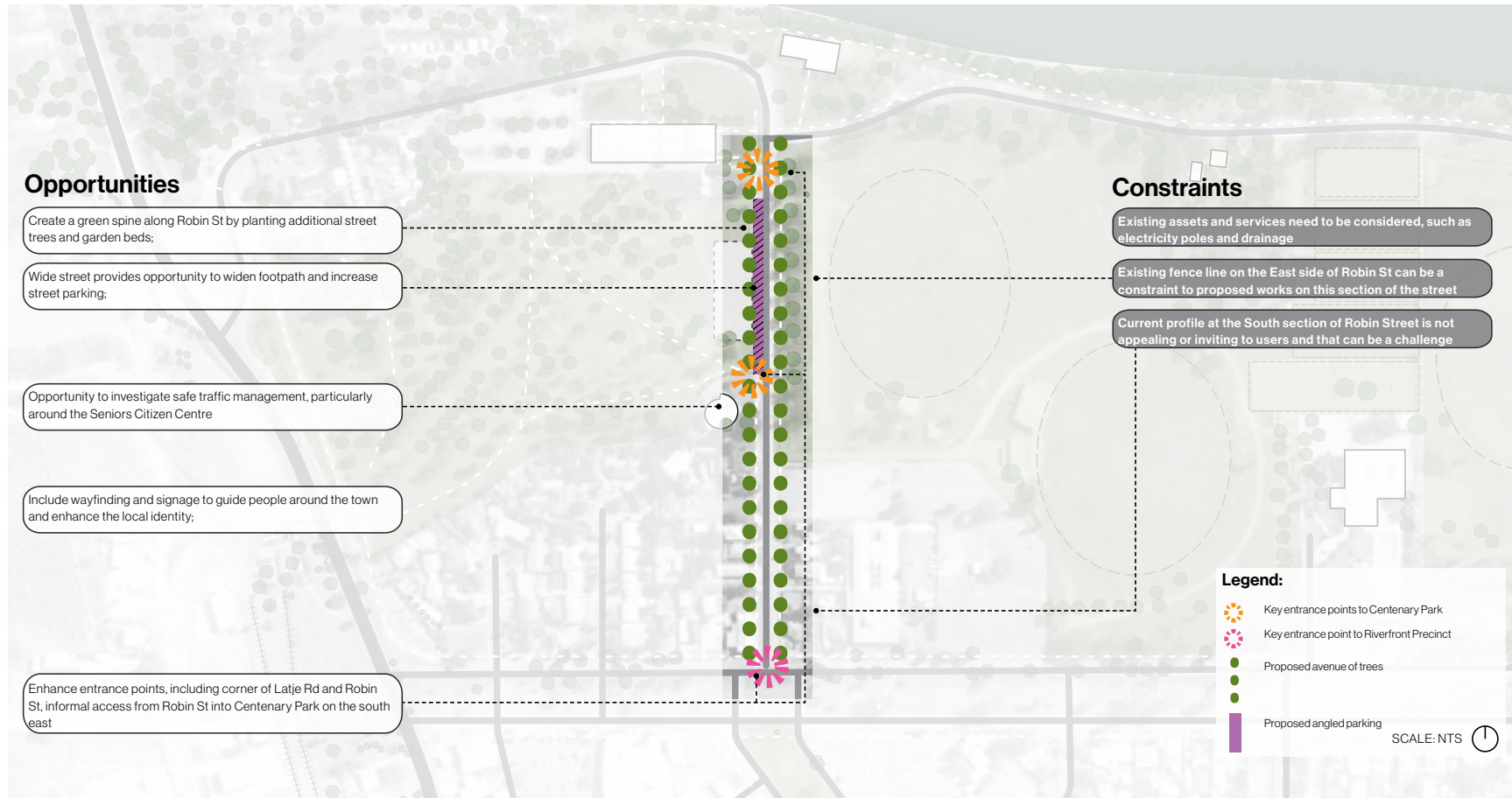


Current profile looking North



Robinvale Senior Citizens Centre

# ROBIN STREET OPPORTUNITIES & CONSTRAINTS





# ROBIN STREET DESIGN APPROACH

## Design Intent

As a part of the concept development of Robin Street, a number of considerations were studied and applied to the proposal. Access ways can play a key role in the visitor experience of a place, providing a sense of arrival.

The wide profile of Robin Street carriageway provides an opportunity for extensive street tree planting and carparking without compromising traffic movements, access to properties and infrastructure.

As indicated in the plan and sections, tree planting within the road corridor and verge will help improve the visual amenity and experience for travellers, residents, cyclists and pedestrians.

The main goals with this proposal are to incorporate more shade and native canopy cover, upgrade the footpaths profile with pram-ramps, tactile tiles, planting, wayfinding and to balance the flow of pedestrians and traffic.

The incorporation of an angled carpark will also improve access conditions as incentive for people to travel to the area and spend time in it.

The streetscape proposal includes:

- Medium canopy trees are to be planted within the along the footpath to provide shade and assist with urban heat island and microclimate;
- Garden beds along the footpath as greenery enhancement, physical barrier and stormwater solution;
- Introduction of angled carparking to reduce the apparent width of the carriageway and reduce traffic speed;

## Reference images



Tree canopy introduction along the road



Typical road profile



Planting & carparking



Planting & footpath

### Legend:

- |  |                   |  |                                  |
|--|-------------------|--|----------------------------------|
|  | Site Boundary     |  | Proposed Angled Car Park         |
|  | Existing Building |  | Proposed Overflow Car Park       |
|  | Existing Shrub    |  | Proposed Active Nature Play Area |
|  | Existing Tree     |  | Centenary Park                   |
|  | Proposed Tree     |  | Proposed Skate Park by others    |
|  | Murray River      |  | Existing fence line              |
|  | Grassed Area      |  | Proposed Avenue of Trees         |
|  | Mass Planting     |  | Proposed Seating                 |
|  | Feature Garden    |  | Senior Citizen Centre            |
|  | Road Surface      |  |                                  |
|  | Concrete Footpath |  |                                  |
|  | Gravel path       |  |                                  |



Robin St Plan | Scale: 1000 @ A3



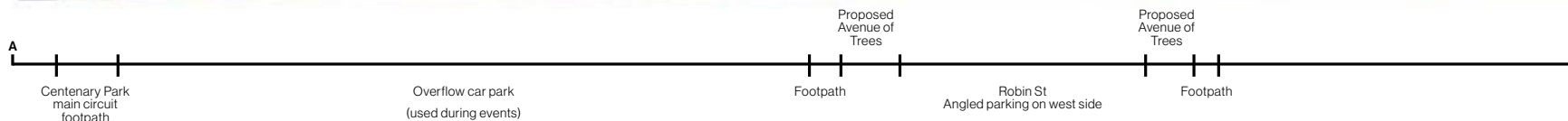
# ROBIN STREET SECTION



Section Key Plan

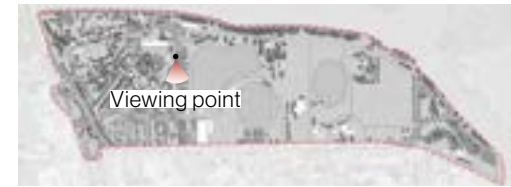
Robin Street Section Aa - typical profile along Robin St and overflow carpark

Scale: 1:200 @ A3



# ROBIN STREET VISUALISATION

---



Key Plan | NTS





---

## CENTENARY PARK

# 07



# CENTENARY PARK SUMMARY

## Background Context

The existing Centenary Park is a place of historical significance and includes several sensitive Aboriginal heritage zones at the North-West side, which shall be retained and protected.

Being located in a strategic point and having a direct link to both Robin Street and the Community Centre, the park offers great potential for the accommodation of diverse activities, such as:

- New playground for different age brackets - Consider water activities and skate park;
- Integrate Indigenous Cultural Interpretation;
- New seating / BBQ / gathering pods for all age groups;
- Opportunity to highlight the existing cultural diversity;
- Retain and improve historical trees-lines and provide new trees / canopy cover, as well as garden beds;
- Opportunity to connect pedestrians to activity zones through a path system;
- Provide space for events to occur in Centenary Park;
- Use native vegetation to allow for storytelling.

At the West side of Centenary Park, there is an existing gravel path that provides a North-South connection to the existing Caravan park.

This connection can be enhanced and improved, for both pedestrians and cars, creating this way, a link from the Highway to the Centenary Park.

At the South side of this path, there is also an opportunity to create a gateway from Murray Valley HWY to Centenary Park.

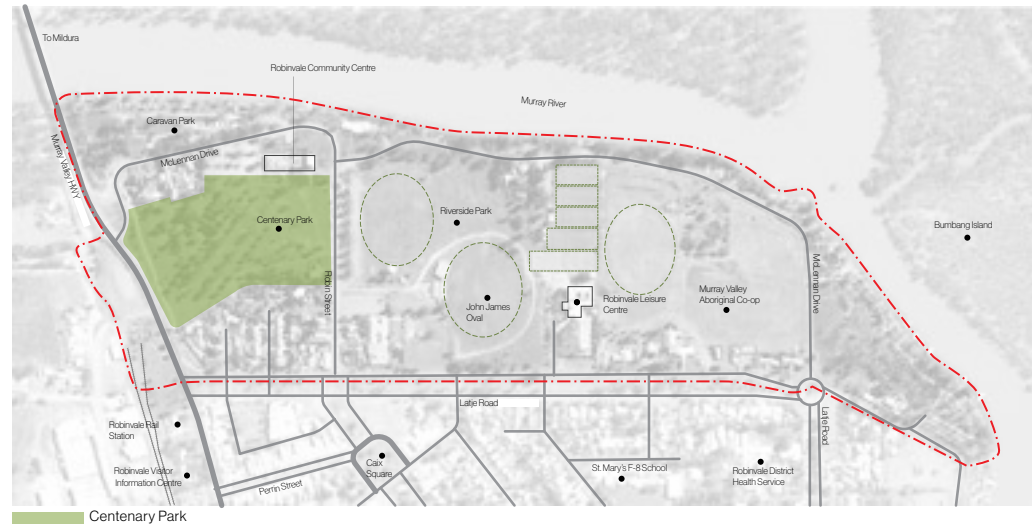
At the North-West end of the Centenary Park, there is an existing traffic link from the Murray Valley HWY to the Caravan park.

This link can be improved emphasised with a gateway sign / art sculpture and include a way for visitors to easily access the parking at Centenary Park i.e. signage and access from the highway.

In this area there is also the potential for a new carpark to allow for access to the Centenary park from the West

## Community Feedback:

- Opportunity for play spaces, including a skatepark, playground and water play spaces. Nature play over formalised play is preferred;
- Provide paths / bike paths, gathering and socializing spaces;
- Provide toilet and amenities;
- Include an 'Artwork River band', a path through Centenary Park to showcase the story of Robinvale, the Indigenous communities that reside there and highlighting the waves of immigration;
- Opportunity to showcase different cultures through having different themed garden beds.
- Consider a dog park;
- Provide more carparking and signage leading people to Centenary Park.
- Consider developing Centenary Park as a Botanical Garden.



Sparse grass in the park



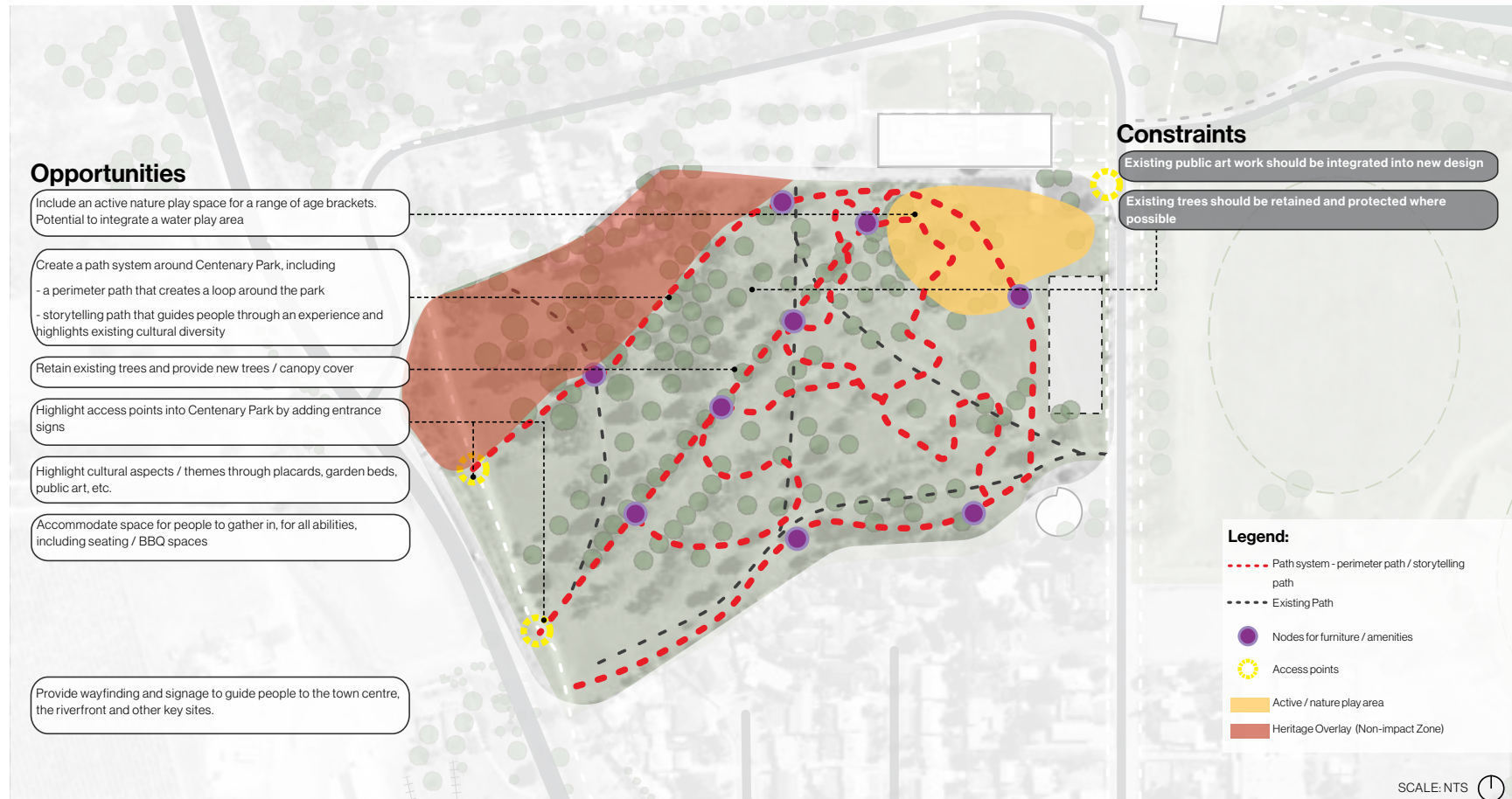
Open green space that has the potential for added furniture and other interventions



Avenue of trees that highlight sightlines to the river.



# CENTENARY PARK OPPORTUNITIES & CONSTRAINTS



# CENTENARY PARK DESIGN APPROACH

## Design Intent

The Robinvale Riverfront Masterplan strategy recognises Centenary Park as the jewel of the town's public parks, and should be improved to accommodate the communities needs while becoming a main destination and attraction in Robinvale.

The overall aim of the upgrade of Centenary Park is to highlight its entrance points, integrate gathering spaces / picnic areas within the open space and to create play opportunities for outdoor activities.

Recognising the gardens inherent attraction as the largest open space and historical character, the other aim of the upgrade is to introduce landscape amenities: spaces, paths, park furniture and planting.

with the incorporation of cultural enhancement by introducing the cultural gardens.

The introduction of a diagonal link offers a strong connection between West-East, and a loop path is introduced to facilitate fitness opportunities.

The path system is also design to offer clear connections to the carparking areas, as well as to the community centre.

Within the park, the introduction of a skate park is also a main attraction which will bring mixed use and age values to the areas.

## Reference images



Meandering paths through the park



Wayfinding signs / nodes through the park



Avenue of trees and diagonal path



Seating opportunities through out the park



Legend			
	Site Boundary		Cultural Gardens
	Existing Building		Proposed Seating
	Existing Shrub		Nature Play Area
	Existing Tree		Community Centre
	Proposed Tree		Future Skate Park by others
	Murray River		Bill McGinty Park
	Grassed Area		Overflow Car Park
	Mass Planting		Heritage Overlay (Non-impact Zone)
	Feature Garden		
	Road Surface		
	Concrete Footpath		

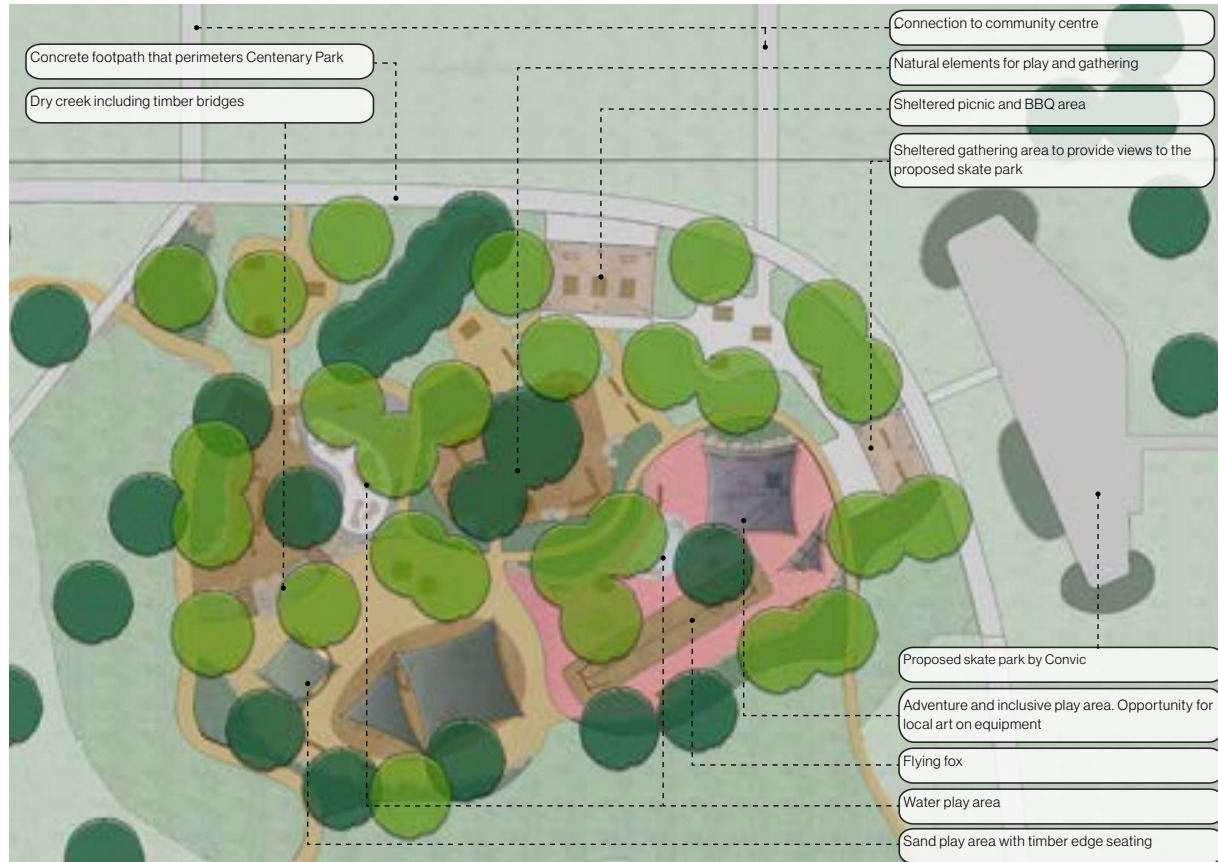
Centenary Park Plan | Scale: 2000@ A3



# CENTENARY PARK ACTIVE NATURE PLAY ZOOM IN



Key Plan | Scale: 1:10 000 @ A3



**Legend:**

- Existing trees
- Proposed trees
- Gravel
- Grass
- Rubber softfall
- Garden bed
- Concrete
- Mulch
- Shade sails
- Timber shelter
- Timber seating
- Timber logs & stumps
- BBQ

**Reference images**



Water play elements



Natural elements for play and gathering



Sand play

0m 25 10 20m



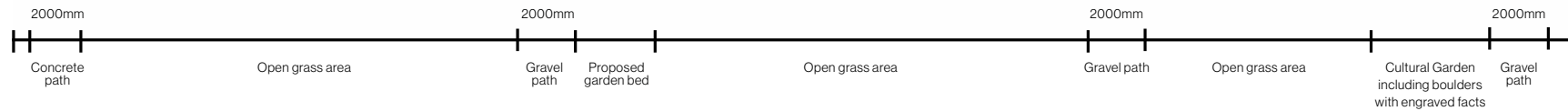
# CENTENARY PARK SECTION



Section Key Plan

## Centenary Park Section Aa - proposed paths, garden beds and open areas

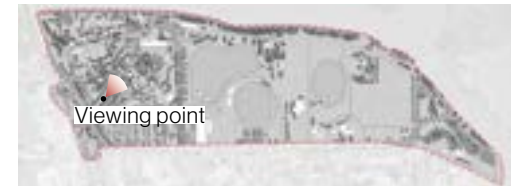
Scale: 1:200 @ A3





# CENTENARY PARK VISUALISATION

---



Key Plan | NTS



Pg 46 Robinvale Riverfront Masterplan - Draft Masterplan  
For Swan Hill Rural City Council



---

## MURRAY RIVERFRONT

# 08

Pg 47 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council



# MURRAY RIVERFRONT SUMMARY

## Background Context

Close to the Community Centre, here is an existing boat ramp which presents in fairly good condition and shall be maintained.

Within this area, one of the things to consider is the conflict between pedestrians and boat trailers

This can be improved by integrating specific signage and allocated pedestrian paths that will provide the space with clear and safe path of travel for all users.

The existing toilet block to the West of the boat ramp is currently in degrading condition and should be replaced by a new toilet block in accordance with the Public convenience strategy.

This can be seen as an opportunity for relocating the toilet block to a more appropriate location if needed.

There is an existing Rowing Club and deck which is functional and in good condition but could be improved. One of the potentials for the Rowing club is to incorporate a cafe into it, providing social and economical opportunities.

As the Rowing Club deck incorporates an accessible slope grading, this area represents great potential for incorporation of a larger public connection to the river.

By improving the conditions and formalising the access to a potential larger deck / multiple decks, all users would be able to have a safe and easy connection to the water.

The riverfront line in Robinvale is generally steep and densely vegetated, with large amounts of trees, shrubs and wildlife.

This restricts connections to the river, but there are some opportunities to integrate small interventions.

An arborist assessment on site will help understanding the significance of the existing vegetation, we can then evaluate the possibility of integrating staircases / decks down to the Murray, and this way, have a number of small interventions that allow direct connection to the water for both residents and visitors.

Along the riverfront path, there is the Warrina

Aboriginal Centre. When developing a masterplan, it is important to consider the connection of this centre to the riverfront. Consulting with the stakeholders involved and acquiring an understanding of how the centre can input and benefit from the project is also highly recommended.

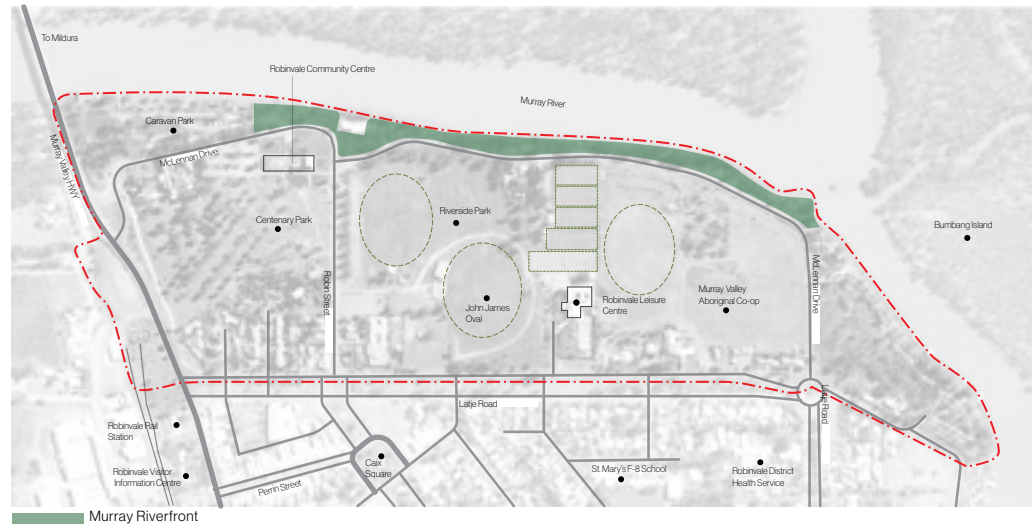
The existing path connection along the riverside is an extension of the previous two-way road and it is defined by a continuous line of bollards.

This path can be improved by integration of:

- Storytelling elements relating to the diverse cultures in Robinvale;
- Historical viewpoints highlighted with art / sculptural elements;
- Light poles along the path;
- Potential asphalt painting to highlight the pedestrian zone.
- It is noted that there is existing signage at several locations, although the order / numbering is not in line with how people travel. Signage should be upgraded with potential QR codes.

## Community Feedback:

- Reinforce river banks by re-vegetating the waterfront where needed;
- Provide river marks at every 50m;
- Have a dedicated carpark for everyday sports and overflow for competitions;
- Create a cultural trail that highlights the rich cultural heritage and art along the riverfront. Provide signage / information on this at the carparking areas;
- Consider a virtual walking tour related to Robinvale riverfront;
- Consider information panels translated to other languages for other visitors to be able to read and share the experience;
- Include opportunities for bird watching and view point platforms.



Area behind the pontoon



Bollards separating car traffic and pedestrian traffic

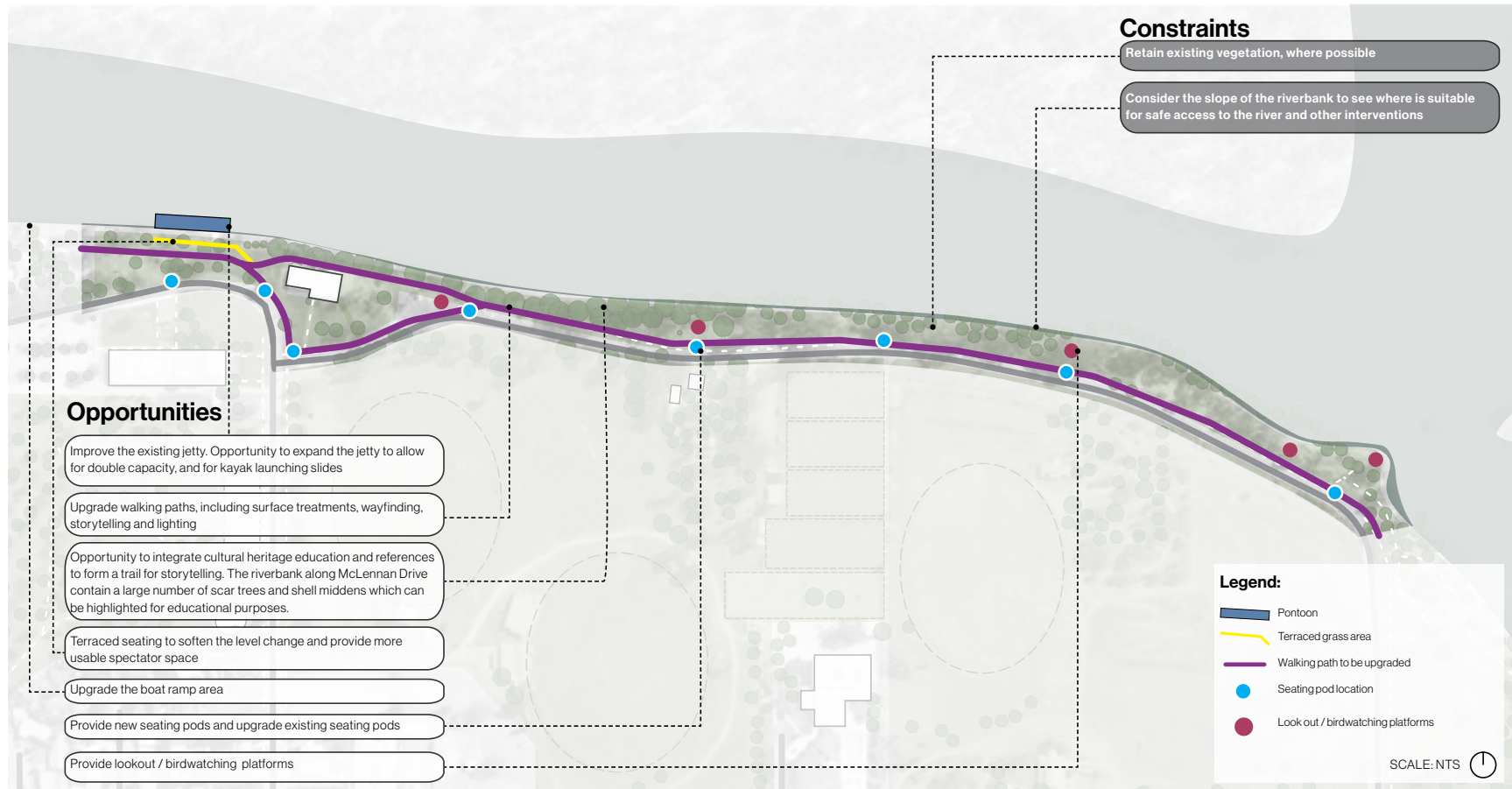


Car park area on the east















River access on the east

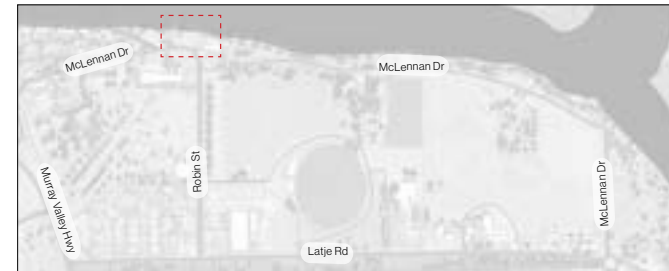
# MURRAY RIVERFRONT OPPORTUNITIES & CONSTRAINTS



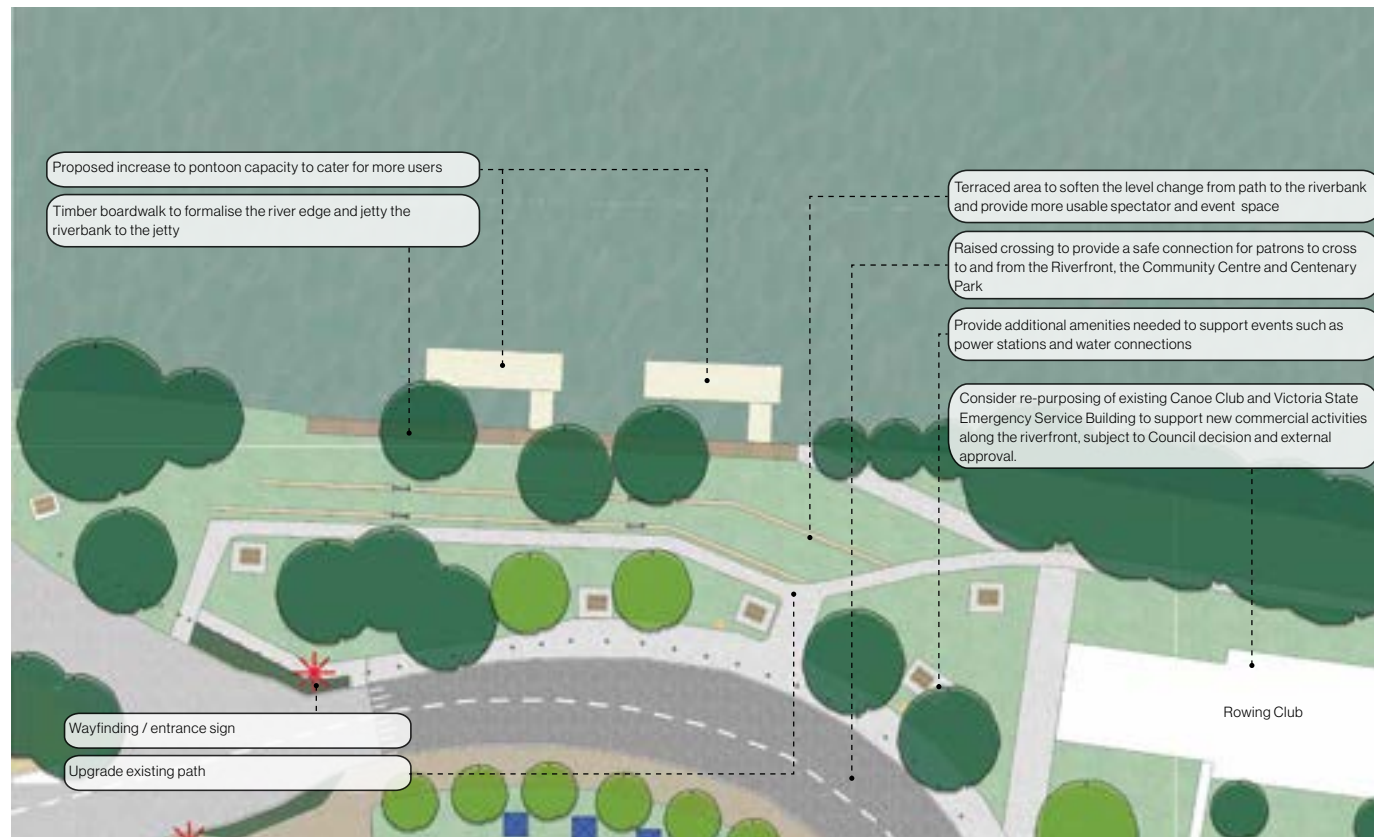


# MURRAY RIVERFRONT DESIGN APPROACH

- Legend:**
-  Existing trees
  -  Proposed trees
  -  Wayfinding signage
  -  Garden beds
  -  Grass
  -  Feature paving
  -  Paving
  -  Road
  -  Raised crossing
  -  Picnic benches
  -  Marquee
  -  Bollards



Key Plan | Scale: 1:10 000 @ A3



## Design Intent

The Robinvale Masterplan design strategy highlights the relationship of the Riverfront to Robinvale as a river town. The foreshore area across the street from the Community Centre forms the heart of the riverfront and its significant assets for the local community for reconciliation as well as an opportunity for tourism.

The River front area associated with the CBD forms into two distinct areas:

- Western riverfront, accessible through Robin Street and Community Centre;
- East Reserve riverfront, to which there is separate section ahead in this report.

Taking advantage of the close proximity to the River and CBD, the key proposals includes:

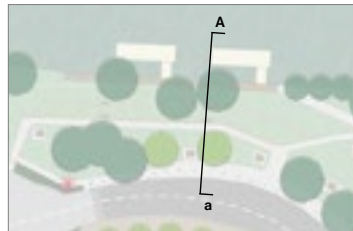
- Improving the layout and profile of the existing slope for an easy access to the riverfront;
- Improvement to the legibility of the entry / exit points from both car parks and from the Community Centre
- Improve accessibility and safety through a raised crossing that links the riverfront, Robin Street and the Community Centre all together;
- Upgraded and extended jetties/pontoons along with improved stair access from the access points to the riverfront;
- Upgraded River walk along the edge with improved, picnic areas, resting nodes, observation platforms and lighting.

For the entire riverfront area, rehabilitation of the embankment is a key consideration. As highlighted in during consultation, the problems of eroding embankment and invasive pest species need to be addressed, through a long-term programme of regrading to ensure integrity of the embankment, eradicated and planting programme.



# RIVERFRONT TERRACE SECTION

Riverfront Section Aa - through pontoon, timber boardwalk, terraced seating and raised crossing area



Section Key Plan



## Reference images



Seating terrace



Timber deck



Standard seating

# REST & OBSERVATION NODES TYPOLOGIES

## Reference images



Observation / rest node



Observation stand



Interactive information sign

## Rest / Observation Plan Locations



● Potential locations for rest / observation nodes

### Type 1: Small Platform Node

Typical Sections of Rest Node / Observation Area



### Type 2: Small Paved Node



### Type 3: Observation / Rest Node



Typical Sections | Scale: NTS



# MURRAY RIVERFRONT VISUALISATION

---





---

# ROBINVALE COMMUNITY ARTS CENTRE

# 09

Pg 54 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council

# ROBINVALE COMMUNITY ARTS CENTRE SUMMARY

## Background Context

The Community Centre outdoors currently very exposed with limited shade / canopy coverage, and lacks the inclusion of identifiable landmarks or signage.

Robinvale can become very hot throughout the summer periods, so it is important to consider shade amenity for a welcoming and pleasant arrival to the space.

It is also important to consider that, being an area that holds annual events such as the Mallee Almond Blossom Festival, it should be open and flexible to cater for these, but provide enough amenities for day to day users, as well as interesting elements such as art sculptures.

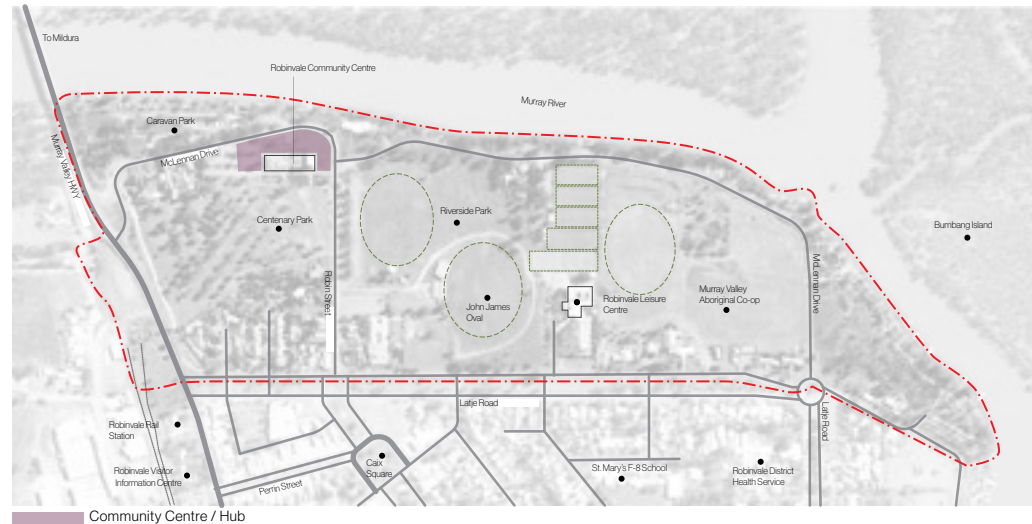
As apart of the improvements to this area, a safe crossing between the Centre and the riverfront shall be considered within the design, i.e. raised crossing.

The Community Centre carpark is another area for improvements. As apart of the masterplan, the existing fence at this location should be moved to open up a direct connection between the Community Centre and the carpark.

Another aspect to consider within the carpark is the improvements to surface treatment and integrated lighting that will make this a safer space.

## Community Feedback:

- Create a space that can be open and flexible to cater for yearly events / festivals and pop up market;
- Provide infrastructure for a powered site to support events;
- Create a safe circulation method between pedestrians and existing boat ramp to avoid conflict. Consider upgrading or relocating the boat ramp;
- Provide space for local art showcase / rotating gallery to promote Robinvale cultural and artistic diversity;
- Consider a visitors centre at this location;
- Provide gathering and socializing spaces. Consider an integrated cafe or pop-up cafe.
- Provide a safe connection between the Community Centre side and the River side.



Open grass area in front of Community Centre



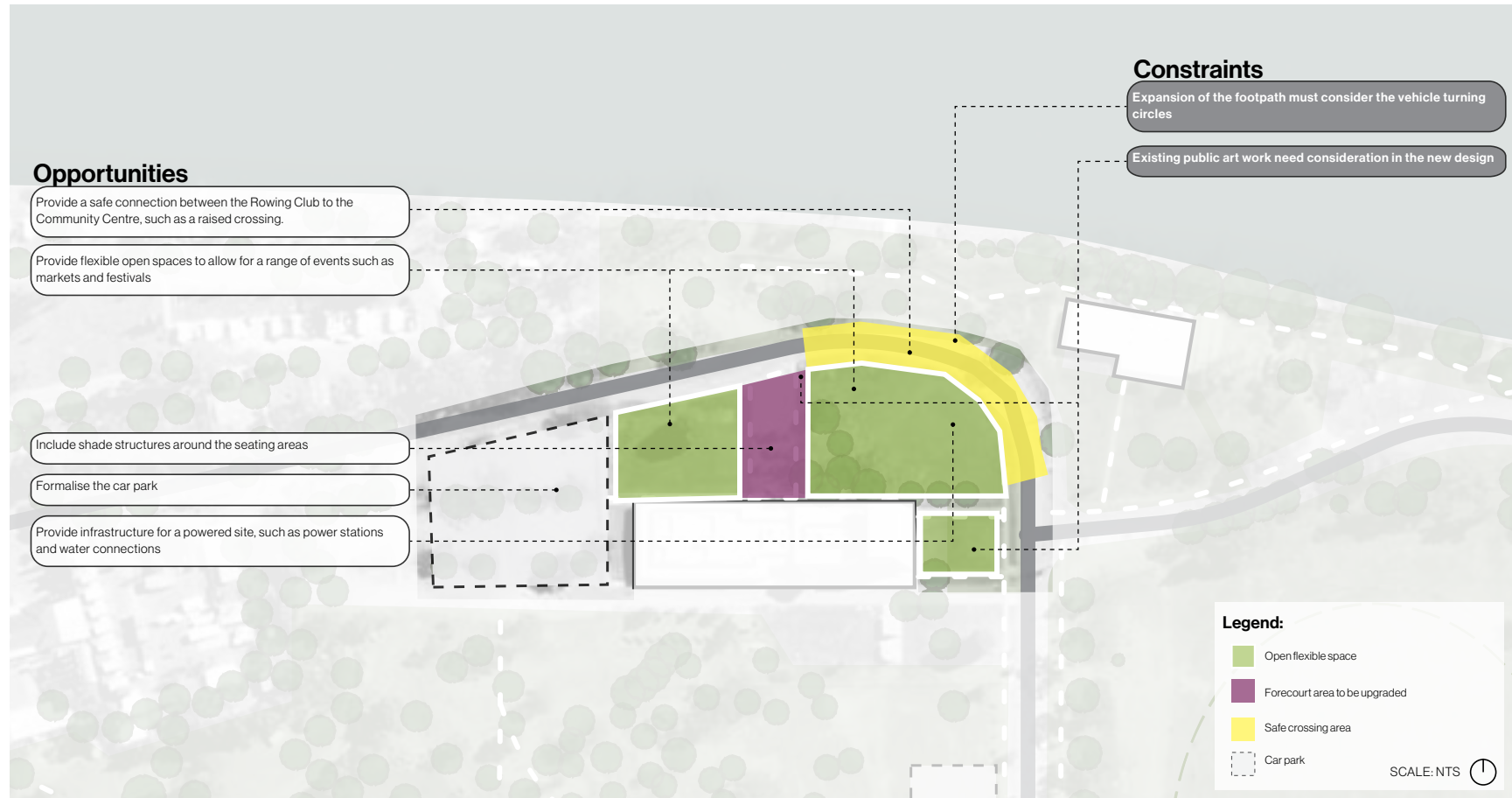
Existing art sculpture















Existing carpark access



# ROBINVALE COMMUNITY ARTS CENTRE OPPORTUNITIES & CONSTRAINTS

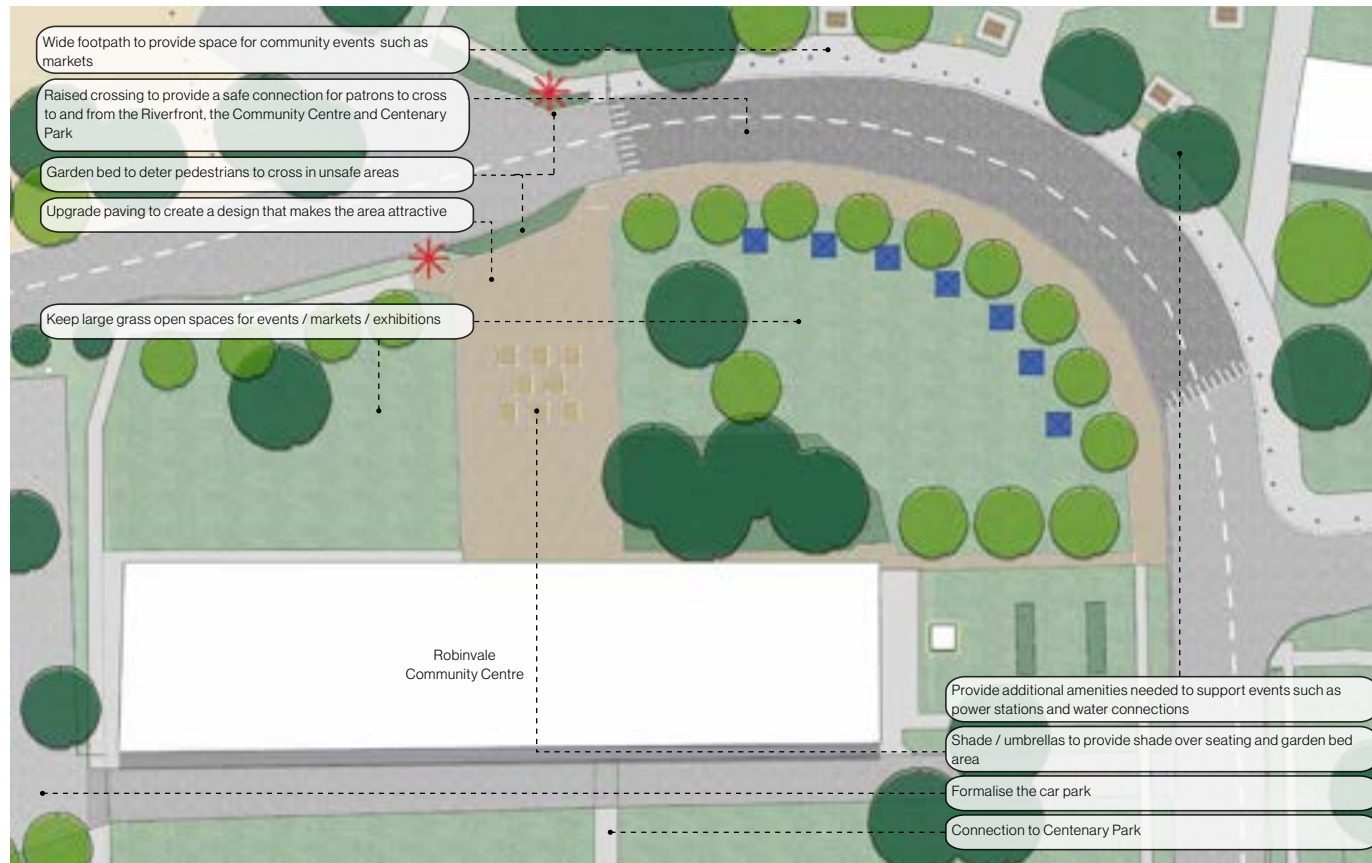


# ROBINVALE COMMUNITY ARTS CENTRE DESIGN APPROACH

- Legend:**
-  Existing trees
  -  Proposed trees
  -  Wayfinding signage
  -  Garden beds
  -  Grass
  -  Feature paving
  -  Paving
  -  Road
  -  Raised crossing
  -  Picnic benches
  -  Marquee
  -  Bollards



Key Plan | Scale: 1:10 000 @ A3



## Design Intent

As one of the most significant links to the riverfront, the Community Centre outdoors holds immense potential for becoming a main space for events and attractions to the community, as well as visitors.

As previously indicated, the strategy for this spaces includes providing infrastructure to support events / exhibitions, provide a safe circulation for pedestrians

Considering the above, the proposal focus on retaining a large open flexible grass areas, while introducing opportunities for markets and alike. The outdoors paving is due for upgrading, which can refresh the look and feel of the space and make it more pleasant.

The existing planting boxes will incorporate shade elements as well as new planting and can potentially be upgraded for a more pleasant design and materiality.

The introduction of a shared raised crossing will assist a safe circulations and link to the riverfront area while reducing traffic speed through this area which helps regulate the traffic. The introduction of lighting and bollards provides a traffic barrier and safer footpaths along this section.



# ROBINVALE COMMUNITY ARTS CENTRE PRECEDENTS & SECTION

## Reference images



Raised crossing to provide a flushed kerb



Seating around planter box / garden bed



Market stalls



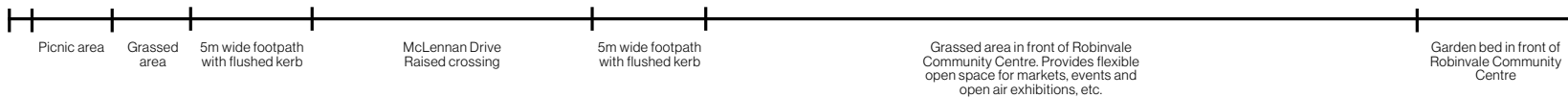
Entrance / gateway signs



Section Location

## Community Centre Outdoors Section Aa - proposed shared crossing and marquee stand locations

Scale: 1:200 @ A3







---

## RIVERFRONT EAST RESERVE

# 10

# RIVERFRONT EAST RESERVE SUMMARY

## Background Context

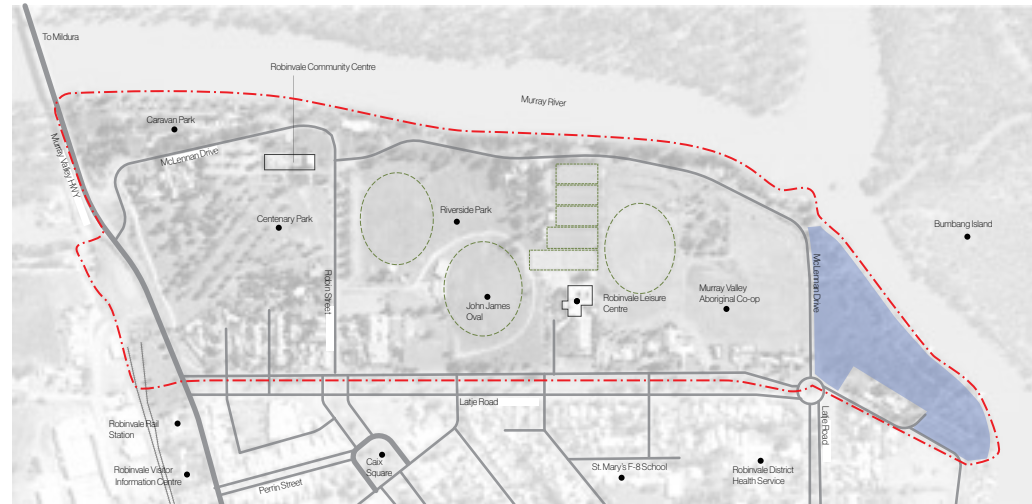
The East Reserve area or 'Cut' is a significant Aboriginal cultural heritage site and represents a historical connection to Bumbag Island.

Because of its value and visual connection to the island, this area holds great potential for improvements on footpaths and shared paths, with small interventions on seating pods a connection to the water.

The introduction of interactive storyboards, signage and wayfinding to this area is also a great way of making it more clear and accessible.

## Community Feedback:

- Opportunity to improve and extend the walking track along the levee bank;
- Create a connection from the reserve to Bumbag Island;
- Opportunity to have guided tours to Bumbag Island;
- Consider a docking station for commercial boats.



Riverfront East Reserve



Existing path along the riverfront

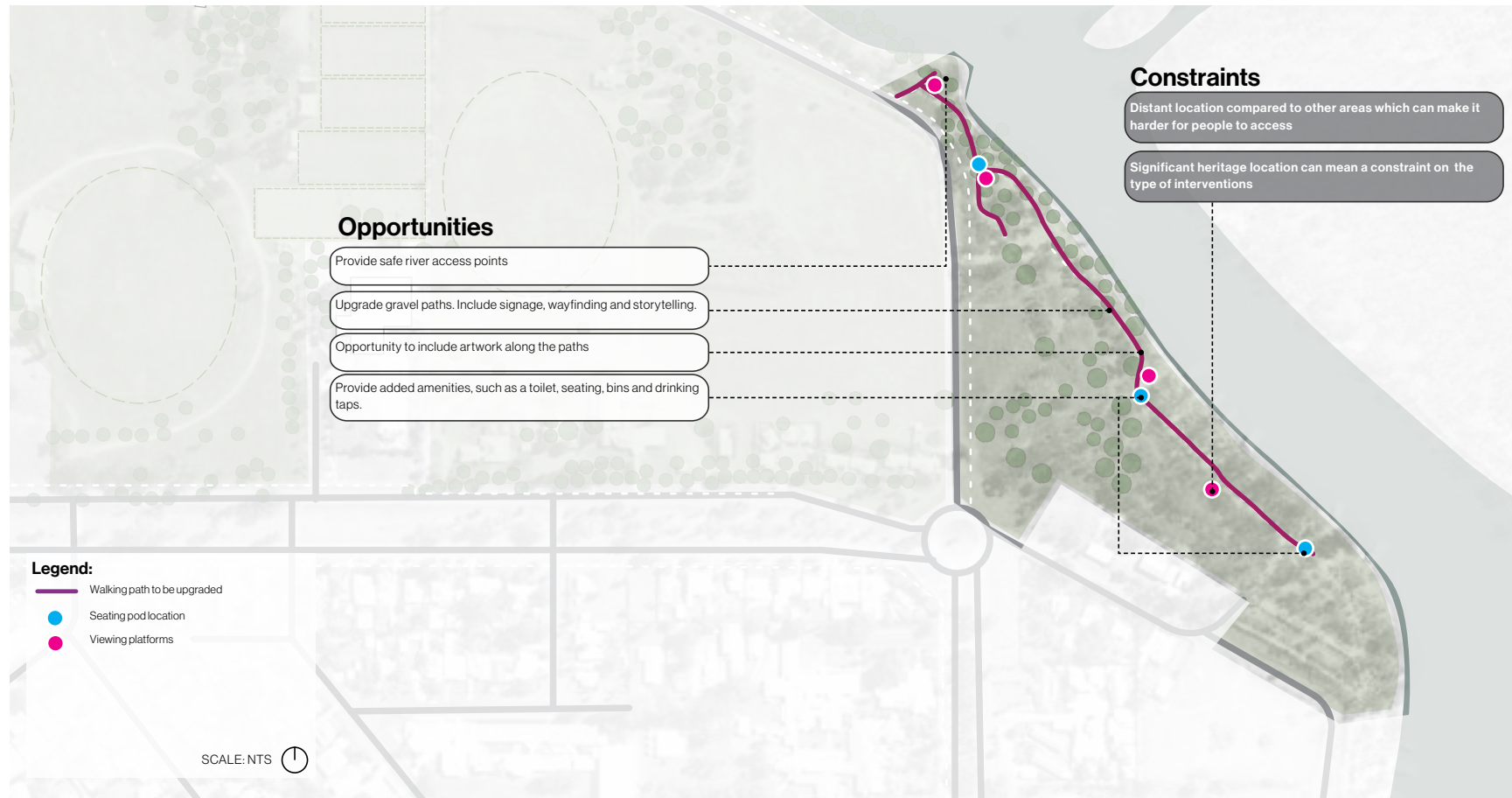


Existing trees and views to the Murray



Current car access / turning circle

# RIVERFRONT EAST RESERVE OPPORTUNITIES & CONSTRAINTS





# RIVERFRONT EAST RESERVE DESIGN APPROACH

## Design Intent

The East Reserve riverfront holds great potential for a more intimate and recouping space. Its location and distance from the other study areas makes it a special place and the visual connection to Bumbang Island make it a valuable section.

This proposal aims to keep the natural aspect of the Reserve while highlighting and improving the access and amenities.

The upgrading of the paths will help facilitate peoples' access and the introduction of a floating pontoon will provide an observation and meditation deck.

The introduction of new furniture / table settings will also offer better quality and functionality to the site.

Another element that should be considered is the integration of art sculptures and elements of indigenous story telling to enhance the heritage of this specific location.

As a part of this design proposal, the addition of street trees is also an important intervention to provide shade and improve accessibility through this section of McLennan Dr.

## Reference images



Upgraded trails



Art and cultural elements



Gravel path



Floating pontoon



- Legend:**
- Site Boundary
  - Existing Building
  - Existing Shrub
  - Existing Tree
  - Proposed Tree
  - Murray River
  - Grassed Area
  - Mass Planting
  - Feature Garden
  - Road Surface
  - Concrete Footpath
  - Gravel footpath
  - 1 Viewing / Breakout Area
  - 2 Proposed Seating
  - 3 Robinvale River Side

Zoom In Plan | Scale: 1:2000 @ A3



---

## BILL MCGINTY PARK

# 11

# BILL MCGINTY PARK SUMMARY

## Background Context

Bill McGinty park holds significant historical background to Robinvale and can be improved to highlight some of these facts.

The current conditions don't allow for visitors to use the space as they could.

Lack of shade, amenities and signage makes it hard from an access point of view.

The Park is generally recognised as an old industrial setting due to the remain structures that populate the space.

A simple intervention would be to grow planting around existing structures and potentially similar structures with climbing plants, not only to provide shade but also to make it a more attractive and interesting place to visit, as an upgrade by using historical elements. These spaces could also be used for temporary exhibitions/

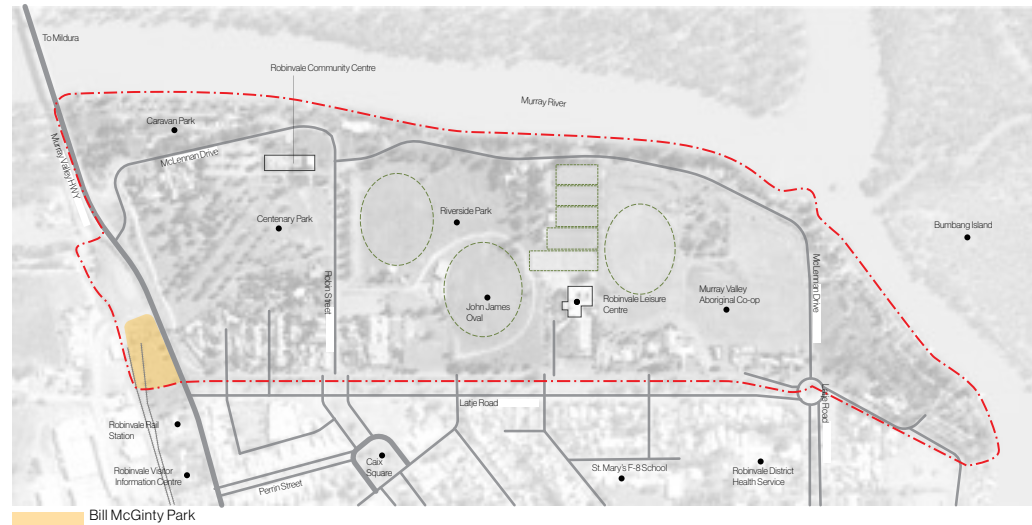
Within Bill McGinty Park, there is a large open area with an old water tank. This space is currently not used and could be improved to attract people to this historical section. The introduction of a few amenities in the space can help make it a destination, rather than a forgotten site.

There are also some panels along Bill McGinty Park which provide a bit of context information in regards to the Murray and surroundings.

These panels can hold great informations which should be highlighted and improved, as well as integrate of historical background to the site and also within the context of Robinvale.

## Community Feedback:

- Include Military Unit vegetation;
- Provide a safe and clear connection from McGinty Park to Centenary Park, diverting people away from crossing the Murray Valley Highway;
- Provide toilets and amenities.
- Consider a play area, BBQ area with shade.



Water tower



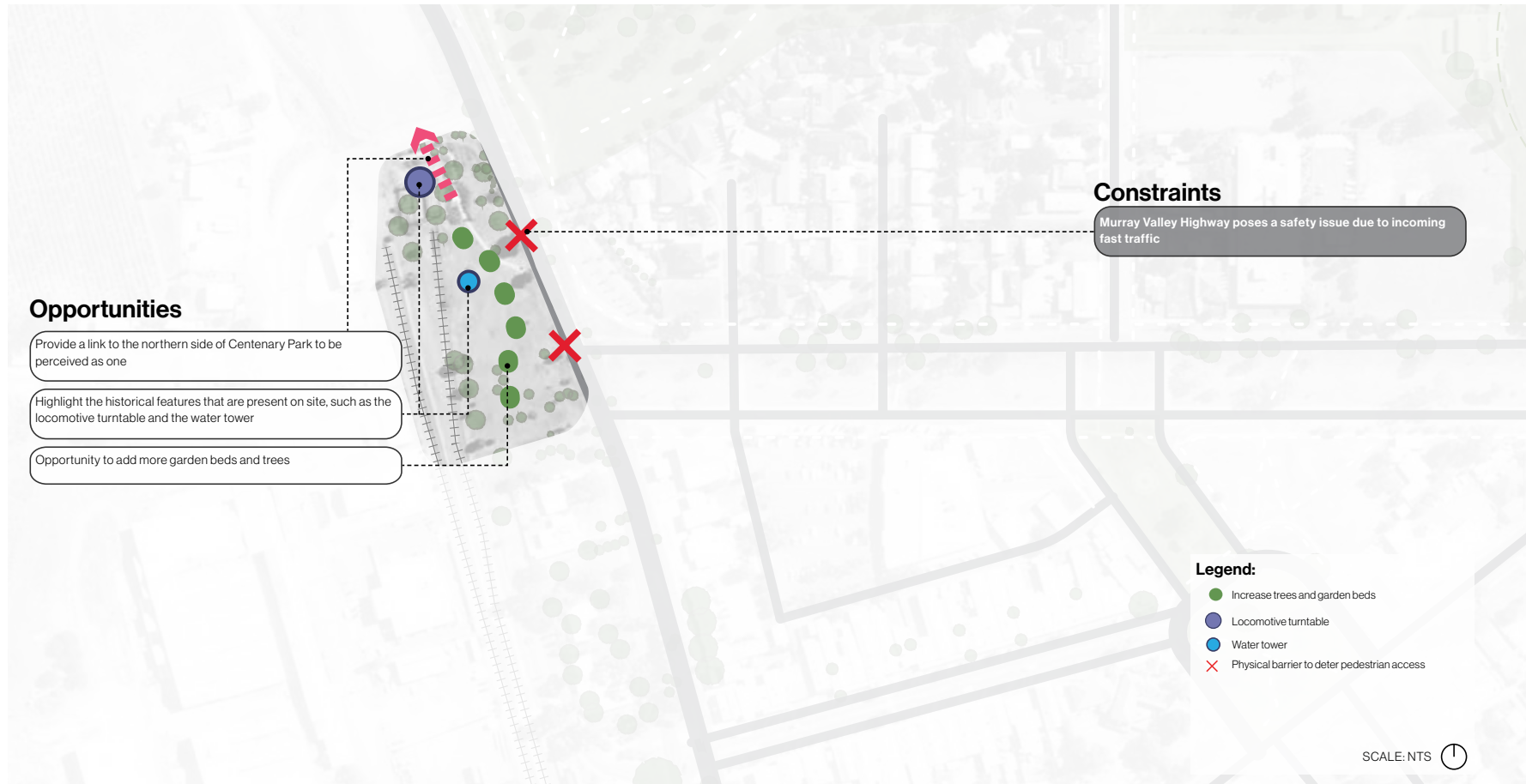
Euston-Robinvale Murray River crossing



Locomotive Turntable



# BILL MCGINTY PARK OPPORTUNITIES & CONSTRAINTS



# BILL MCGINTY PARK DESIGN APPROACH

## Design Intent

As previously highlighted, Bill McGinty Park holds great potential for an extension of Centenary Park. This proposal focuses on highlighting historical elements and adding functions to it.

The aim is to attract people to the area and use it for recreational purposes.

The introduction of seating spaces, climbing / shading plants, art sculptures and historical panels / information will prompt the use of the site and make it a destination.

The introduction of additional structures and shade is also an important consideration which can bring attention to the site and support temporary events.

Some considerations to local toilets should be give, as the site is distant from other public toilets.

## Reference images



Council Standard Seating



Gateway Structure



Shaded Structure similar to existing & Planters



Art Installation



Zoom In Plan | Scale: 1500 @ A3 (1)



---

## AMENITIES

# 12



# AMENITIES SUMMARY

## Local Analysis

Along Robinvale riverfront, there are a number of amenities such as:

- Outdoors gym pods;
- BBQ;
- Shelters;
- Picnic settings;
- Bins;
- Water taps.

These are amenities that the community appreciate and would like to retain.

Some improvements that need consideration include: providing additional shade, upgrade and increase furniture / make consistent, integrate as part of the wayfinding and signage for easy access. Potential integration of planting and water fountains can be considered.

## Community Feedback:

- A new toilet block in a strategic location;
- Provide more shelter structures and fitness pods along the riverfront;
- Improve and increase the number of picnic settings / seating pods with BBQ and bins;
- Incorporate a cafe and / or Ice cream shop at the Rowing Club location;
- Provide a better and safer connection to the Murray;
- Consider a Tourist Information Centre in the Community Centre;
- Materials to be considerate of the environment, such as timber;
- Provide more practical lighting for safety, as oppose to feature lighting;
- Consider accessibility when choosing furniture;
- Consider high temperatures in Summer and avoid metal / steel elements.



Toilet block near the Caravan Park



Picnic benches with BBQ and shelter



Picnic bench along the riverfront. Pavement and furniture to be upgraded



Seating next to boat ramp and caravan park

# AMENITIES DESIGN APPROACH

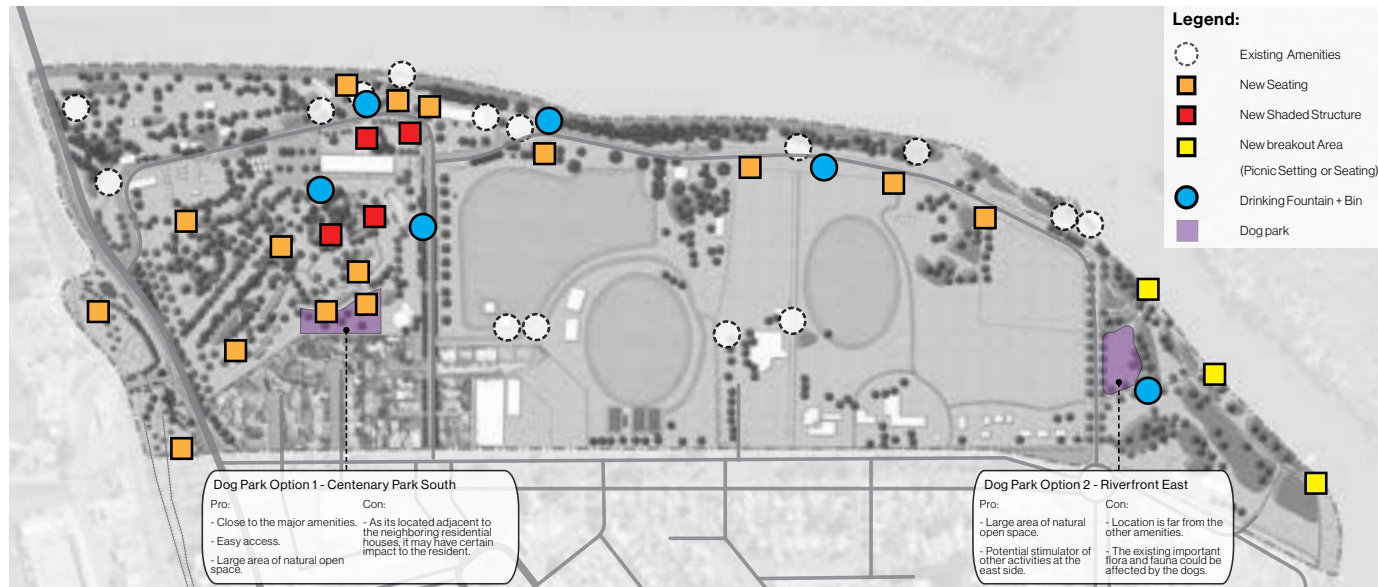
## Design Intent

As part of the overall upgrade and enhancement of the public open spaces around the Robinvale riverfront and recreation areas a new suite of public amenities will be introduced to augment or replace existing assets.

The proposed amenities will come in the form of the following structure and park furniture elements as identified in the adjacent plan:

- New shade structures at key gathering areas such as Centenary Park and the Community Centre. These shelters will be adequate to cater for groups and events and will feature picnic tables, seating and BBQs around and under them;
- Picnic and seating clusters will be provided with the Eastern Riverfront area in positions along the river that take in vistas of the Murray and Bumbang Island;
- New seating will be provided at regular locations along the path networks and in the reserves and parks where groups gather. The seats will vary from bench style to seats with armrests and backs depending on where they are located and what direction they face;
- Drinking water fountains and bin clusters will be located at strategic gathering points and along the riverfront to ensure people are well catered for and rubbish can be collected easily.
- Dog park located in an appropriate location, either in Centenary Park or Riverfront East. Based on the analysis of the two locations, intended usage and existing conditions, Centenary Park is the more appropriate and recommended option.

The furniture and shelter suite that is developed for the project will be visually consistent, made of robust materials and accessible to all users. The furniture pieces will be both aesthetic and functional including use of timber for comfort. The suite will be sourced from local Victorian suppliers so they can be repaired and replaced easily. Furniture will be installed to manufacturers specifications typically on concrete bases so they are easy to use and keep clean.



Picnic Setting



Council Standard Seating



Bin Enclosure



Drinking Fountain



Shelters



---

## GATEWAYS

# 13



# GATEWAYS SUMMARY

## Local Analysis

There are currently very few gateway landmarks, being the most prominent the Robinvale sign at the at the bridge exit when coming from north side of the river.

Existing gateway features consists of standard road signs and a sculptural town entrance sign which signifies to travellers that they have arrived at Robinvale.

The town entrance sign is large and is designed to be seen while driving down from the NSW border along the Murray Valley HWY.

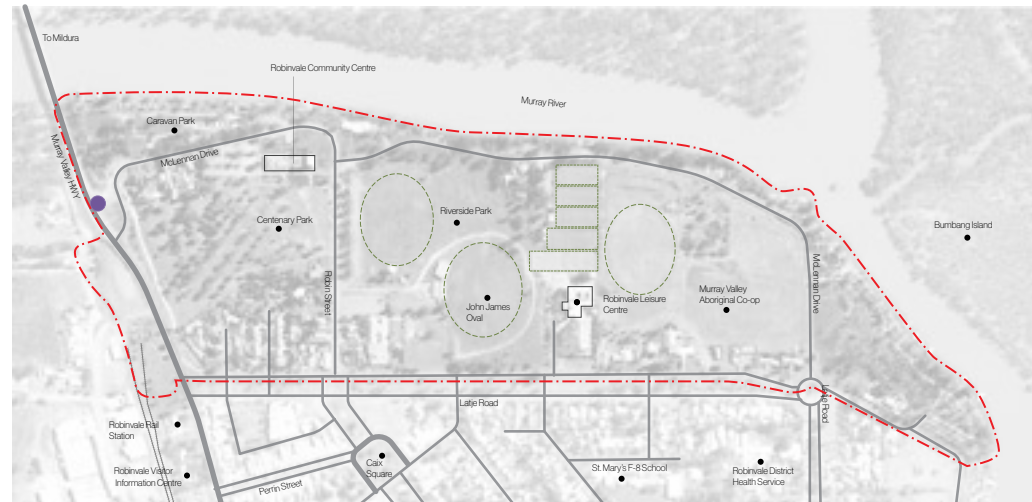
Improvements to be considered are additional minor gateway interventions which signify specific landmarks or act as key wayfinding features as part of the landscape. These could be used for example to indicate road access into the Robinvale CBD area or into the Riverfront.

Consideration should also be given to pedestrian visitors into the Robinvale Riverfront precinct – at a smaller local scale. This type of gateway can be incorporated with wayfinding signage, street furniture, planting design and even surface pavement changes.

The Gateway features to be used should be respectful to the rich and diverse cultural heritage of Robinvale, acting as a welcoming gesture to all who pass through/by it.

## Community Feedback:

- Upgrade the gateway to make it more identifiable and for it to reflect the community, such as including data about the population and demographic;
- Include landmarks or large signs at key points such as bridge link, Robin Street and Latje Rd intersection with McLennan Drive
- Its is noted that gateway signs are needed to pull visitors to Robinvale (especially Centenary Park)



● Existing gateway location

## Existing Conditions



Existing entrance sign (back)



Existing entrance sign (front)



Border entrance sign

# GATEWAYS DESIGN APPROACH

## Design Intent

The use of gateway elements to create a sense of arrival is critical for local identity creation, precinct definition and navigation.

The Robinvale Riverfront currently doesn't have a defined set of entry or arrival points to create a legible understanding of the area and what it represents.

To address this the following interventions are recommended to create a strong precinct identity and definition at its boundaries:

- Gateways at the key road entry intersections will be introduced to highlight to arriving vehicles that they have reached the precinct.
- The gateways will be of a scale and position that makes them easily seen and recognised for vehicles and pedestrians.
- The gateways will be designed to sculpturally represent the local culture, environment and heritage in a more meaningful way.
- The gateways will be perceived as a set of similar elements in a family of sculptures and hence recognisable as the key arrival points; and
- The use of local artists, materials, motifs and vegetation will combine to demonstrate the beginning of the journey into the riverfront area and the start of visual stories.

All gateways will be designed with road safety, sight lines, maintenance and sustainability in mind. The gateway designs will work in coordination with both the wayfinding signage system and the public art installations.

A landscaped gateway is also recommended to be explored at Harradine Park, with the potential to screen additional car parking behind planting, which can serve to provide access into Centenary Park from the West. Planting will help soften the entrances into Robinvale and reinforce the sense of arrival when driving off the bridge along the Murray Valley HWY.

Formalise key entrances into Centenary Park with low feature walls, incorporating park furniture, signage and planting to enhance the sense of arrival at the Park.



SCALE: NTS



Sculptural wall with a garden bed surrounding



Sculptural gateway



Sculptural gateway



Timber gateway sculpture and landscaped area



Interesting entrance markers / landmarks



---

## WAYFINDING & SIGNAGE

# 14

Pg 73 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council



# WAYFINDING & SIGNAGE SUMMARY

## Local Analysis

As previously highlighted with the community engagement findings, most of the community members have raised concerns about general circulation safety at the interface between pedestrians and the existing boat ramp at the end of Robin Street.

The existing signage has been identified as one of the elements that can be improved along the riverside. They present as old and outdated, and not entirely clear.

As apart of the riverfront intervention, the signage and wayfinding should be improved and made consistent through out the site, highlighting all points of interest.

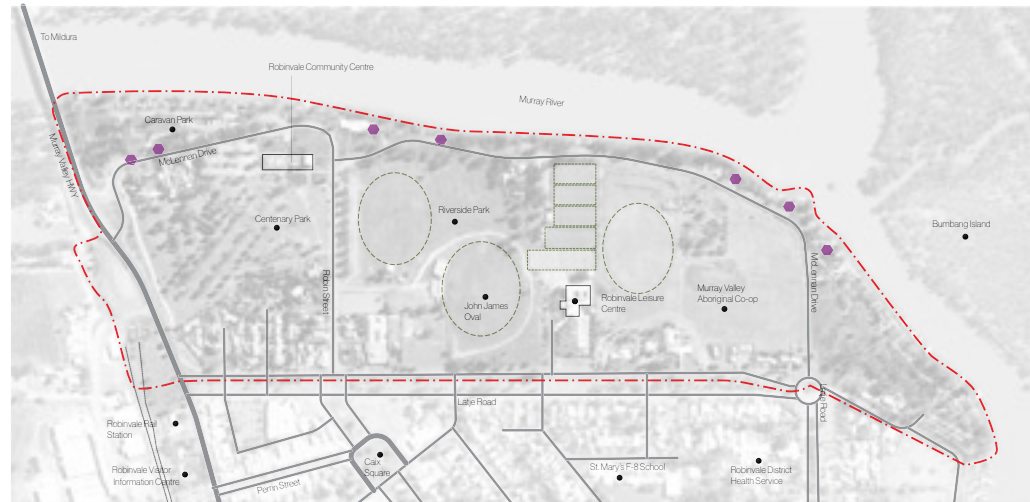
The Robinvale windmill is a another example of existing landmark and is reportedly the oldest and largest functioning in the South Hemisphere, and for this reason, holds great historical value.

This feature can be highlighted within the site and potentially reused as energy source to the upgrades on Centenary Park.

As apart of the Riverfront stretch, the Windmill should be a point of interest for visitors and attract tourists to the area, as well as being highlighted on signage and wayfinding maps / panels.

## Community Feedback:

- Include signage that reflects the community, particularly using Indigenous signage which can be used throughout the streetscape to inform visitors and residents about the site and its cultural history;
- Opportunity to showcase the diverse community by having local artists design the signage
- Ensure the River View path is visible and not too far apart;
- Opportunity to use signage to incorporate stories;
- Provide wayfinding to the CBD, particularly from the Caravan park to the CBD.



## Existing Conditions



Key nodes signage board



Key nodes signage board

# WAYFINDING & SIGNAGE DESIGN APPROACH

## Design Intent

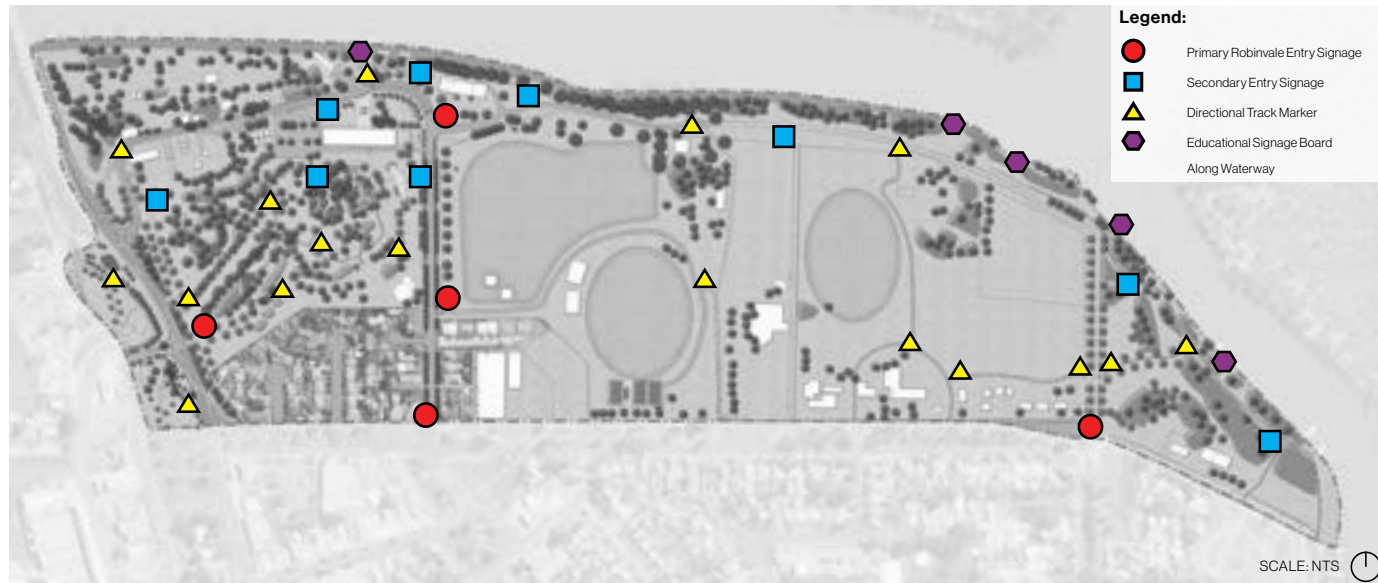
The wayfinding and interpretive signage in the waterfront precinct will be designed to have a visual relationship with the furniture and gateways so a consistent visual style is achieved.

The wayfinding will be located and specified so as to capture all the key decision points and journeys that people will want to undertake in the area.

The design of the signage system will take its cues from the cultural heritage and river environment. It will include sculptural and graphic elements that communicate history, people and Country.

- Gateways at the key road entry intersections will act as the Primary Entry Signage and be targeted mainly at vehicles and drivers;
- Secondary Entry Signage will be located at key positions on pedestrian networks to capture arriving walkers and cyclists. The signs will typically have both mapping, directional messages, local visitor, interpretive or regulatory information;
- Directional Track Markers will be used along the key path and trail networks will simple directional, regulatory and navigation information;
- At key locations of significance along the riverfront interpretive signage panels will be installed to communicate the heritage stories, local history, environmental attributes and indigenous culture of the river and Robinvale; and
- Signage will also carry information about destinations and locations outside the riverfront precinct where they are directly connected by roads, paths or trails such as the Euston Walking Track.

An audit of existing signage and interpretive messages will be undertaken in future to assess if the current signs should be removed, modified or integrated into the new sign types and positions.



Welcome to Country Signage



Primary Robinvale Entry Signage



Secondary Entry Signage



Directional Track Marker



Educational Signage Board



---

## CULTURAL INCLUSION

# 15

Pg 76 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council



# CULTURAL INCLUSION SUMMARY

## Local Analysis

Robinvale is rich in Aboriginal cultural heritage and contains many sensitive sites along the riverfront precinct. This masterplan intends to provide respectful and considered ideas to protect and conserve this history. The riverfront contains a host of different Aboriginal artifacts, places of significance, middens and scar trees, some of which are identified and registered to the VAHR.

Following a recent Aboriginal and Historical Heritage Assessment completed by Ecology & Heritage Partners, below are some of the key considerations used in the development of this Master Plan:

- Certain sites within the Master Plan will be actively and respectfully protected and incorporated into the overall design and amenities considerations;
- Sensitive and Considered approach to Aboriginal Cultural Heritage Zones within the Masterplan development;
- Create an integrated cultural heritage learning trail utilising well-used access tracks and community knowledge throughout Centenary Park

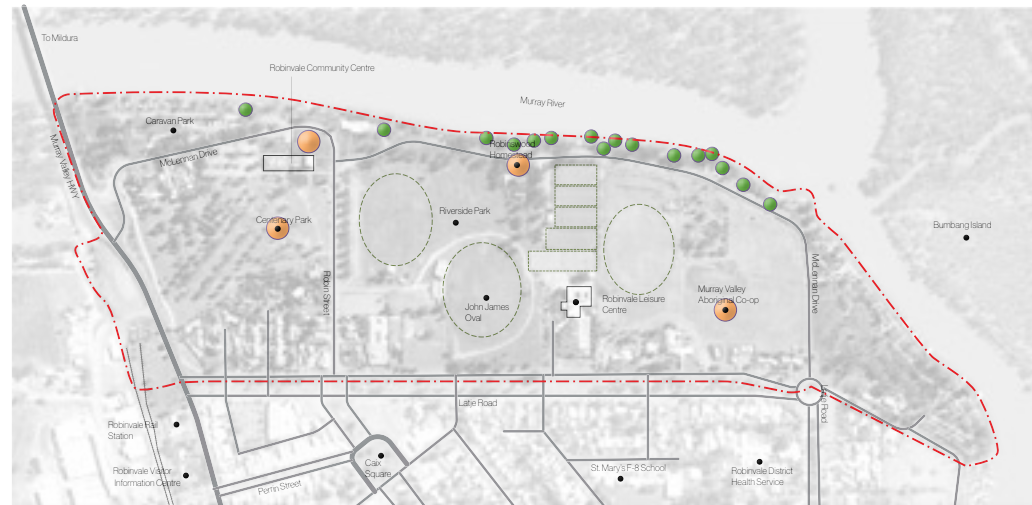
In addition, Robinvale also has a strong and vibrant multicultural community with our 40 different nationalities living and working in the region. The purpose of this masterplan is to provide design guidelines which help community thrive; ensuring that the public domain becomes comfortable inclusive, attractive and functional to residents, visitors and local communities of the area.

The diverse cultures living and working within Robinvale is equally reflected in the diverse range of festivals and events that are hosted within the area, including the Annual Robinvale Ski Race, the Mallee Almond Festival, the Growers Market, various local Aboriginal Culture programs and Multiculturalism events.

The community centre serves as a melting pot of sorts and has potential to magnify the presence of different cultures through programs such as Artists showcases, helping celebrate the multicultural aspect of Robinvale that the local residents are proud of being a part of.

## Community Feedback:

- Provide spaces for events in the Community Centre and Centenary Park
- Consider a community garden and cooking spaces/pizza oven;
- Consider a rotating art gallery that showcases the diverse culture of Robinvale's community
- Use native vegetation to allow for storytelling.



Orange circle: Cultural sites  
Green circle: Scarred tree location

## Existing Conditions



"River People" art sculpture - significant people of Robinvale



Warrina Place is an 'Aboriginal Time out' Centre, which is used as a meeting place, to share knowledge and conduct workshops about cultural traditions to the Indigenous Community.



Scarred Black Box tree, located near the Riverfront East Reserve



Scarred River Red Gum tree, located near the Caravan Park

# CULTURAL INCLUSION DESIGN APPROACH

## Design Intent

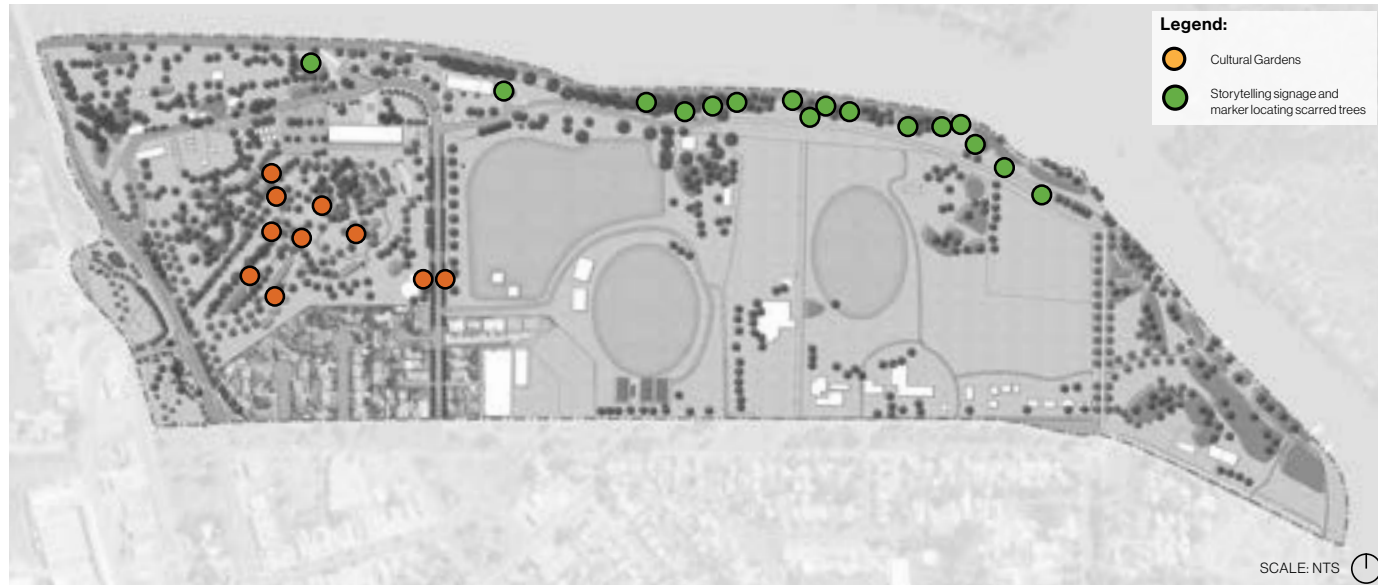
As Robinvale is rich in Culture and Historical Heritage from various nationalities, it is important to consider an inclusive design approach when designing the spaces for future use and for the next generation.

Due to the majority of the Robinvale Riverfront being within an Area of Aboriginal Cultural Heritage Sensitivity, we must respect any and all Aboriginal Places and artifacts on site and protect them. Certain areas of the site will be protected from public and private usage and designated as No-Impact zones – to deter disturbance of the sensitive Aboriginal Places identified within. Other areas which are open to the public can be formally identified with the use of interpretive signage and wayfinding markers, to help create a storytelling narrative and interpretation 'trail' for Aboriginal Cultural Heritage with the site. One such trail can be developed along McLennan Drive where a large number of scar trees and shell middens can be found along the Murray River banks.

It is recommended that local Traditional Owner Groups be invited to assist with the design and development of any Aboriginal Cultural Heritage material and consulted with to determine the most suitable locations to install/integrate these on site.

Within Centenary Park, we propose that multiple small-scale 'multicultural' interventions be incorporated to celebrate the diverse nature of Robinvale and its people. These can be in the form of garden bed planting, park furniture with bespoke elements, feature paving, lighting and even integrated with play elements. The intention is to record in a permanent and easily replicable manner the 'historic tracks' of the different cultures that have contributed to the development of Robinvale's identity and help instil a sense of pride and approval for the people who live here.

Additionally, there is potential for a rotating installation of artwork from different local artists from various backgrounds – this can be facilitated by the community centre and located either indoors or outdoors as temporary art – something that can help draw repeat visitors to the riverfront just as places like the NGV does.



Cultural garden look and feel



Planting detail / materiality



Boulders with engraved facts



Paving with historical facts



Seating integrating historical facts



---

## PUBLIC ART

# 16

Pg 79 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council



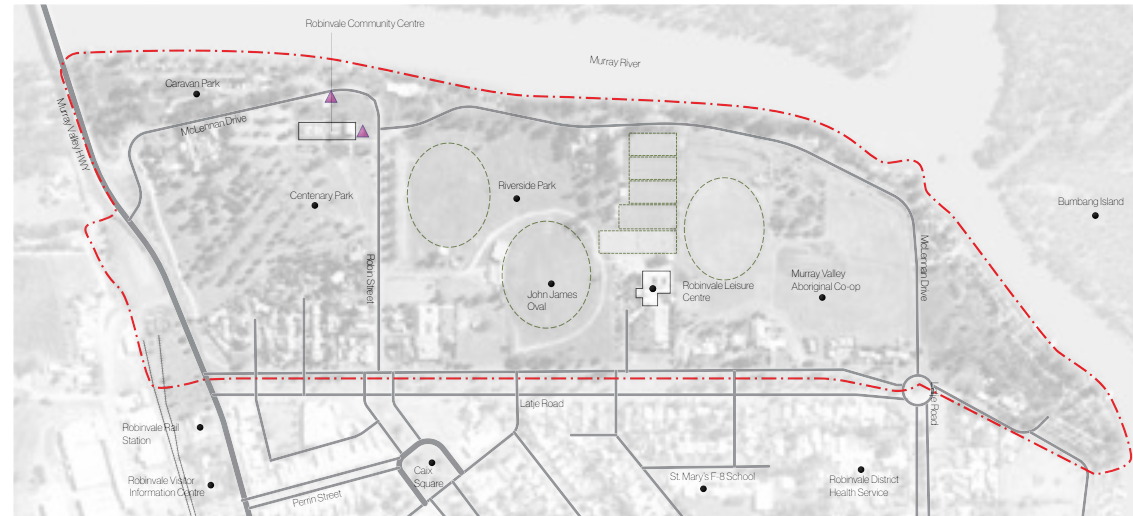
# PUBLIC ART SUMMARY

## Local Analysis

There are a few Public Art pieces located around the Riverfront Precinct mainly at the Community Centre in the form of the following:

- 'River People' sculptures at the Community Centre Forecourt; and
- The newly installed light/sculpture piece by Laservision and local artist Rhonda McTaggart located adjacent the Community Centre in the open grass area

The two sculptures represent two very different interpretive mediums and technological eras as well as a different focus on European and Indigenous heritage.



**Legend:**

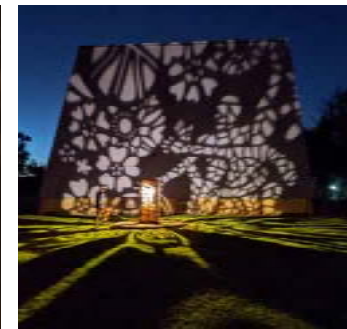
▲ Existing public art location



"River People" art sculpture - significant people of Robinvale



LASERVISION Light sculpture



Light sculpture

# PUBLIC ART DESIGN APPROACH

## Design Intent

The general consensus coming from community and Council is that the focus of installed public artworks should cross cultural boundaries to tell multiple stories that reflect the diverse demographic of the area.

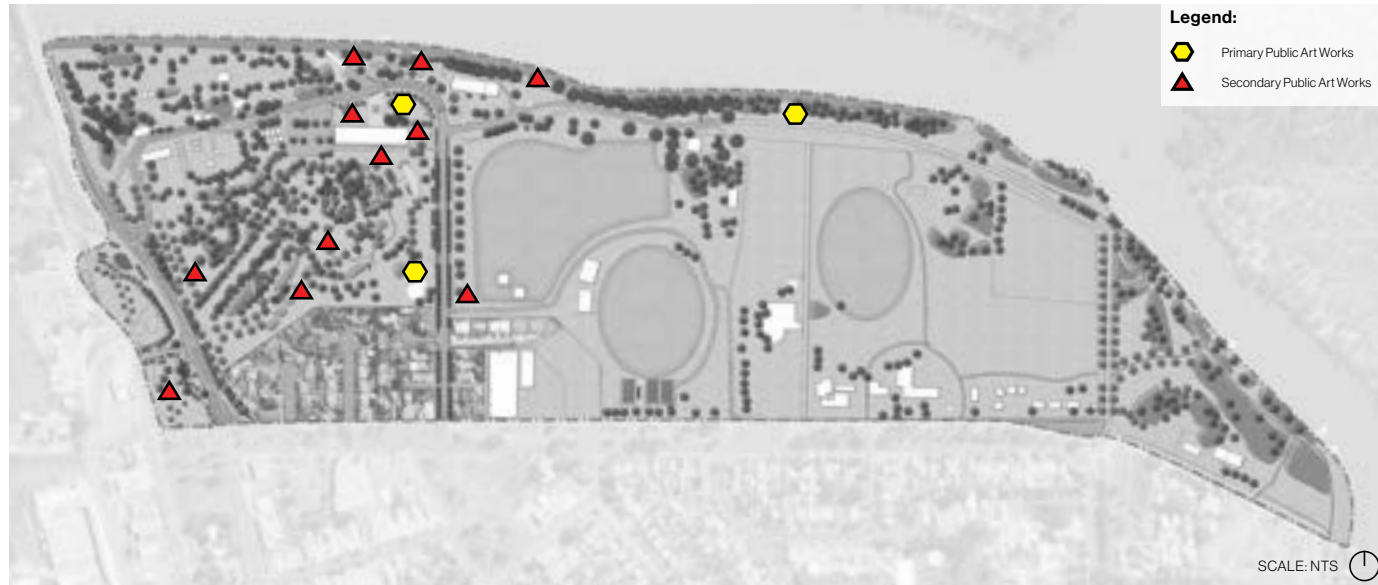
The public art strategy will start with a basis in First Nations and Indigenous Heritage and Culture thematics and branch out from there to capture past and present reflections of Country and peoples.

The public art approach will include the following as example:

- Recognition of the significance of the riverfront and Robinvale in the past and today to First Nations and Indigenous peoples;
- Illustrate the local environment and river system through exploration of flora and fauna thematics and motifs with particular focus on key river species;
- Create a better representative balance between more modern European history and the long lineage of indigenous culture and occupation of the land that pre-dates white settlement; and
- Communicate stories from the past, the present and ideas of what the future may hold for Robinvale and the Murray River.

The public art strategy should encourage the participation of local community, artists and fabricators to develop pieces and installations that are across multiple mediums, scales and types of representation. The artworks can be developed both as story lines or individual one off installations and will work closely with the wayfinding and interpretive signage system.

The artworks should engage all ages and demographic backgrounds being accessible to both local community and visitors. The developed works should come from thoroughly consulted briefs that have ownership and drive in the local community.



Space co-creation



Primary Art Works & Art Poles



Primary Art Work & Lighting Sculpture



Secondary Public Art Works & Ground Painting



Secondary Public Art Works & Ground Mosaic Pavement



---

## PLANTING

# 17

Pg 82 Robinvale Riverfront Masterplan - Final Masterplan  
For Swan Hill Rural City Council



# ROBINVALE ECOLOGICAL VEGETATION CLASSES

## Ecological Vegetation Class (EVC)

### EVC 103: Riverine Chenopod Woodland

#### Tree Canopy Cover

- *Eucalyptus largiflorens* Black Box
- *Acacia stenophylla* River Coobah

#### Understorey Planting

- *Melaleuca lanceolata* ssp. *lanceolata* Moonah
- *Myoporum platycarpum* Sugarwood
- *Dodonaea bursariifolia* Small Hop-bush
- *Acacia wilhelmiana* Dwarf Nealie
- *Sclerolaena parviflora* Mallee Copperburr
- *Halgania cyanea* Rough Halganiav
- *Sclerolaena diacantha* Grey Copperburr
- *Westringia rigida* Stiff Westringia
- *Helichrysum leucopsideum* Satin Everlasting
- *Waitzia acuminata* var. *acuminata* Orange Immortelle
- *Podolepis capillaris* Invisible Daisy
- *Goodenia willisiana* Sandhill Goodenia
- *Vittadinia dissecta* Dissected New Holland Daisy
- *Podotheca angustifolia* Sticky Long-heads
- *Actinobole uliginosum* Flannel Cudweed
- *Calotis hispida* Hairy Burr-daisy
- *Crassula sieberiana* Australian Stonecrop
- *Ptilotus seminudus* Rabbit-tails
- *Triodia scariosa* Porcupine Grass
- *Austrostipa mollis* Supple Spear-grass
- *Lomandra effusa* Scented Mat-rush
- *Lomandra leucocephala* ssp. *robusta* Woolly Mat-rush
- *Austrostipa elegantissima* Feather Spear-grass

### EVC 97: Semi-arid Woodland

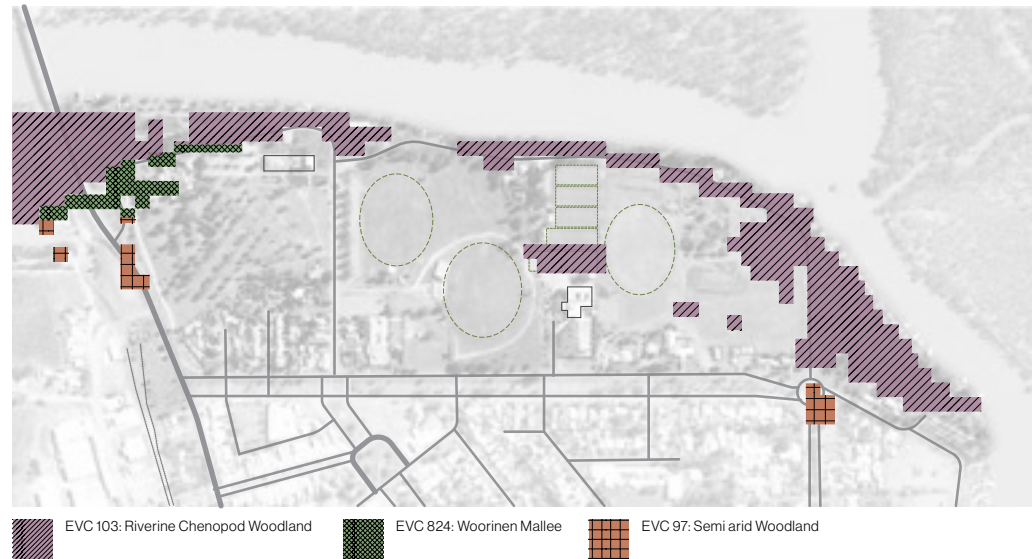
#### Tree Canopy Cover

- *Casuarina pauper* Belah
- *Allocasuarina luehmannii* Buloke
- *Callitris gracilis* ssp. *murrayensis* Slender Cypress-pine
- *Myoporum platycarpum* Sugarwood

#### Understorey Planting

- *Alectryon oleifolius* ssp. *canescens* Cattle Bush
- *Acacia oswaldii* Umbrella Wattle
- *Hakea tephrosperma* Hooked Needlewood
- *Hakea leucoptera* ssp. *leucoptera* Silver Needlewood
- *Enchylaena tomentosa* var. *tomentosa* Ruby Saltbush
- *Sclerolaena diacantha* Grey Copperburr
- *Olearia pimeleoides* Pimelea Daisy-bush
- *Rhagodia spinescens* Hedge Saltbush
- *Einadia nutans* ssp. *nutans* Nodding Saltbush
- *Vittadinia dissecta* s.l. Dissected New Holland Daisy
- *Calandrinia eremaea* Small Purslane
- *Crassula colorata* Dense Crassula
- *Actinobole uliginosum* Flannel Cudweed
- *Austrodranthonia caespitosa* Common Wallaby-grass
- *Austrostipa* spp. Spear-grass
- *Austrostipa elegantissima* Feather Spear-grass

Ecological Vegetation Class 2005 Map



### EVC 824: Woorinen Mallee

#### Tree Canopy Cover

- *Eucalyptus oleosa* ssp. *oleosa* Oil Mallee
- *Eucalyptus dumosa* Dumosa Mallee
- *Eucalyptus gracilis* Yorrell
- *Eucalyptus calycogona* Square-fruited Mallee
- *Eucalyptus socialis* Grey Mallee

#### Understorey Planting

- *Santalum acuminatum* Sweet Quandong
- *Exocarpos aphyllus* Leafless Ballart
- *Acacia oswaldii* Umbrella Wattle
- *Eremophila glabra* Common Emu-bush
- *Enchylaena tomentosa* var. *tomentosa* Ruby Saltbush
- *Chenopodium curvispicatum* Cottony Goosefoot
- *Olearia muelleri* Mueller Daisy-bush
- *Maireana pentatropis* Erect Bluebush
- *Zygophyllum apiculatum* Pointed Twin-leaf
- *Stenopetalum lineare* Narrow Thread-petal
- *Eriochiton sclerolaenoides* Woolly-fruit Bluebush
- *Brachyscome ciliaris* Variable Daisy
- *Calandrinia eremaea* Small Purslane
- *Ptilotus seminudus* Rabbit Tails
- *Rhodanthe pygmaea* Pygmy Sunray
- *Isoetopsis graminifolia* Grass Cushion
- *Austrostipa elegantissima* Feather Spear-grass

# STREET VEGETATION PALETTE

Street Trees Palette			
Botanic Name	Common Name	Mature Height x Width (m)	Deciduous/Evergreen?
<b>Exotic</b>			
Lagerstroemia indica x L. fauriei (all varieties)	Crepe Myrtle	4-8 x 3-6	Deciduous
Pistacia chinensis	Chinese Pistachio	8 x 6	Deciduous
Jacaranda mimosifolia	Jacaranda	10 x 8	Deciduous
Pyrus calleryana 'Capital'	Ornamental Pear (Non fruiting)	11 x 3	Deciduous
Gleditsia triacanthos (all varieties)	Honey Locust	15 x 7	Deciduous
Fraxinus oxycarpa 'Raywoodii'	Claret Ash	15 x 12	Deciduous
Quercus cerris	Turkey Oak	30 x 6	Deciduous
<b>Native</b>			
Callistemon citrinus 'Kings Park Special'	Crimson Bottlebrush	4 x 2	Evergreen
Eucalyptus dumosa	White Mallee	4-8 x 4-5	Evergreen
Callistemon viminalis	Weeping Bottlebrush	5 x 5	Evergreen
Eucalyptus calycogona	Square-fruited Mallee	2 x 6	Evergreen
Myoporum platycarpum	Sugarwood	3-6 x 2-4	Evergreen
Grevillea striata	Beefwood	7 x 5	Evergreen
Allocasuarina luehmannii	Buloke / Bull Oak	7-8 x 3-4	Evergreen
Corymbia eximia 'Nana'	Dwarf Bloodwood	8 x 7	Evergreen
Acacia floribunda	White Sallow Wattle	8 x 2-15	Evergreen
Acacia pendula	Weeping Myall	9 x 4	Evergreen
Hymenosporum flavum	Native Frangipani	10 x 6	Evergreen
Eucalyptus socialis ssp. Socialis	Grey Mallee	12 x 5-12	Evergreen
Eucalyptus oleosa ssp. Oleosa	Oil Mallee	12 x 4-10	Evergreen
Acacia stenophyllia	River Coobah	5-15 x 3-6	Evergreen
Casuarina pauper	Belah / Black Oak	6-15 x 4-6	Evergreen
Corymbia apparerinja	Ghost Gum	15 x 8	Evergreen
Eucalyptus gracilis	Yorrell	18 x 4-10	Evergreen
Eucalyptus largiflorens	Black Box	10-20 x 8-15	Evergreen
Callitris gracilis ssp. murrayensis	Slender Cypress-pine	20 x 3	Evergreen
Angophora costata	Smooth Barked Apple	20 x 5	Evergreen

Garden Bed		
Botanic Name	Common Name	Native/Exotic
<b>Ground Cover</b>		
Brachyscome multifida	Cut Leaf Daisy	Native
Hardenbergia violacea	False sarsaparilla	Native
Enchylaena tomentosa	Ruby Saltbush	Native
Atriplex lindleyi	Flat-top Saltbush	Native
Myoporum parvifolium	Creeping Boobialla	Native
Linum marginale	Native Flax	Native
Chrysocephalum apiculatum	Common Everlasting	Native
Craspedia globosa	Common Billy Button	Native
Disphyma crassifolium ssp. clavellatum	Rounded Noon-flower	Native
Arthropodium strictum	Chocolate lily	Native
<b>Shrubs</b>		
Angiozanthos Big Red	Dwarf Kangaroo Paw	Native
Agapanthus orientalis	Dwarf Agapanthus	Exotic
Dianella revoluta	Blue Flax Lily	Native
Leucophyta brownii	Cushion Bush	Native
Hakea leucoptera ssp. leucoptera	Silver Needlewood	Native
Eremophila divaricata ssp. Divaricata	Spreading Emu-bush	Native
Rhagodia spinescens	Hedge Saltbush	Native
Poa labillardierei	Common Tussock Grass	Native
Lomandra longifolia	Spiny Headed Mat-Rush	Native
Dichelachne crinita	Long Hair Plume Grass	Native

# STREET TREE PALETTE

---

## Exotic Trees



*Lagerstroemia indica* x *L. fauriei* (all varieties)  
Crepe Myrtle



*Pistacia chinensis*  
Chinese Pistachio



*Jacaranda mimosifolia*  
Jacaranda



*Pyrus calleryana* 'Capital'  
Ornamental Pear (Non fruiting)



*Gleditsia triacanthos* (all varieties)  
Honey Locust



*Fraxinus oxycarpa* 'Raywoodii'  
Claret Ash



*Quercus cerris*  
Turkey Oak



# STREET TREE PALETTE

## Native Trees



*Callistemon citrinus* 'Kings Park Special'  
Crimson Bottlebrush



*Eucalyptus dumosa*  
White Mallee



*Callistemon viminalis*  
Weeping Bottlebrush



*Eucalyptus calycogona*  
Square-fruited Mallee



*Myoporum platycarpum*  
Sugarwood



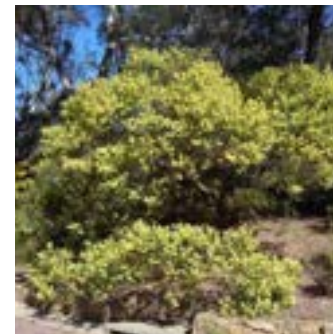
*Grevillea striata*  
Beefwood



*Allocasuarina luehmannii*  
Buloke / Bull Oak



*Corymbia eximia* 'Nana'  
Dwarf Bloodwood



*Acacia floribunda*  
White Sallow Wattle



*Acacia pendula*  
Weeping Myall

# STREET TREE PALETTE

---

## Native Trees



*Hymenosporum flavum*  
Native Frangipani



*Eucalyptus socialis ssp. Socialis*  
Grey Mallee



*Eucalyptus oleosa ssp. Oleosa*  
Oil Mallee



*Acacia stenophyllia*  
River Coobah



*Casuarina pauper*  
Belah / Black Oak



*Corymbia appareninja*  
Ghost Gum



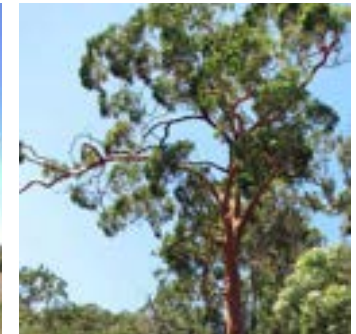
*Eucalyptus gracilis*  
Yorrell



*Eucalyptus largiflorens*  
Black Box



*Callitris gracilis ssp. murrayensis*  
Slender Cypress-pine

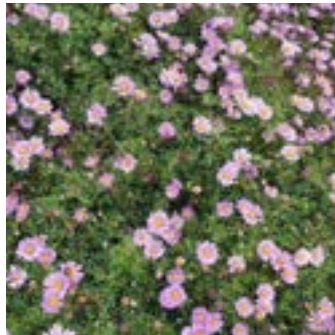


*Angophora costata*  
Smooth Barked Apple



# GARDEN BED PLANTING PALETTE

## Ground Cover



*Brachyscome multifida*  
Cut Leaf Daisy



*Hardenbergia violacea*  
False sarsaparilla



*Enchylaena tomentosa*  
Ruby Saltbush



*Atriplex lindleyi*  
Flat-top Saltbush



*Myoporum parvifolium*  
Creeping Boobialla



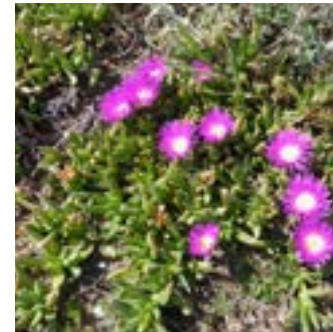
*Linum marginale*  
Native Flax



*Chrysocephalum apiculatum*  
Common Everlasting



*Craspedia globosa*  
Common Billy Button



*Disphyma crassifolium* ssp. *clavellatum*  
Rounded Noon-flower



*Arthropodium strictum*  
Chocolate lily



# GARDEN BED PLANTING PALETTE

---

## Shrubs



*Angiozanthos Big Red*  
Dwarf Kangaroo Paw



*Agapanthus orientalis*  
Dwarf Agapanthus



*Dianella revoluta*  
Blue Flax Lily



*Leucophyta brownii*  
Cushion Bush



*Hakea leucoptera ssp. leucoptera*  
Silver Needlewood



*Eremophila divaricata ssp. Divaricata*  
Spreading Emu-bush



*Rhagodia spinescens*  
Hedge Saltbush



*Poa labillardierei*  
Common Tussock Grass



*Lomandra longifolia*  
Spiny Headed Mat-Rush



*Dichelachne crinita*  
Long Hair Plume Grass

# ROBIN ST PLANTING PALETTE

## Trees



*Gleditsia triacanthos* (all varieties)  
Honey Locust 15 x 7m



*Corymbia eximia* 'Nana'  
Dwarf Bloodwood 8 x 7m



*Fraxinus oxycarpa* 'Raywoodii'  
Claret Ash 15 x 12m



*Hymenosporum flavum*  
Native Frangipani 10 x 6m

## Garden beds



*Enchylaena tomentosa*  
Ruby Saltbush



*Eremophila divaricata* ssp. *Divaricata*  
Spreading Emu-bush



*Lomandra longifolia*  
Spiny Headed Mat-Rush



*Myoporum parvifolium*  
Creeping Boobialla



*Agapanthus orientalis*  
Dwarf Agapanthus



*Craspedia globosa*  
Common Billy Button



# CENTENARY PARK PLANTING PALETTE

## Trees

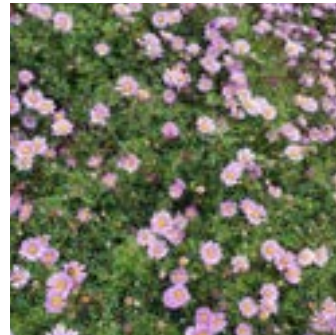
## Garden beds



*Myoporum platycarpum*  
Sugarwood



*Callitris gracilis ssp. murrayensis*  
Slender Cypress-pine



*Brachyscome multifida*  
Cut Leaf Daisy



*Dichelachne crinita*  
Long Hair Plume Grass



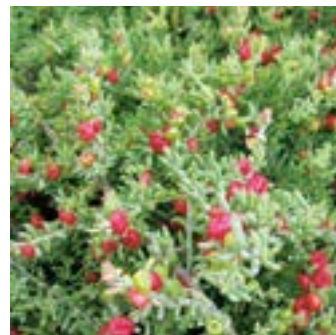
*Disphyma crassifolium ssp. clavellatum*  
Rounded Noon-flower



*Allocasuarina luehmannii*  
Buloke / Bull Oak



*Casuarina pauper*  
Belah / Black Oak



*Enchylaena tomentosa*  
Ruby Saltbush



*Rhagodia spinescens*  
Hedge Saltbush



*Hakea leucoptera ssp. leucoptera*  
Silver Needlewood



# COMMUNITY CENTRE PLANTING PALETTE

## Trees

## Garden beds



*Pistacia chinensis*  
Chinese Pistachio



*Eucalyptus dumosa*  
White Mallee



*Hardenbergia violacea*  
False sarsaparilla



*Enchylaena tomentosa*  
Ruby Saltbush



*Dianella revoluta*  
Blue Flax Lily



*Grevillea striata*  
Beefwood



*Eucalyptus calycogona*  
Square-fruited Mallee



*Leucophyta brownii*  
Cushion Bush



*Angiozanthos Big Red*  
Dwarf Kangaroo Paw



*Eremophila divaricata* ssp. *Divaricata*  
Spreading Emu-bush

# RIVERFRONT PLANTING PALETTE

## Trees

## Garden beds



*Acacia stenophylla*  
River Coobah



*Eucalyptus socialis* ssp. *Socialis*  
Grey Mallee



*Myoporum parvifolium*  
Creeping Boobialla



*Arthropodium strictum*  
Chocolate lily



*Lomandra longifolia*  
Spiny Headed Mat-Rush



*Eucalyptus largiflorens*  
Black Box



*Acacia pendula*  
Weeping Myall



*Poa labillardierei*  
Common Tussock Grass



*Linum marginale*  
Native Flax



*Hakea leucoptera* ssp. *leucoptera*  
Silver Needlewood

**GROUPSA**  
www.groupsa.com

---

**SYDNEY**

Level 7, 80 William Street  
East Sydney NSW 2011  
Australia

---

**MELBOURNE**

Level 5, 145 Russell Street  
Melbourne VIC 3000  
Australia

---

**BRISBANE**

Level 14, 100 Edward Street  
Brisbane QLD 4000  
Australia

---

**HO CHI MINH CITY**

19th Floor – Havana Tower, 132 Ham Nghi,  
Ben Thanh Ward, District 1, Ho Chi Minh City  
Vietnam





## 2.2 Robinvale Play Precinct - Centenary Park Update

**Directorate:** Development and Planning  
**File Number:** S01-27-13-54  
**Purpose:** Information Only

### Council Plan Strategy Addressed

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

#### **1.1 A modern municipality: Vibrant, connected and resilient**

1.1.1 Attractive urban areas and regional townships

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

#### **1.2 Careful and responsible management of our environment for a sustainable future**

1.2.2 Accessible open spaces, healthy rivers and lakes

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

#### **1.3 Building Healthy Communities**

1.3.1 Encourage active healthy lifestyles for people of all ages, abilities and interests

**1. Liveability** - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

#### **1.4 Foster Creative and Cultural opportunities**

1.4.1 Promote and celebrate the creative and cultural pursuits within the region

### Current Strategic Documents

Council Plan  
Robinvale Community Plan 2031

### Declarations of Interest

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Summary

This report is to provide an update on the Robinvale Nature and Adventure Play Precinct project.

## Discussion

In June 2022, Council was successful in receiving \$1.5M from the State Government under Regional Infrastructure and Local Sporting Infrastructure Funds for a new play precinct at Centenary Park in Robinvale. This play precinct includes the construction of a new Skate Park and Nature and Adventure Play zones.

In December 2023, the Skate Park was completed and open to the public. Detailed designs and costings for the Nature & Adventure Play space have been finalised by the consultant - Playce. Key features of these design include:

- Public shelter & BBQ
- Shade structures
- Play tower
- Multi-play zone
- Water play zone

Included within these plans is the location for a new public amenity and half basketball court, which are subject to future funding resources and are not part of the works associated with this project.



Due to the total cost estimates for the Nature & Adventure Play exceeding current available budget, its implementation will be undertaken through a staged development approach, unless Council is successful with additional support through Growing Region Fund. Outcome of this external funding is expected to be late March 2024.

It is expected the tendering process will follow this funding announcement, with works on the ground commencing June, with a completion date set for early 2025. With a focus on attracting local businesses and services, work program has been segregated into several deliverables including supply and installation playground equipment, construction shelter facilities, landscaping activities etc

To support this process, further public consultation activities will occur to keep the community informed.



### **Consultation**

A number of public workshops and meetings have been undertaken to support the development for both the Nature/Adventure Play and Skate Park. This included a site meeting at the Robinvale College, Leisure Centre and Community & Arts Centre, as well as an online survey through Council's Let's Talk.

Feedback from this process included the need to include shade, all aged play elements, water features and a potential pump track facility.

### **Financial Implications**

- Council asset registry
- Increase parks and garden maintenance resources
- Increased utility costs – water and power

### **Social Implications**

Contribute to increasing the region's liveability factors, enhancing social connections; improve physical activities and supporting community health and well-being factors.

### **Economic Implications**



- Support Robinvale's capability to attract events and activities
- Support business growth opportunity
- Create new employment opportunities
- Support liveability factors

### **Environmental Implications**

- Working within native vegetation zones

### **Risk Management Implications**

Cultural Heritage requirements - A Cultural Heritage Management Assessment has been completed for the site

- Attachments:**
1. Robinvale Site Plans [2.2.1 - 2 pages]
  2. Robinvale Concept Design Presentation [2.2.2 - 15 pages]

### **Options**

1. Acknowledge the Robinvale Nature and Adventure Play Precinct project
2. Request further information the Robinvale Nature and Adventure Play Precinct project

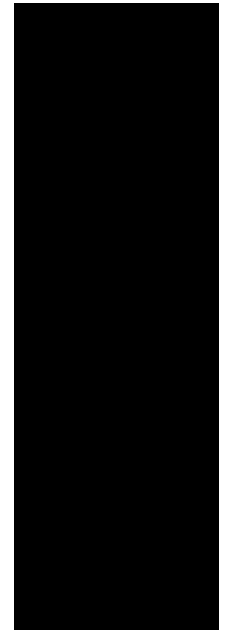
### **Recommendation/s**

**That Council acknowledge the Robinvale Nature and Adventure Play Precinct.**



**WARNING:**  
 REFERENCE TO UNDERGROUND SERVICES.  
 THE LOCATION OF UNDERGROUND SERVICES ARE INDICATIVE ONLY.  
 THEIR EXACT POSITION SHOULD BE PROVIDED BY OTHERS.  
 CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK.  
 REPORT ALL DISCREPANCIES TO SUPERVISOR PRIOR TO CONSTRUCTION.  
 FIGURES DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE DRAWING.  
 THIS DRAWING AND DESIGN IS SUBJECT TO COPYRIGHT AND MAY NOT BE  
 REPRODUCED WITHOUT PRIOR WRITTEN CONSENT. © PLACE Pty Ltd 2023.

**SITE PLAN NOTES**  
 - EXISTING SITE INFORMATION SHOWN IS BASED ON TEMPLATE SURVEY, DATED, SUPPLIED BY.  
 - EXACT LOCATION OF UNDERGROUND SERVICES ARE UNKNOWN. ENSURE CARE IS TAKEN WHEN WORKING NEAR SERVICES.  
 - REFER ALSO LEGENDS PAGE 22319\_L001.



ISSUED FOR DRAFT	11 09 2023
REV. DESCRIPTION	INITIAL DATE
SCALE BAR	NORTH ARROW
SCALE 1:100 @ A1	

**PLACE**  
 SUITE 14-16A CROCKETT STREET  
 ROBINVALE VIC 3502  
 P. 03 9439 8000  
 E. info@place.com.au  
 www.place.com.au

**CLIENT**  
 SWAN HILL RURAL CITY COUNCIL  
 45 SPLATT STREET  
 SWAN HILL, VIC, 3585

**PROJECT TITLE**  
 ROBINVALE NATURE & ADVENTURE PLAY

**PROJECT ADDRESS**  
 17 ROBIN STREET  
 ROBINVALE, VIC, 3549

**DRAWN** TS **CHECKED** DR **SCALE** 1:200 @ A1

**DATE** 05/07/2023 **PROJECT No.** 22319 **CLIENT REF**

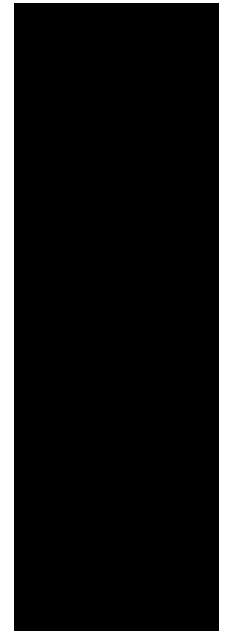
**DRAWING No. & TITLE**  
 22319\_L004 - SITE PLAN

**STATUS** FOR REVIEW **REVISION**



**WARNING:**  
 REFERENCE OF UNDERGROUND SERVICES:  
 THE LOCATION OF UNDERGROUND SERVICES ARE INDICATIVE ONLY.  
 THEIR EXACT POSITION SHOULD BE PROVIDED ON SITE.  
 CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK.  
 REPORT ALL DISCREPANCIES TO SUPERVISORY PRIOR TO CONSTRUCTION.  
 PICTURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO CALLED DIMENSIONS.  
 THIS DRAWING AND DESIGN IS SUBJECT TO COPYRIGHT AND MAY NOT BE  
 REPRODUCED WITHOUT PRIOR WRITTEN CONSENT. © PLACE Pty Ltd 2023.

**SITE PLAN NOTES**  
 - EXISTING SITE INFORMATION SHOWN IS BASED ON TEMPLATE  
 SURVEY, DATED, SUPPLIED BY.  
 - EXACT LOCATION OF UNDERGROUND SERVICES ARE UNKNOWN.  
 ENSURE CARE IS TAKEN WHEN WORKING NEAR SERVICES.  
 - REFER ALSO LEGENDS PAGE 22319\_L001.



ISSUED FOR DRAFT	11 09 2023
REV. DESCRIPTION	INITIAL DATE
SCALE BAR	NORTH ARROW
<p><b>PLACE</b></p> <p>17 ROBIN STREET                  ROBINVALE, VIC 3549                  P: 03 9439 8000                  E: info@place.com.au                  www.place.com.au</p>	
CLIENT	SWAN HILL RURAL CITY COUNCIL 45 SPLATT STREET SWAN HILL, VIC, 3585
PROJECT TITLE	ROBINVALE NATURE & ADVENTURE PLAY
PROJECT ADDRESS	17 ROBIN STREET ROBINVALE, VIC, 3549
DRAWN BY	CHECKED BY
DATE	PROJECT No.
DRAWING No. & TITLE	CLIENT REF
22319_L005 - SITE PLAN 2	
STATUS FOR REVIEW	REVISION



# Robinvale Nature + Adventure Playspace

## Concept Design Visualisation

October 2023





**LEGEND**

- ①a **PLAY TOWER**  
With tall tube slide, DDA Ramped connections, bridge, with junior play and hang-out space beneath
  - ①b **JUNIOR PLAY TOWER**  
Rope tube connection to main tower with climbing wall and fire pole and junior play beneath
  - ② **TRAMPOLINES**
  - ③ **4 SWINGS**  
With toddler seat and sling seats
  - ④ **MURRAY COD CLIMBER**  
Feature sculptural climbing structure
  - ⑤ **LAWN AND SHELTERED SOCIAL SPACE**
  - ⑥ **DRINKING FOUNTAIN**
  - ⑦ **JUNIOR MOUND SLIDE**
  - ⑧ **SAND PLAY**  
Elevated sand play with digger, log canoe and feature sculptural carved stone
  - ⑨ **SOCIAL SEATING**  
With shelter, picnic and BBQ facilities and communal table setting
  - ⑩ **INFORMAL SOCIAL ZONE**  
With kick-about space
  - ⑪ **WATER PLAY**  
Sheltered water play space with water trough, movable gates and channels and adjacent radial seating
  - ⑫ **40M FLYING FOX**
  - ⑬ **DANCING SNAKE SWING**
  - ⑭ **BALANCE AND CLIMBING**  
Cluster climber totems, log steppers and rock hops. Carved wombat family
  - ⑮ **INFORMAL SOCIAL**  
Paved social space with log and rock seating opportunities and central feature carved stone
  - ⑯ **SPINNERS**
  - ⑰ **ELEVATED BALANCE AND CLIMBING**  
Wobble bridge, log climb to elevated platform with fire pole and connection to main tower
- 0m 5m 10m 15m 25m  
NTS

ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**CONCEPT DESIGN**





ROBINVALE NATURE + ADVENTURE PLAYSPACE

**EASTERN ENTRY + ENTRY TOTEMS + DANCING SNAKE SWING**







ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**CLUSTER CLIMBERS + CARVED WOMBATS**





ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**DANCING SNAKE SWING + 40M FLYING FOX**







ROBINVALE NATURE + ADVENTURE PLAYSPACE

**PLAY TOWER + RAMPED ACCESS + TRAMPOLINES**







ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**WATER PLAY + SAND PLAY + PLAY TOWER**





ROBINVALE NATURE + ADVENTURE PLAYSPACE

**SAND PLAY + PLAY TOWER + BBQ AREA + MURRAY COD CLIMBER**







ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**BBQ AREA + MOUND SLIDE**







ROBINVALE NATURE + ADVENTURE PLAYSPACE

**SOCIAL SPACE + LAWN + PLAY TOWER + SPINNERS + TUNNEL**







ROBINVALE NATURE + ADVENTURE PLAYSPACE

**SOCIAL SPACE + CLUSTER CLIMBERS + PLAY TOWER ACCESS**





ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**40M FLYING FOX**







ROBINVALE NATURE + ADVENTURE PLAYSPACE

**CLUSTER CLIMBERS + PLAY TOWER + TRAMPOLINES + TUNNEL**







ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**OVERVIEW EAST**







ROBINVALE NATURE + ADVENTURE PLAYSPACE  
**OVERVIEW WEST**





## 2.3 Planning Application - 124 Lae Road Robinvale - Subdivision of Land (2 Lots) and Change of Use in the Farming Zone

**Directorate:** Development and Planning  
**File Number:** **PLN2024003**  
**Purpose:** For Discussion

### EXECUTIVE SUMMARY

<b>Application Number:</b>	PLN2024003
<b>Proposal:</b>	Subdivision of Land (2 Lots) and Change of Use in the Farming Zone
<b>Applicant's Name:</b>	Roy Costa Planning & Development
<b>Address:</b>	124 Lae Road Robinvale
<b>Land Size:</b>	10.4 ha
<b>Zoning:</b>	Farming Zone
<b>Overlays:</b>	NIL
<b>Referral Authorities:</b>	NIL
<b>Why is a Permit Required?</b>	Subdivision
<b>Lodgement date:</b>	12 January 2024
<b>Relevant VCAT Decisions:</b>	Refer Officers Report

### Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Recommendation/s

#### That Council:

**Issue a Notice of Decision to Refuse a planning permit for Subdivision of land (2 lots) and change of use in the Farming Zone at 124 Lae Road Robinvale 3549 subject to the following grounds:**

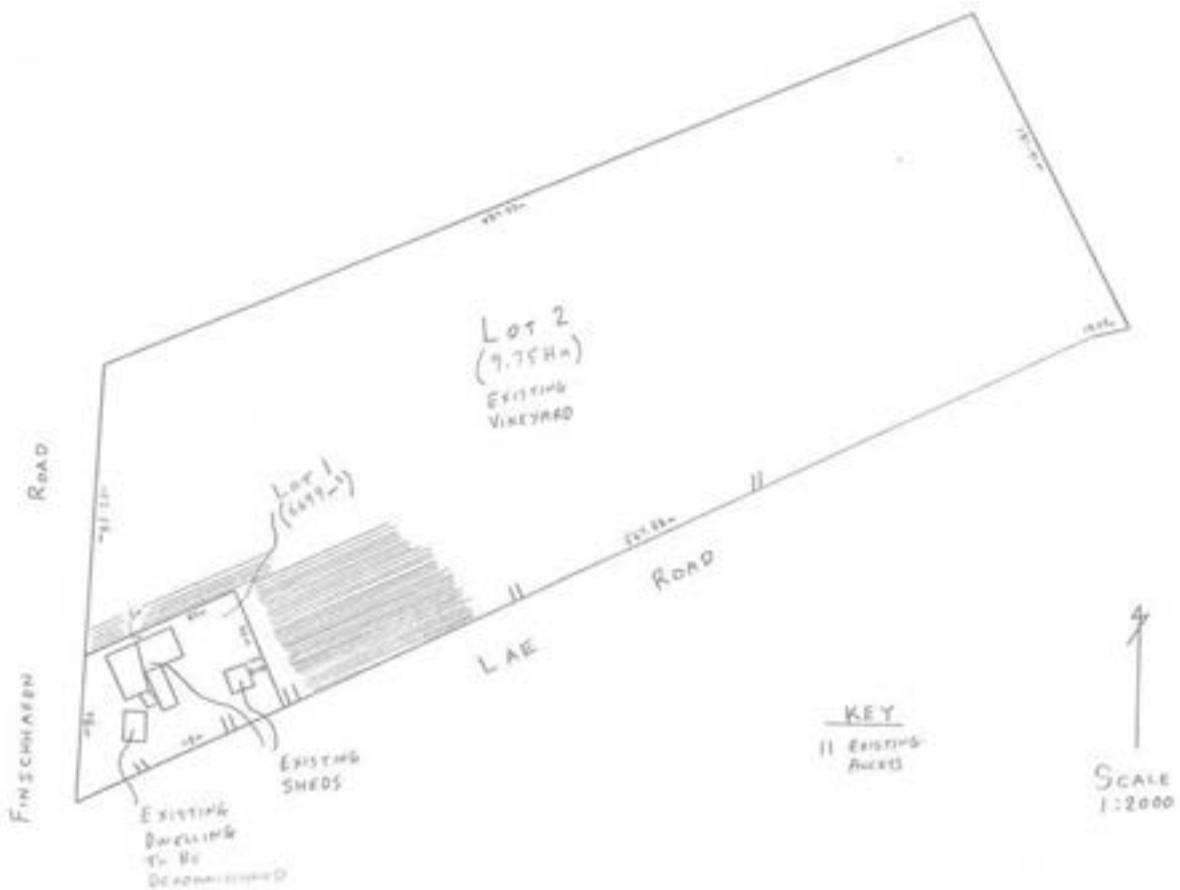
- 1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.**
- 2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework for the following reasons:**
  - a. There is no beneficial agricultural outcome for the land.**
  - b. It will result in inappropriate fragmentation of rural land.**
  - c. Does not consolidate existing isolated small lots in rural zones.**
  - d. Small lot subdivision is discouraged for personal and financial circumstances.**
  - e. The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.**
  - f. The proposal does not protect productive agricultural land from permanent changes in land use.**
  - g. The change of use of the dwelling to an 'electrical business' is an inappropriately dispersed urban activity in a rural area.**
- 3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.**
- 4. Clause 35.07-3 does not allow a permit to be granted for a smaller lot under 20 hectares for a use other than a dwelling.**
- 5. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.**

### **Key Points / Issues:**

The application proposes the subdivision of land (2 lots) and change of use of the existing dwelling to an electrical business in the Farming Zone on land known as 124 Lae Road, Robinvale. The application did not define the actual use definition in accordance with Clause 73.03 for the proposed electrical business.

The subdivision proposes the following allotment configurations:

- Lot 1 is proposed to be 6699m<sup>2</sup> and contain the excised dwelling and outbuilding
- Lot 2 is proposed to be 9.75 hectares and contain the existing vineyard.



This is the **third application** for planning permit for a dwelling excision on the land. The previous two (2) applications were refused by Council and the most recent application (which was an identical plan of subdivision to the current application) was reviewed by the Victorian Civil and Administrative Tribunal (VCAT) and VCAT upheld Council's decision to refuse the application (Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)).

The only difference made to this application from the previous application refused by VCAT is the proposed change of use of the dwelling to an 'electrical business'.

**History** (refer to delegate report for further information):

**PLN2022060** - Subdivision of land (2 lots) in the Farming Zone refused by Council on 18<sup>th</sup> October 2022 for the following reasons:

- a. The proposed subdivision fails to meet the relevant policy provisions of the Municipal Planning Strategy.
- b. The proposed subdivision fails to meet the relevant policy provisions of the Planning Policy Framework.
- c. The proposed subdivision does not meet the purpose of the Farming Zone.

*\*Applicant lodged an appeal with VCAT but later withdrew.*

**PLN2023048** - Subdivision of land (2 lots) in the Farming Zone, with a refusal issued by a delegate of the Responsible Authority on 7 June 2023 for the following reasons:



- a. The proposed subdivision fails to meet the relevant policy provisions of the Municipal Planning Strategy
- b. The proposed subdivision fails to meet the relevant policy provisions of the Planning Policy Framework
- c. The proposed subdivision does not meet the purpose of the Farming zone.

*\*Applicant lodged an unsuccessful appeal with VCAT, as per the attached VCAT order dated 27 October 2023.*

The Farming Zone will only allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares for the following:

- The subdivision is to create a lot for an **existing dwelling**. The subdivision must be a two-lot subdivision (emphasis added).
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The Farming Zone clearly states it will only allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares if the subdivision is to create a lot for an existing dwelling. The excision of the existing dwelling on this land was reviewed by VCAT and upheld Council's decision to refuse the application (Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)).

The Farming Zone does not allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares for an electrical business. Ultimately, this application is seeking to circumvent the planning controls imposed by the Swan Hill Planning Scheme.

In addition to the above requirement, the proposal is contrary to the Swan Hill Planning Scheme for the reasons given by Council and in the VCAT order for the previous applications and as outlined in the recommendation section of this report.

It is considered the application is an attempt to work around the minimum lot size regulations set out in the Farming Zone and the application is presenting itself in an appealing and persuasive manner to gain approval despite not meeting the requirements of the Swan Hill Planning Scheme.

### **Policy Impacts:**

The proposal is contrary to the Municipal Planning Strategy (MPS) and the relevant Planning Policy Framework of the Swan Hill Planning Scheme, including:

1. Clause 02.03-4 – Natural resource management
2. Clause 14.01-1S – Protection of agricultural land
3. Clause 14.01-1L – Agriculture

Refer to Planning Department delegate report for detailed assessment of the relevant planning policy.

**Consultation:**

The application was not advertised as it was clear that the proposal was unable to be supported. In such instances it is sound planning practice to not put the applicant to further expenditure through additional stages that involves additional costs.

**Financial Implications:**

Time and associated cost to review each submission.

**Social Implications:**

The fragmentation of valuable land through the creation of lifestyle allotments has the potential to erode the social cohesiveness of farming communities.

**Economic Implications:**

The loss of valuable farming land will impact upon the agricultural production outputs of the municipality. The continued creation of rural lifestyle blocks in intensive farming areas raises property values making farming less attractive.

**Environmental Implications:**

Lifestyle allotments have different regimes for pest and invasive species control and weed management that actively farmed horticultural land. This can in turn cause negative environmental impacts on the farmed land.

**Risk Management Implications:**

The continued creation of rural lifestyle blocks in intensive farming areas raises property values making farming less attractive. Lifestyle development in farming areas creates risks for ongoing farming practices as well as unreasonable expectations of the owner of the lifestyle property.

**Conclusion:**

There have been two (2) previous applications seeking a similar outcome on this land and both have been refused, including an appeal to VCAT which upheld Council's decision.

There has been no significant change in planning policy that would support this subdivision proposal, and it is considered the subdivision is prohibited in accordance with Clause 35.07-3 of the Farming Zone due to the request to change the use of the dwelling to an 'electrical business'.

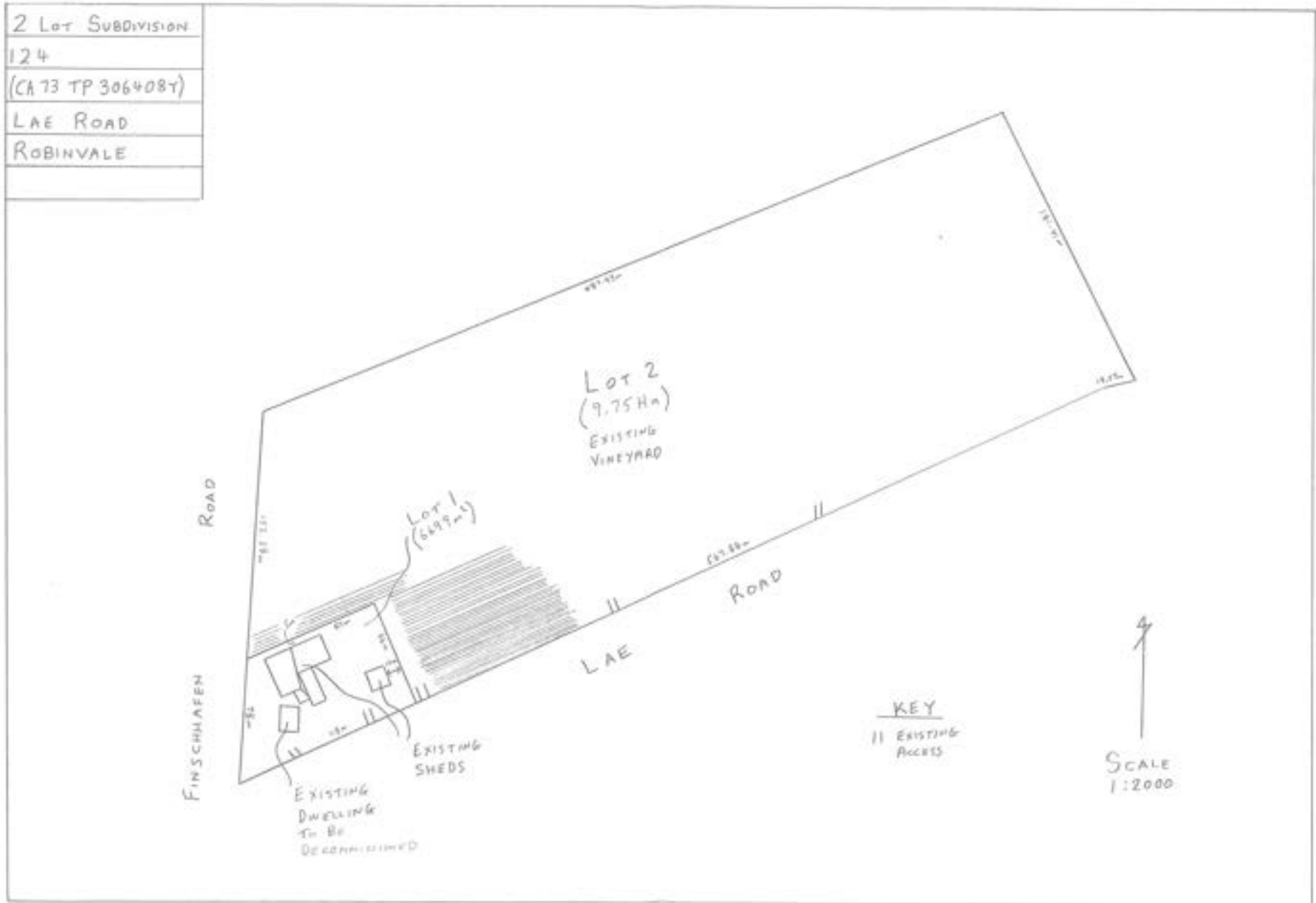
It is recommended that the subdivision be refused as per the reasons outlined in this report.

**Options: (choose applicable):**

1. That Council issues a notice of decision to refuse to grant a planning permit.
2. The Council grants a planning permit subject to the attached conditions.

- Attachments:**
1. Plan [2.3.1 - 1 page]
  2. Applicant Submission [2.3.2 - 7 pages]
  3. PL N 2024003 - Delegate Report [2.3.3 - 14 pages]
  4. PROPOSED CONDITIONS PL N 2024003 - 124 Lae Road Robinvale [2.3.4 - 3 pages]







**ROY COSTA PLANNING & DEVELOPMENT**

164 Eighth Street Mildura  
PO Box 2925 Mildura 3502  
Phone (03) 50210031 Email: admin@roycosta.com.au

---

Our Ref: 23-146  
Your Ref:

5 January 2024

Planning Department  
Swan Hill Rural City Council  
PO Box 488  
SWAN HILL VIC 3585

Dear Sir/Madam,

**PLANNING APPLICATION  
2 LOT SUBDIVISION  
124 LAE ROAD ROBINVALE**

Enclosed, please find a planning application lodged on behalf of the owners, proposing the creation of a 2 Lot Subdivision and Decommission of Existing Dwelling of the above property.

The site is 10.42ha in area, with dwellings, sheds, and vineyard existing upon the site.

It should be noted that the son utilises the existing dwelling and sheds for the operation of his electrical business from the site, for which he has operated for over 15 years.

This proposal is seeking to subdivide the dwelling and outbuildings from the remainder of the land; and decommission the dwelling so that the dwelling is no longer a dwelling and be continued to be used in association with the son's electrical business conducted from the site.

The proposal is as follows:

- Subdivide the land into 2 Lots, with the dwelling and sheds to be located upon a 6699m<sup>2</sup> allotment and the balance lot containing the vineyard to be 9.75ha in area.
- Locate boundaries so that no existing vineyard plantings will be required to be removed from the land.
- Decommission the existing dwelling on proposed Lot 1 so that the dwelling is no longer defined as a dwelling in accordance with the Swan Hill Planning Scheme and be continued to be used in association with the Electrical Business upon the site for amenity purposes.

The end result of this proposed subdivision will create an allotment for the continued use of the vineyard on a separate allotment; and an allotment to be continued to be used for an electrical business.

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)

Rokar Pty. Ltd. ACN 087 497 685 Trading As Roy Costa Planning & Development



In addition, the proposal will also remove the use of a dwelling on the proposed excised allotment.

The boundaries of the subdivision are proposed as such will create an allotment that will locate the dwelling (to be decommissioned), and sheds upon an allotment that is not associated with the horticultural production, not interfere, or effect the infrastructure associated with the horticultural production on the land, provide an orderly shaped allotment and buffer between the dwelling and horticultural allotment.

The proposal will create a horticultural allotment of over 9.75ha to be continued for production and support of the overall rural economy of the region.

To further protect the horticultural allotment into the future the owners agree to enter into a Section 173 Agreement that would prevent a dwelling being constructed upon proposed Lot 1 and Lot 2.

The intention of the Swan Hill Planning Scheme provisions in respect to horticulture is to ensure the continuation of valuable horticultural production land, which this subdivision will achieve.

## **PLANNING APPLICATION PLN2023048**

Planning Application PLN2023048 was previously considered by Swan Hill Rural City Council for the excision of the dwelling and sheds from the subject land, which was refused by Council and the refusal of Council was upheld by the Victorian Civil Administrative Tribunal on 27 October 2023.

Within the VCAT Determination, the Tribunal stated the following:

- I agree with the Council that, while the current occupant may not find the amenity impacts arising from surrounding agricultural activity (including that on the subject land) unacceptable, future owner/occupiers may.
- An additional excised lot containing a dwelling will incrementally add to the development of a cluster of these lots and contribute to further introduction of non-agricultural uses into this area. This is an outcome which can further undermine agricultural activities, and introduce, entrench or exacerbate land use conflict. It is discouraged by policy.
- In the circumstances of this application, there is insufficient justification for a departure from the clear and consistent policies in the Planning Scheme which seek to protect (and prevent the fragmentation of) productive agricultural land, and which discourage small-lot excisions and the creation of rural lifestyle lots in farming zones.

This current application differs to Planning Application PLN2023048, as this application, in addition to the proposed excision of the dwelling is also seeking to decommission the dwelling so that the building can be continued to be used in association with the Electrical Business being conducted upon proposed Lot 1.

The end result of this new application is seen to meet the provisions of the Swan Hill Planning Scheme as detailed further in this submission and reasons for Refusal of the previous application by the Tribunal by way of the following:

- The proposal will create a horticultural productive allotment that will not remove any existing valuable horticultural vines.



- The overall proposal will not create a rural lifestyle lot, as the existing dwelling will be decommissioned.
- The end result will not create land used conflicts; as no residential occupancy will exist, therefore no amenity impacts arising from surrounding agricultural activity will occur.
- The proposal will not incrementally add to the development of a cluster of these lots, as the dwelling is to be decommissioned, thus not increasing rural residential lifestyle allotments within the surrounding horticultural area.
- The end result will not create an additional rural lifestyle lot in the Farming Zone.

## **SWAN HILL PLANNING SCHEME**

In accordance with the Swan Hill Planning Scheme, the subject land is zoned Farming Zone (FZ).

The proposal complies with the Swan Hill Planning Scheme as detailed below.

## **PURPOSE AND VISION**

Within these provisions they refer to agriculture being one of the main drivers of the economy of the municipality.

This proposal is supporting the economy of the region by locating the main horticultural production of the land onto one title, to be continued into the future and prohibiting the use and development of a dwelling upon the horticultural allotment.

Therefore, the future production of proposed Lot 2 is protected.

In respect to the strategic directions, particularly at Clause 02.03-4 Natural Resource Management, this proposed 2 Lot Subdivision meets these provisions by:

- Protecting the future use of proposed Lot 2 for horticultural production.
- Promoting and encouraging expansion of horticultural enterprises by creating a horticultural allotment able to be purchased by a surrounding horticultural business to expand their existing horticultural holding/s.
- The location of the boundaries will protect the horticultural production upon proposed Lot 2 from any conflicting land uses; and will not require the removal of any existing plantings.
- This proposed subdivision will not create fragmentation and will not have any significant implication for horticultural production; and in fact, is supporting such by creating an allotment to be continued for horticultural production.
- The proposed Lot 2 is being sold for continued horticultural production, thus enabling expansion of an existing horticultural enterprise within the surrounding area; thus, providing the sale price of the horticultural allotment at an appropriate level and not at an inflated land value.
- The proposed subdivision will not undermine the productive agricultural base of the Rural City.

- The subdivision is subdividing a dwelling, to be decommissioned, and business use that is not related to agriculture separate from the horticultural holding; and in turn enable the horticultural production upon the site to be located upon one title and be continued for horticultural production; that in turn will support the future economy of the municipality and overall region.

## **PLANNING POLICY FRAMEWORK**

### **14.01-1S PROTECTION OF AGRICULTURAL LAND**

This policy seeks to protect the state's agricultural base by preserving productive farmland.

This proposed subdivision and decommissioning of the dwelling is seen to meet these provisions by:

- Creating a lot specifically for the preservation of the continued productive horticultural use of the land; and in addition, not enabling any future dwelling to be constructed upon the horticultural allotment.
- The subdivision will locate the existing uses upon separate titles, but not change the character of the area or uses or enable any additional non agricultural uses to be constructed on the land, particularly dwellings.
- These provisions refer to limiting new housing in rural areas.

As stated above, with the proposed appropriate conditions upon the permit, no additional housing will be permitted on any allotment created by this subdivision.

- The proposed subdivision is seen to have a positive impact on the continuation of productive horticulture on the land by creating a lot specifically for the continuation of horticultural production that will not be able to erect a dwelling upon it and be able to be purchased at an appropriate land value and therefore be viable as one of these strategies specifically states needs to be considered.
- The subdivision will not diminish the long-term productive capacity of the land.
- The decommissioning of the dwelling will remove any possible rural lifestyle lots being created in the Farming Zone.
- The decommissioning of the dwelling will remove any possible future amenity impacts arising from surrounding horticultural activity.

### **14.01-1L AGRICULTURE**

This policy refers to all land within the Farming Zone.

This subdivision and decommissioning of the dwelling will not create land use conflicts as the end result will be that there will be no dwelling located upon either allotment created by this subdivision; that could create land use conflicts or create amenity impacts to residents within the area as no dwelling will exist.

As there is no development proposed by this application, no non agricultural uses are proposed within this horticultural area.

These provisions also discourage new dwellings that undermine the productive agricultural base of the municipality.

This proposal supports this policy as the existing dwelling will be decommissioned so that no future land use conflicts arise and no rural lifestyle lots are created.

The end result of this subdivision will place a condition upon the permit that will ensure no further dwellings are constructed upon either allotment created by this subdivision.

Our clients also consent to the Section 173 Agreement including that each allotment created by this subdivision may not be further subdivided so as to increase the number of allotments of each lot.

In respect to small lot subdivisions, we submit the following:

- Even though these provisions discourage small lot subdivisions where the balance lot is less than the minimum lot size specified in the zone; this subdivision should be supported due to:
  - The end result is the same as if the balance lot were greater than 20ha in area in that the balance lot will remain specifically for horticultural production and no dwelling can be built upon either allotment.
  - The dwelling will be decommissioned and used in association with the existing electrical business operating from the site; therefore the end result will in fact remove a dwelling from the Farming Zone.
  - In addition, there will be no rural lifestyle lot created by this subdivision; and no dwelling will exist that could experience adverse amenity impacts from surrounding horticultural uses.
  - The creation of Lot 2 will enable a horticultural grower within the immediate area to enlarge their holding to be viable into the future.
  - Many horticultural growers seeking to expand their holdings do not require the existing dwelling and sheds upon the properties they are seeking to purchase; and the purchase price with the dwelling inflates such price that the property.
  - These provisions encourage any excised lot to be of a manageable size that maintains sufficient land on the balance lot to support agricultural activity; and as stated throughout this submission this subdivision will maintain the productivity of the balance lot, with no vines required to be removed.
  - As previously stated, a re-subdivision of allotments is not possible.
  - The subdivision will not adversely impact on the horticultural infrastructure.
  - These provisions discourage dwelling excisions if the dwelling is required for the carrying out of the agricultural activities on the land; and as previously stated the dwelling is not required nor are the sheds for the continued horticultural production upon Lot 2.
  - The subdivision is beneficial agricultural outcome for the land as detailed throughout this submission.
  - The dwelling (to be decommissioned) allotment is less than 2ha in area.
  - Our clients consent to a Section 173 Agreement preventing the construction of a dwelling on either lot created by this subdivision and preventing further subdivision of each lot so as to increase the number of allotments.



- 14.01-2S      SUSTAINABLE AGRICULTURAL LAND USE**
- 14.01-2R      AGRICULTURAL PRODUCTIVITY – LODDON MALLEE NORTH**
- 14.01-2L      SUSTAINABLE AGRICULTURA LAND USE**

In respect to these policies, as detailed in 14.01-1L above, the end result of this subdivision and decommissioning of the dwelling is encouraging the sustainable horticultural use of proposed Lot 2 to be continued into the future.

**FARMING ZONE PROVISIONS**

**Clause 35.07      PURPOSE**

The subdivision and decommissioning of the dwelling meets the Purpose & Vision and Planning Policy Framework as stated above.

The proposal will not affect the use of the surrounding land.

The proposal will not adversely affect the continued operation of the land for horticulture as the balance of the land will remain greater than 9ha in area.

The main purpose for the proposal is to enable the continuation of the valuable horticultural production upon the site.

The intentions of these provisions are to protect valuable agricultural land, which this application is seeking to achieve as detailed above.

**Clause 35.07-1      TABLE OF USES**

There are no uses proposed as part of this application.

The electrical business exists, and the existing dwelling is to be decommissioned to be used in association with the electrical business for amenity purposes.

**Clause 35.07-2      USE OF LAND FOR A DWELLING**

There is no dwelling proposed as part of this application.

**Clause 35.07-3      SUBDIVISION**

A permit is required for this proposed subdivision.

This proposed subdivision meets these provisions by way of the following:

1. The subdivision is to create a lot for an existing dwelling.

2. The subdivision is a two lot subdivision.

**Clause 35.07-6 DECISION GUIDELINES**

The proposal meets the Purpose & Vision and Planning Policy Framework as detailed above.

No Regional Catchment Strategy applies to the land.

The productive capacity of the land will remain sustainable as the horticultural allotment will remain well over 9ha in area.

There is no development proposed as part of this application; and all infrastructure required to operate the horticulture upon the land will not be affected by this subdivision.

The proposal will not limit the operation of the horticultural production upon the land or nearby properties.

There is no adverse environmental issue that would be created by this proposal.

No flora and fauna issues exist to the site.

No waterways exist near the site that would be affected by the proposed proposal.

The proposal will not have negative impacts on services within the area; with adequate services existing for the dwelling (to be decommissioned) and sheds.

**OVERLAY PROVISIONS**

No overlays affect the subject land.

**CONCLUSION**

In summary, the proposed subdivision and decommissioning of the existing dwelling complies with all relevant provisions of the Swan Hill Planning Scheme, in particular, the Purpose & Vision and Planning Policy Framework.

Given all the above-mentioned, we now request Council support this application as proposed.

If you have any queries in relation to the above, please contact Mr. Roy Costa from our office who will be pleased to assist.

Yours sincerely,

*Roy Costa*

ROY COSTA RPIA  
ROY COSTA PLANNING & DEVELOPMENT



# Planning Assessment Report Delegate Report

## Application Details

<b>Application Number:</b>	PLN2024003	<b>Planner:</b>	Warrick Fisher
<b>Application Description:</b>	Subdivision of land (2 lots) and Change of Use to in the Farming Zone		
<b>Application Received:</b>	18 January 2024		
<b>Land / Address:</b>	124 Lae Road Robinvale 3549		
<b>MPS:</b>	Clause 02.03- 4		
<b>PPF:</b>	Clause 14.01		
<b>Zoning:</b>	Clause 35.07 Farming Zone (FZ)		
<b>Overlays:</b>	Nil		
<b>Land Use Terms:</b>	Subdivision		
<b>Under what clause(s) is a permit required?</b>	Clause 35.07-3		
<b>Restrictive covenants on title?</b>	Nil		
<b>Current Use &amp; Development:</b>	Single lot, dwelling and outbuildings, horticulture		
<b>Is a Cultural Heritage Management Plan Required?</b>	No		
<b>Relevant SHRCC VCAT Decisions</b>	<ol style="list-style-type: none"> <li>1. <b>Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)</b> 124 Lae Road, Robinvale <b>Permit applicant: Roy Costa Planning &amp; Development</b></li> <li>2. <b>Zappia v Swan Hill RC [2008] VCAT 1446 (16 July 2008)</b> 3 Timor Road, Robinvale <b>Permit applicant: Roy Costa Planning &amp; Development</b></li> <li>3. <b>Burns v Swan Hill RCC [2023] VCAT 1184 (25 October 2023)</b> 5 Little Murray Weir Road, Castle Donnington <b>Permit applicant: Roy Costa Planning &amp; Development</b></li> </ol>		



**Subject Site & Locality**

The subject land is known as 124 Lae Road, Robinvale and is located on the north eastern corner of the intersection of Lae Road and Finschhafen Road, Robinvale. The site is approximately 6km south west of the Robinvale township. The site comprises an irregular trapezoid shaped parcel having a total site area of 10.42ha.

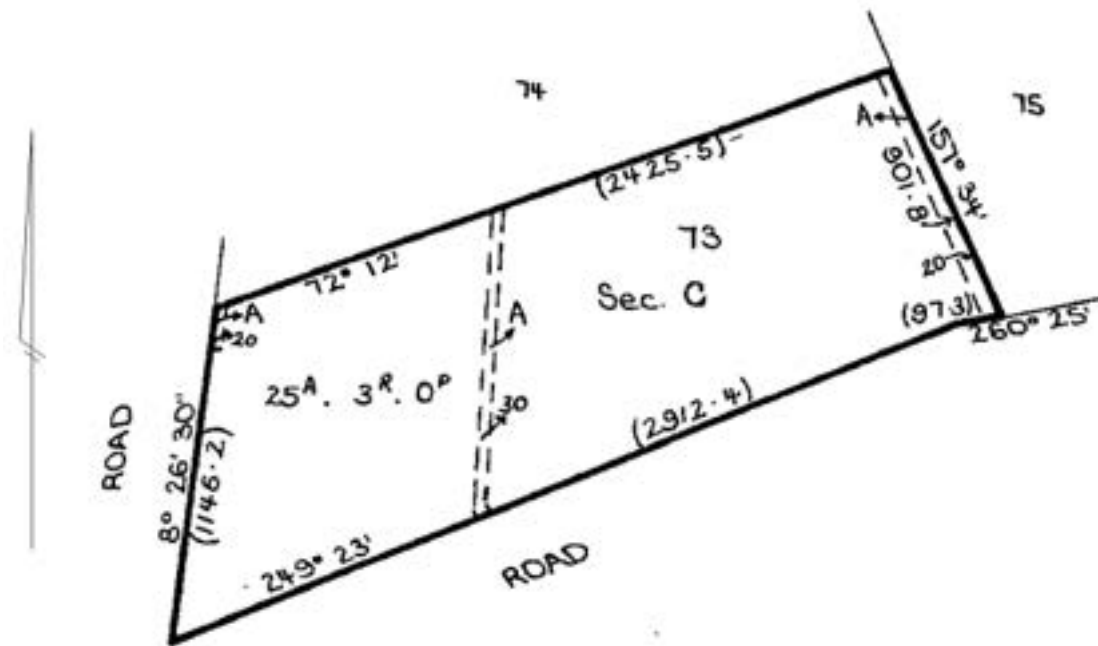


Figure 1: Existing Plan of Subdivision (Crown Allotment 73, Section C, Parish of Bumbang)

The site is largely used for horticultural purposes, with the exception of a dwelling and outbuildings that are located to the south west corner of the land.



Figure 2: Subject land

Land within the immediate area of the subject site is used primarily for intensive horticultural purposes. There are many dwellings on horticultural allotments with some scattered small dwelling allotments.



Figure 3: Subject and surrounding land

### Proposal

The application proposes the subdivision of land (2 lots) and change of use of the existing dwelling to an electrical business in the Farming Zone. The application did not define the actual use definition in accordance with Clause 73.03 for the proposed electrical business.

The subdivision proposes the following allotment configurations:

1. Lot 1 is proposed to be 6699m<sup>2</sup> and contain the excised dwelling and outbuilding
2. Lot 2 is proposed to be 9.75 hectares and contain the existing vineyard.

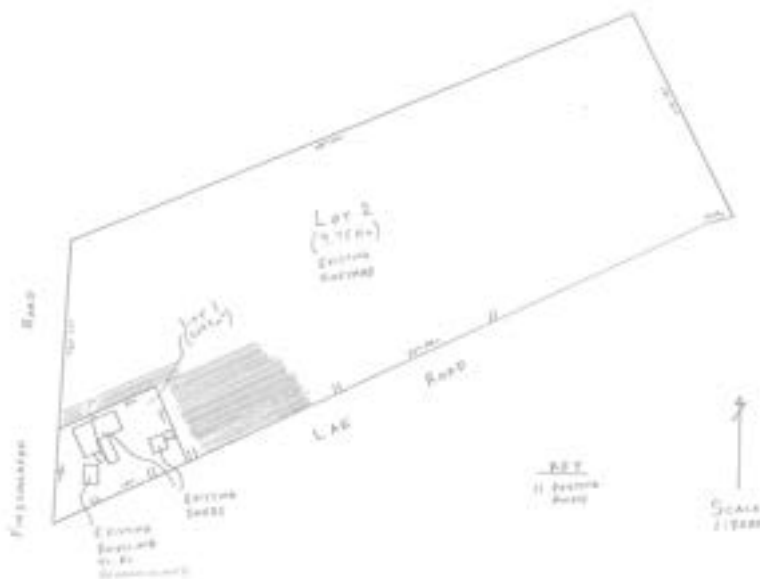


Figure 4: Proposed plan of subdivision

The application submitted the property owner's son utilises the existing dwelling and sheds for the operation of his electrical business from the site, for which he has operated for over 15 years. This application proposes to change the use of the existing dwelling to the 'electrical business' and decommission the dwelling. As mentioned previously, the application did not state what the proposed land use term in accordance with Clause 73.03 is being applied for.

This is the **third application** for planning permit for a dwelling excision on the land. The previous two (2) applications were refused by Council and the most recent application (which was an identical plan of subdivision to the current application) was reviewed by the Victorian Civil and Administrative Tribunal (VCAT) and VCAT upheld Council's decision to refuse the application (*Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)*).

The only difference made to this application from the previous application refused by VCAT is the proposed change of use of the dwelling to the 'electrical business'.

The Farming Zone will only allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares for the following:

- The subdivision is to create a lot for an **existing dwelling**. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The Farming Zone clearly states it will only allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares if the subdivision is to create a lot for an existing dwelling. The excision of the existing dwelling on this land was reviewed by VCAT and upheld Council's decision to refuse the application (*Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)*).

The Farming Zone does not allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares for an electrical business. Ultimately, this application is seeking to circumvent the planning controls imposed by the Swan Hill Planning Scheme.

In addition to the above requirement, the proposal is contrary to the Swan Hill Planning Scheme for the reasons given by Council and in the VCAT order for the previous application.

It is considered the application is an attempt to work around the minimum lot size regulations set out in the Farming Zone and the application to present itself as an appealing and persuasive manner to gain approval despite not meeting the requirements of the Swan Hill Planning Scheme.

### Site History

There have been two (2) previous applications to excise the existing dwelling from the land.

**PLN2022060** - Subdivision of land (2 lots) in the Farming Zone.



Figure 5: Proposed plan refused by Council in PLN2022060



Application was refused by Council on 18th October 2022 for the following reasons:

- a. The proposed subdivision fails to meet the relevant policy provisions of the Municipal Planning Strategy.
- b. The proposed subdivision fails to meet the relevant policy provisions of the Planning Policy Framework.
- c. The proposed subdivision does not meet the purpose of the Farming Zone.

Applicant lodged an appeal with VCAT but later withdrew.

**PLN2023048** - Subdivision of land (2 lots) in the Farming Zone.

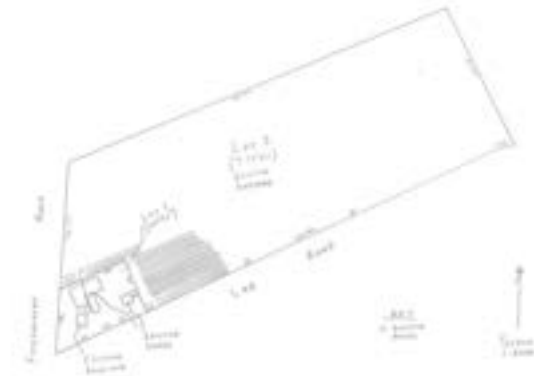


Figure 6: Proposed plan refused by Council in PLN2023048

Application was refused by Council on 7 June 2023 for the following reasons:

- a. The proposed subdivision fails to meet the relevant policy provisions of the Municipal Planning Strategy
- b. The proposed subdivision fails to meet the relevant policy provisions of the Planning Policy Framework
- c. The proposed subdivision does not meet the purpose of the Farming zone.

Applicant lodged an unsuccessful appeal with VCAT, as per VCAT P819/2023 order dated 27 October 2023. The plan in this application is identical to the current application.

#### Restrictive Covenant / Section 173 Agreement

Nil

#### Public Notification

The application was not advertised as it was regarded from the outset by officers that the proposal was unable to be supported. In such instances it is sound planning practice to not put the applicant to further expenditure through additional stages that involves additional costs.

#### Cultural Heritage Management Plan

Not required.

#### Referrals

There are no referral authorities specified in the planning scheme for an application of this type.

#### Municipal Planning Strategy (MPS)

**Clause 02.03 Municipal Planning Strategy – Strategic Directions**

**Clause 02-03-4 Natural resource management**

This clause is based around the need to preserve and protect the valuable agricultural and horticultural land within the municipality, particularly from the impacts of additional dwellings or small lot subdivisions in farming areas. The clause also recognises that significant fragmentation has already occurred, particularly in high value irrigated areas close to the Murray River.

The clause goes on to include the following statements:

*In order to manage the natural resources in the Rural City, Council will:*

- ***Protect horticultural and dryland agriculture because it is fundamental for economic growth.***
- ***Discourage small lot subdivision in rural areas that undermines the productive agricultural base of the Rural City.***
- ***Discourage dwellings in rural areas that are not related to agriculture.***
- ***Discourage land uses in the Farming Zone that are not directly related to agriculture, or that have an adverse impact on agricultural opportunities.***
- *Support rural industry so long as it is associated with a rural activity.*
- *Direct rural industries to locations where the impact on agricultural land and off-site effects are minimised, and where good road access is available.*
- *Encourage the proper siting and design of intensive animal production to protect residential amenity and environmental quality.*

It is considered the proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.

The proposal is also requesting to change the use of the dwelling to an 'electrical business' which is a use not directly related to agriculture. This is discouraged by this policy.

#### **Planning Policy Framework (PPF)**

The proposal is contrary to the following clauses in Clause 14.01 of the PPF:

- Clause 14.01-1S – Protection of agricultural land
- Clause 14.01-1L – Agriculture

The proposal is contrary to Clause 14.01 (Agriculture) of the PPF for the following reasons:

1. It will result in inappropriate fragmentation of rural land.
2. Does not consolidate existing isolated small lots in rural zones.
3. Small lot subdivision is discouraged for personal and financial circumstances, and for rural lifestyle purposes.
4. The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.
5. The proposal does not protect productive agricultural land from permanent changes in land use.
6. The change of use of the dwelling to an 'electrical business' is an inappropriately dispersed urban activity in a rural area.

The above sections of the PPF are further detailed below and note Clause 14.01-1L provides detailed policy regarding small lot subdivisions.

#### **Clause 14.01 – Agriculture**

##### **Clause 14.01-1S Protection of agricultural land**

##### **Objective**

*'To protect the state's agricultural base by preserving productive farmland'.*

**Strategies**

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
- Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.
- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- Protect productive farmland that is of strategic significance in the local or regional context.
- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- Prevent inappropriately dispersed urban activities in rural areas.
- Protect strategically important agricultural and primary production land from incompatible uses.
- Limit new housing development in rural areas by:
  - Directing housing growth into existing settlements.
  - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
  - Encouraging consolidation of existing isolated small lots in rural zones.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
  - Desirability and impacts of removing the land from primary production, given its agricultural productivity.
  - Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
  - Compatibility between the proposed or likely development and the existing use of the surrounding land.
  - The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
  - Land capability.
- Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

**Clause 14.01-1L Agriculture**

**Objective**

*'To discourage small lot subdivision that prejudices surrounding agricultural activities'.*

**Strategies**

Strategy	Response
<i>Discourage 'small lot' subdivision unless the balance lot is at least the minimum lot size specified in the zone.</i>	<p><b>X Strategy NOT MET</b></p> <p>Balance lot is proposed to be 9.75 hectares.</p> <p>The balance lot does not meet the 20 hectare minimum lot size.</p>
<i>Discourage small lot subdivision to meet personal and financial circumstances.</i>	<p><b>X Strategy NOT MET</b></p> <p>The applicant submits the dwelling will be decommissioned and used in association with the existing electrical business operating from the site; therefore the end result will in fact remove a dwelling from the Farming Zone.</p> <p>As the subdivision proposes to excise the dwelling from the vacant farming land, it is considered the purpose of the subdivision is for personal and financial circumstances to cater for the electrical business that has no direct relationship to the horticultural use of the land.</p> <p>It is considered the application is for personal and financial circumstances which is discouraged by this Strategy.</p>



<p><i>Prevent small lot subdivision to create lots for 'rural lifestyle' purposes.</i></p>	<p><b>Strategy MET</b> As the proposal is not creating a lot for a dwelling, this strategy is met, but it is noted that the Farming Zone does not allow for a small lot to be created under Clause 35.07-3 for an 'electrical business'.</p>
<p><i>Encourage any excised lot to be of a manageable size that maintains sufficient land on the balance lot to support agricultural activity.</i></p>	<p><b>X Strategy NOT MET</b> The application was not supported by a farm management plan to demonstrate the potential viability of the balance lot and the balance lot does not meet the minimum lot size of the Farming Zone.</p>
<p><i>Require the excision of a dwelling to be via the re-subdivision of existing lots so that the number of lots is not increased.</i></p>	<p><b>X Strategy NOT MET</b> The subdivision is not being undertaken via the re-subdivision of existing lots. The application is for a 2 lot subdivision of an existing allotment.</p>
<p><i>Discourage the creation of long, narrow lots, 'axe handle' lots or island-style lots.</i></p>	<p><b>Strategy MET</b></p>
<p><i>Discourage subdivisions that will impact on significant farm infrastructure.</i></p>	<p><b>? Insufficient information provided</b> There is no information provided in the application to determine if the subdivision will impact on farm infrastructure.</p>
<p><i>Discourage further subdivision (by any method) of land where a dwelling has already been excised from the land.</i></p>	<p><b>Strategy MET</b> No previous dwelling has been excised from the land according to Council records.</p>
<p><i>Discourage the excision of a dwelling if it is required for the carrying out of agricultural activities on the land.</i></p>	<p><b>X Strategy NOT MET</b> The proposal submitted advising the existing dwelling is no longer required for any farming activity on the land, but the owner's son is wanting to continue using the dwelling for an 'electrical business'. This will permanently remove land from agricultural use.</p> <p>The proposal will remove the potential for the dwelling to be used in association with a farming use.</p>
<p><i>Ensure the excision dwelling is habitable and has existing use rights under Clause 63.</i></p>	<p><b>X Strategy NOT MET</b> The application has not demonstrated the existing dwelling has existing use rights under Clause 63.</p>
<p><i>Encourage a beneficial agricultural outcome for the land.</i></p>	<p><b>X Strategy NOT MET</b> The proposal does not provide a beneficial agricultural outcome and no evidence has been provided. The application was not supported by a farm management plan that could demonstrate a beneficial outcome.</p> <p>The application clearly stated '<i>The dwelling will be decommissioned and used in association with the existing electrical business operating from the site; therefore the end result will in fact remove a dwelling from the Farming Zone</i>'.</p> <p>Given the limited information provided with the application, there is no factual comment that can be made to whether there is beneficial agricultural outcome as a result of the subdivision, but it is clearly stated by the applicant that agricultural land will permanently be removed as a result of the subdivision.</p>
<p><i>Consolidate land in the same ownership if consolidation would facilitate the productive use of land.</i></p>	<p><b>X Strategy NOT MET</b> No consolidation is proposed and no evidence provided to determine if there is opportunity for consolidation.</p>
<p><i>Whether there is a need for an agreement under Section 173 of the Act that specifies that the land may not be further subdivided (except in accordance with the minimum lot size in the zone).</i></p>	<p><b>COMMENT:</b> Should a permit be granted, it is considered a Section 173 Agreement would be required to ensure:</p> <ol style="list-style-type: none"> <li>1. no further dwellings are constructed on the balance lot</li> </ol>

	<ol style="list-style-type: none"> <li>2. the land is not further subdivided by any means unless via consolidation.</li> <li>3. proposed Lot 1 is aware of farming practices in the surrounding area.</li> </ol>
--	--

The assessment of the strategies outlined in Clause 14.01-1L demonstrates the proposal is contrary to policy for small lot subdivision.

On balance, the proposal as submitted does not adequately justify the proposal.

## Zoning

### Clause 35.07 Farming Zone

#### Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

#### Clause 35.07-3 Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- **The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.**
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The Schedule to the Farming Zone stipulates the **minimum subdivision area is 20ha** of all land which is in a gazetted irrigation district or where a water use licence has been issued and applied to land for horticultural production purposes. The balance lot is proposed to be 9.75ha.

It is acknowledged a permit may be granted to create a smaller lot in accordance with Clause 35.07-3, but the creation of the smaller lot/s must be assessed against the relevant planning policy, Municipal Planning Strategy (MPS) and decision guidelines of the Swan Hill Planning Scheme.

It is considered the proposal is contrary to not only the purpose and decision guidelines of the Farming Zone, the application fails to be supported by planning policy and the MPS as previously detailed in this report.

## Overlays

Nil

## Particular Provisions

### Clause 65 Decision guidelines

The head clause is led by the following statement:

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.02 Approval of an application to subdivide land

In accordance with Clause 65.02, before deciding on an application to subdivide land, the Responsible Authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

### Assessment

This is the third application for planning permit for a dwelling excision on the land. The previous two (2) applications were refused by Council and the most recent application (which was an identical plan of subdivision to the current application) was reviewed by the Victorian Civil and Administrative Tribunal (VCAT) and VCAT upheld Council's decision to refuse the application (*Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)*).

The only difference made to this application from the previous application (PLN2023048) refused by VCAT is the proposed change of use of the dwelling to an 'electrical business'.

The proposed change of use of the existing dwelling to an 'electrical business' is an attempt to circumvent the requirements of the Farming Zone. Given the requirements of the Farming Zone, it is not considered a permit can be approved for the subdivision as proposed Lot 1 will not be a dwelling. The Farming Zone does not allow for a small lot to be created under Clause 35.07-3 for an 'electrical business'.

The Farming Zone will only allow a permit to be granted for a smaller lot (subject to a planning permit) under 20 hectares for the following:

- The subdivision is to create a lot for an **existing dwelling**. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

It is considered the application is an attempt to work around the minimum lot size regulations set out in the Farming Zone and the application is attempting to present itself in an appealing and persuasive manner to gain approval despite not meeting the requirements of the Swan Hill Planning Scheme.

In addition to the above requirement, the proposal is contrary to the Swan Hill Planning Scheme for the reasons given by Council and in the VCAT order for the previous application.

The application has not demonstrated at any point how the proposal complies with the policy direction of the Swan Hill Planning Scheme and has not provided adequate information on the requested definition for the proposed change of use.



Accordingly the recommendation is to refuse to issue a permit in this (repeated) instance.

#### Swan Hill Rural City Council VCAT Decisions

The assessment of this planning application is consistent with recent VCAT decisions within the Swan Hill municipality and are detailed below. **The VCAT decisions reinforce the recommendations from Council's Planning Department are consistent with the Swan Hill Planning Scheme and relevant VCAT decisions.**

**1. Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)**

124 Lae Road, Robinvale (identical plan of subdivision to current application)

Permit applicant: Roy Costa Planning & Development

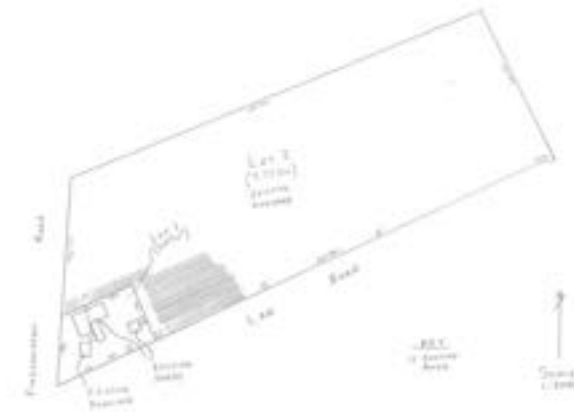
**COUNCIL DECISION UPHELD AND REFUSED BY VCAT**

The Order of this VCAT decision was given orally by VCAT Senior Member Bill Sibonis on 27 October 2023.

This decision of Council to refuse the application was upheld by VCAT and the Order dated 27 October 2023 stated:

- a. *'In application P819/2023 the decision of the responsible authority is affirmed*
- b. *In planning permit application PLN2023048 no permit is granted.'*

This application was identical to the current application in regards to subdivision. The proposal was for a 2 lot subdivision (dwelling excision) in the Farming Zone. The subdivision proposed a dwelling lot (proposed Lot 1) of 0.6699 hectares and a balance lot of 9.75 hectares.



VCAT member Mr Sibonis said the above would not support or enhance the agricultural production of either lot.

**2. Zappia v Swan Hill RC [2008] VCAT 1446 (16 July 2008)**

3 Timor Road, Robinvale

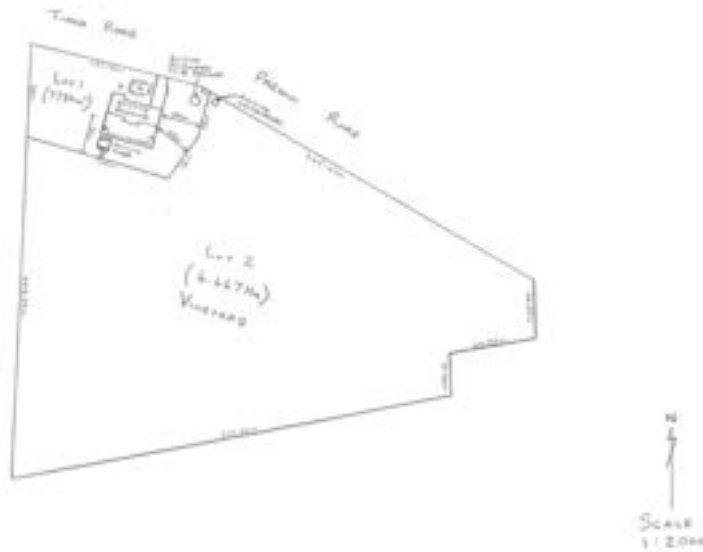
Permit applicant: Roy Costa Planning & Development

**COUNCIL DECISION UPHELD AND REFUSED BY VCAT**

This decision of Council to refuse the application was upheld by VCAT Senior Member Margaret Baird and the Order dated 16 July 2008 stated:

- a. *'The decision of the Responsible Authority in permit application no. 07/169 is affirmed. A permit is not granted and no permit is to be issued.'*

This application was similar to the current application. The proposal was for a 2 lot subdivision (dwelling excision) in the Farming Zone. The subdivision proposed a dwelling lot (proposed Lot 1) of 0.7784 hectares and a balance lot of 6.667 hectares. This decision was made by VCAT in 2008.



**3. Burns v Swan Hill RCC [2023] VCAT 1184 (25 October 2023)**  
 5 Little Murray Weir, Castle Donnington  
**Permit applicant: Roy Costa Planning & Development**  
**COUNCIL DECISION UPHELD AND REFUSED BY VCAT**

This decision of Council to refuse the application was upheld by VCAT Member Christopher Harty and the Order dated 25 October 2023 stated:

- a. 'In application P914/2023 the decision of the responsible authority is affirmed
- b. Planning permit 2021-146-2 must not be amended.'

Council originally approved a 2 lot subdivision and development of dwellings on each lot and alteration of access to a Transport Zone 2 road (Department of Transport). This was issued under delegation.

The original approved subdivision is shown below. The subdivision met the requirement of the 20 hectare minimum lot size in the Farming Zone for subdivision in an irrigated area. As the land is also in the Land Subject to Inundation Overlay (LSIO), the application was also approved for a dwelling on each lot as a permit is required only for 'development' in the LSIO. The use of a dwelling does not require a permit on a lot in the Farming Zone on a lot 20 hectares or greater.



The applicant then applied to Council to amend the application on 05 May 2023 to amend Condition 4 that reads:

4. *Prior to certification of the Plan of Subdivision, the owner/s of the lot/s must enter into an agreement with the Responsible Authority and (name of other authority or person if relevant) in accordance with Section 173 of the Planning and Environment Act 1987. The agreement must provide for:*

- a. *The lots created by the subdivision approved by Planning Permit No. 2021-146 cannot be further subdivided, by any means, to create lots below the minimum lot size of the applicable zone at the time.*

*Prior to a Statement of Compliance being issued:*

- a. *Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.*
- b. *The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement. VCAT made comment in the Order the intention of deleting condition 4 would allow an application to be made for re-subdivision and boundary realignment that could reduce one of the lots to an area less than the minimum lot size under the Farming Zone. This is a scenario Council seeks to avoid and **prevent inconsistency with the strategy under Clause 14.01-1S of avoiding subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.***

VCAT found:

38. *I find the condition reasonable and regard it as a safeguard to limit lots that will contain a dwelling from being created below the minimum lot size under the FZ as it relates to irrigated areas and the minimum 20 hectares lot size for these areas.*
39. *I am of the view that, despite Condition 4(a) acting to limit the discretion available under the FZ with respect to dwelling excisions and boundary re-alignments, it supports policy and the purposes of the FZ under the planning scheme, as it relates to irrigation areas and this locality.*
40. *I accept that the limitation of the condition on the ability to undertake future land swaps, whether to facilitate changes to farming or for the flexibility of agricultural production, is a decision that flows from the changes made to the planning scheme. It is a tangible aspiration for protecting productive agricultural land.*
41. *In addition, I note that the land has been the subject to a past house lot excision and note a strategy under Clause 14.01-1L that discourages further subdivision (by any method) of land where a dwelling has already been excised from the land. This further reinforces my view that Condition 4(a) should not be amended as sought by the applicants.*

For the reasons above, Council's decision to refuse the application to amend the permit to delete Condition 4 was upheld by VCAT and no amendment was granted.



**Recommendation**

That Planning Permit Application Number **PLN2024007** be determined pursuant to Section 65 of the *Planning and Environment Act 1987* by issuing Notice of Decision to Refuse a planning permit for **Subdivision of land (2 lots) and Change of Use to in the Farming Zone on 124 Lae Road Robinvale 3549** subject to the following grounds:

1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.
2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework for the following reasons:
  - a) There is no beneficial agricultural outcome for the land.
  - b) It will result in inappropriate fragmentation of rural land.
  - c) Does not consolidate existing isolated small lots in rural zones.
  - d) Small lot subdivision is discouraged for personal and financial circumstances.
  - e) The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.
  - f) The proposal does not protect productive agricultural land from permanent changes in land use.
  - g) The change of use of the dwelling to an 'electrical business' is an inappropriately dispersed urban activity in a rural area.
3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.
4. Clause 35.07-3 does not allow a permit to be granted for a smaller lot under 20 hectares for a use other than a dwelling.
5. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.

---

Report prepared by:



Warrick Fisher  
Planning Team Leader  
**Date:** 05 March 2024

Peer Reviewed by:



Michelle Grainger  
Director Development and Planning  
**Date:** 06 March 2024

**PROPOSED CONDITIONS: PLN2024003**

**124 LAE ROAD, ROBINVALE**

**Amended Plans**

1. Before the use starts, plans must be approved and endorsed by the Responsible Authority. The plans must:
  - a) be professionally prepared to the satisfaction of the Responsible Authority
  - b) be drawn to scale with dimensions
  - c) submitted in electronic form
  - d) show the following details:
    1. Overall site plan for the proposed electrical business on proposed Lot 1.
    2. Floorplan of all buildings on proposed Lot 1. The floorplan must indicate the use of each building and each room in all buildings.
    3. Hours of operation.
    4. Traffic and car parking plan for proposed Lot 1. All vehicles must be able to enter and exit in a forward direction.
    5. Car parking and access construction details for proposed Lot 1.
    6. Loading/unloading area to be nominated for proposed Lot 1.
    7. Waste storage and removal to be shown on the site plan for proposed Lot 1.

**Plans**

2. The layout of the subdivision and use must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.
3. The use of the land for an electrical business must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) transport of materials, goods or commodities to or from the land
  - b) appearance of any building, works or materials
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
  - d) presence of vermin

to the satisfaction of the Responsible Authority.

**Access**

4. Before the Statement of Compliance is issued under the Subdivision Act 1988, a new vehicular crossing must be constructed to proposed Lot 1 to the satisfaction of the Responsible Authority.
5. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

**Car park construction**

6. Before the use starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) constructed
  - b) properly formed to such levels that they can be used in accordance with the plans
  - c) surfaced with an all-weather material
  - d) drained
  - e) line marked to indicate each car space and all access lanes
  - f) clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

**Waste**

7. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the Responsible Authority.
8. All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the Responsible Authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the Responsible Authority.

**Services**

9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

**Easements**

10. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

**Certification of Plan**

11. The plan of subdivision submitted for Certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.



### **Statement of Compliance**

12. Before the Statement of Compliance is issued under the Subdivision Act 1988, all planning conditions and all other requirements of the Responsible Authority and the relevant referral authorities must be completed or satisfactorily provided for, to the satisfaction of the Responsible Authority and the relevant referral authorities.

### **Section 173 Agreement**

13. Before the Statement of Compliance is issued under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987. The agreement must provide for the following:

- a) No further subdivision by any means with the exception of consolidation.
- b) No dwelling is permitted on Lot 2.
- c) Lot 1 must not be used as a dwelling or for any other residential purpose.
- d) The owner of Lot 1 acknowledges and accepts the possibility of nuisance from agricultural activities on adjacent and near land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

The owner of the land must pay all of the Responsible Authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Rural Stormwater**

14. Before the Statement of Compliance is issued under the Subdivision Act 1988, the permit holder must ensure that stormwater runoff from all lots approved by this subdivision can be retained within the boundaries of the each lot to the satisfaction of the Responsible Authority.

### **Permit Expiry**

15. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
- a) The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit.
  - b) A statement of compliance is not issued within 5 years of the date of certification.

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

## 2.4 Planning Application - 10 River Road Swan Hill - Subdivision of land (2 Lots) in the Farming Zone affected by LSIO

**Directorate:** Development and Planning  
**File Number:** **PLN2023055**  
**Purpose:** For Discussion

### EXECUTIVE SUMMARY

<b>Application Number:</b>	PLN2023055
<b>Proposal:</b>	Subdivision of land (2 Lots) and earthworks in the Farming Zone affected by the Environmental Significance Overlay – Schedule 1 and the Land Subject to Inundation Overlay
<b>Applicant's Name:</b>	Roy Costa Planning & Development
<b>Address:</b>	10 River Road Swan Hill VIC 3585
<b>Land Size:</b>	3.28 ha
<b>Current Use/Development:</b>	Dwelling & Sheds
<b>Proposed Use/Development:</b>	2 Lot Subdivision and drainage retardation basin
<b>Site Features:</b>	Existing dwelling, outbuildings and a dam. Existing access from River Road
<b>Zoning:</b>	Farming Zone
<b>Overlays:</b>	Land Subject to Inundation Overlay Environmental Significance Overlay – Schedule 1 Special Controls Overlay
<b>Referral Authorities:</b>	DEECA, GMW, LMW, Engineering & Health
<b>Why is a Permit Required?</b>	Subdivision
<b>Lodgement date:</b>	13 July 2023

<p><b>Relevant SHRCC VCAT Decisions:</b></p>	<p><b>Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)</b> 124 Lae Road, Robinvale</p> <p><b>Zappia v Swan Hill RC [2008] VCAT 1446 (16 July 2008)</b> 3 Timor Road, Robinvale</p> <p><b>Burns v Swan Hill RCC [2023] VCAT 1184 (25 October 2023)</b> 5 Little Murray Weir Road, Castle Donnington</p>
--	--

**Declarations of Interest:**

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

**Recommendation/s**

**That Council:**

**Refuse to issue a planning permit for Subdivision of land (2 lots) and earthworks in the Farming Zone on land affected by the Land Subject to Inundation and the Environmental Significance Overlay on 10 River Road Swan Hill on the following grounds:**

- 1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.**
- 2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework for the following reasons:**
  - a. There is no beneficial agricultural outcome for the land.**
  - b. It will result in inappropriate fragmentation of rural land.**
  - c. Does not consolidate existing isolated small lots in rural zones.**
  - d. Small lot subdivision is discouraged for personal and financial circumstances.**
  - e. The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.**
  - f. The proposal does not protect productive agricultural land from permanent changes in land use.**



3. **The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.**
4. **The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.**
5. **The proposal is inconsistent with the objectives of Clause 13.03-1S as the proposal is likely to increase the risk to life, property and community infrastructure to flood hazard.**
6. **The proposal is inconsistent with the purpose of the Land Subject to Inundation Overlay as the proposed subdivision is not compatible with the flood hazard.**

#### **Key Points / Issues:**

The proposal is for the Subdivision of land (2 Lots) and associated drainage works in the Farming Zone affected by the Environmental Significance Overlay – Schedule 1 and the Land Subject to Inundation Overlay. The hand-drawn plan submitted with the application detailed the following:

- Lot 1 has an area of approximately 1.872 hectares. It will comprise the existing dwelling, dam and all other outbuildings (sheds) on the subject land. Access will be via the existing crossover from River Road.
- Lot 2 has an area of approximately 1.39 hectares. Is vacant land and will contain the proposed drainage retardation basin measuring 1,010m<sup>3</sup>. There is no crossover or access way proposed to any road.



The subject land is shown below.



### Repeat Application

This is the **FOURTH application** for the same proposal from the same applicant and owner. The three previous applications were refused by Council for being contrary to the Swan Hill Planning Scheme, including the Farming Zone and Land Subject to Inundation Overlay.

An applicant has appeal rights through the Victorian Civil and Administrative Tribunal (VCAT) when an application is refused by Council. The applicant has not chosen to make an appeal.

It is noted the first application had a different proposed layout but was a proposal for a 2-lot subdivision of the land. The last two applications have had the same proposed plan of subdivision.

As part of the application, the applicant provided a drainage plan for the proposed subdivision that included the construction of a drainage retardation basin with a depth of 1 metre and a volume of 1,010m<sup>3</sup> within 100m of the Murray River. In accordance with the ESO1 and LSIO, a planning permit is required for the works.

### Cultural Heritage

Part of the proposed drainage retardation basin is in an area of Aboriginal Cultural Heritage Sensitivity. The works are considered 'high impact' and the regulations do not exempt the works from the requirement of a Cultural Heritage Management Plan (CHMP) from being required for the works.

The applicant submitted that the proposal does not require a CHMP. An assessment of the CHMP requirements by the Planning Department consider a CHMP is required and Council cannot issue a planning permit unless a CHMP has been prepared and approved. In this instance the applicant has not provided an approved CHMP for the proposal and a permit cannot be granted in its current form.

Should Council resolve to issue a planning permit, it would need to be an "in-principle" approval as the application will require a CHMP to be submitted by the applicant prior to the permit being issued.

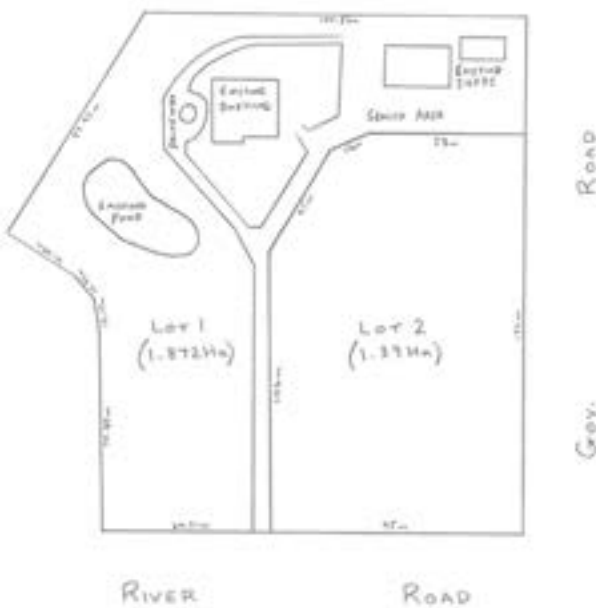






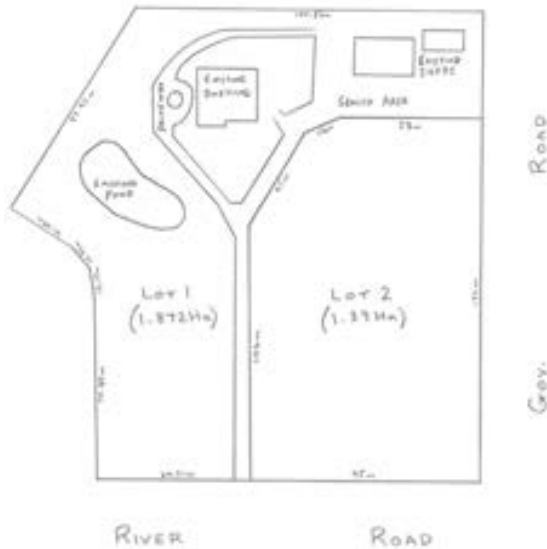
**PLN2022071 - Subdivision of land (2 lots) in the Farming Zone on land affected by the Land Subject to Inundation Overlay – Refused by Council on the 20 December 2022 on the following grounds:**

- a. Proposal is inconsistent with the State and Local Planning policies, in particular, it does not meet the requirements of the following provisions of the Swan Hill Planning Scheme:
  - ◆ Clause 13.03-1S – Floodplain management
  - ◆ Clause 13.07-1S – Land use compatibility
  - ◆ Clause 21.06-1 – Rural areas
- b. Proposal is inconsistent with the Provisions of the Farming Zone.
- c. The proposal is inconsistent with the Land Subject to Inundation Overlay



**PLN2023040 - Subdivision of land (2 lots) in the Farming Zone on land affected by the Land Subject to Inundation Overlay – Refused by Council on 1 June 2023 on the following grounds:**

- a. A determining referral authority (Goulburn Murray Water) has objected to the application. The grounds of objection are: “The proposed retardation basin cannot be located on top of title easement E-3 and E-4 for water supply and drainage in favour of Goulburn-Murray Rural Water Authority.”



**Policy Impacts:**

The proposal is contrary to the Municipal Planning Strategy (MPS) and the relevant Planning Policy Framework of the Swan Hill Planning Scheme, including:

1. Clause 02.03-4 – Natural resource management
2. Clause 13.03-1S – Floodplain management
3. Clause 14.01-1S – Protection of agricultural land
4. Clause 14.01-1L – Agriculture

Refer to Planning Department delegate report for detailed assessment of the relevant planning policy.

**Consultation:**

Advertising

The application was advertised pursuant to Section 52 of the Planning and Environment Act 1987 by:

- Sending notices to the owners and occupiers of adjoining and surrounding land.
- Sign on site

Submissions received:



Advertising of the application drew two (2) objections from an adjacent landowner and its future landowner and an objection from Lower Murray Water as an adjoining landowner. A copy of the objections are attached to this report and detailed in the Planning Department delegate report.

**Financial Implications:**

Time and associated cost to review each submission.

**Social Implications:**

The fragmentation of valuable land through the creation of lifestyle allotments has the potential to erode the social cohesiveness of farming communities.

Further fragmenting this land and creating an expectation that a dwelling could be developed on the excised lot may put at risk the development of the Water Treatment Plant that will improve liveability and development of Swan Hill.

**Economic Implications:**

The loss of valuable farming land will impact upon the agricultural production outputs of the municipality. The continued creation of rural lifestyle blocks in intensive farming areas raises property values making farming less attractive.

**Environmental Implications:**

This land is subject to inundation. Lot 2 is being created with the intent to provide a lot for a dwelling. The dwelling would need to be designed with a floor level to mitigate impacts from flooding. Associated infrastructure to support the dwelling, including driveways, sheds and outdoor living areas and the drainage retardation basin all will contribute to altering the natural flow of flood water, this may impact the zone of influence for a flood, the amenity of the locality and could have negative impacts on both public and private infrastructure.

Lifestyle allotments have different regimes for pest and invasive species control and weed management that actively farmed horticultural land. This can in turn cause negative environmental impacts on the farmed land.

**Risk Management Implications:**

The continued creation of rural lifestyle blocks in intensive farming areas raises property values making farming less attractive. Lifestyle development in farming areas creates risks for ongoing farming practices as well as unreasonable expectations of the owner of the lifestyle property.

The subdivision will encourage further development of the new lot in a floodplain, potentially putting neighbours and emergency services personnel at greater risk.

Approval of this application may put at risk the development of a water treatment plant on land adjacent to this site which will provide a greater benefit for the community rather than just 1 additional house lot.

**Conclusion:**

This is the fourth application for planning permit for a dwelling excision on the land. The previous three (3) applications were refused by Council. The applicant has not chosen to apply for an application for review with VCAT and continues to submit the same applications to Council.

The lot subject to subdivision is already a small lot in the Farming Zone being 3.26 ha in an area requiring a minimum lot size of 20 hectares. Additionally, the land is subject to inundation and may not be suitable for the use and development of a dwelling, which is the applicant's anticipated outcome.

The application has not demonstrated how the proposal is different to the previous three (3) applications, which would result in Council recommending approval of the application. The same applicant and owner has continued to submit the same application expecting a different result. There has not been any change in the Swan Hill Planning Scheme that would lead to a recommendation to approve the application.

The only difference made to this application from the previous application (PLN2023040) refused by Council is the relocation of the proposed drainage basin to an area that is not located within an easement.

Additionally, substantial consideration should be given to the objection by Lower Murray Water who own land adjacent to the site and are seeking to develop it as the Swan Hill Water Treatment Plant, substantial infrastructure to support the liveability and growth of Swan Hill.

Accordingly, the recommendation is to refuse to issue a permit in this (repeated) instance.

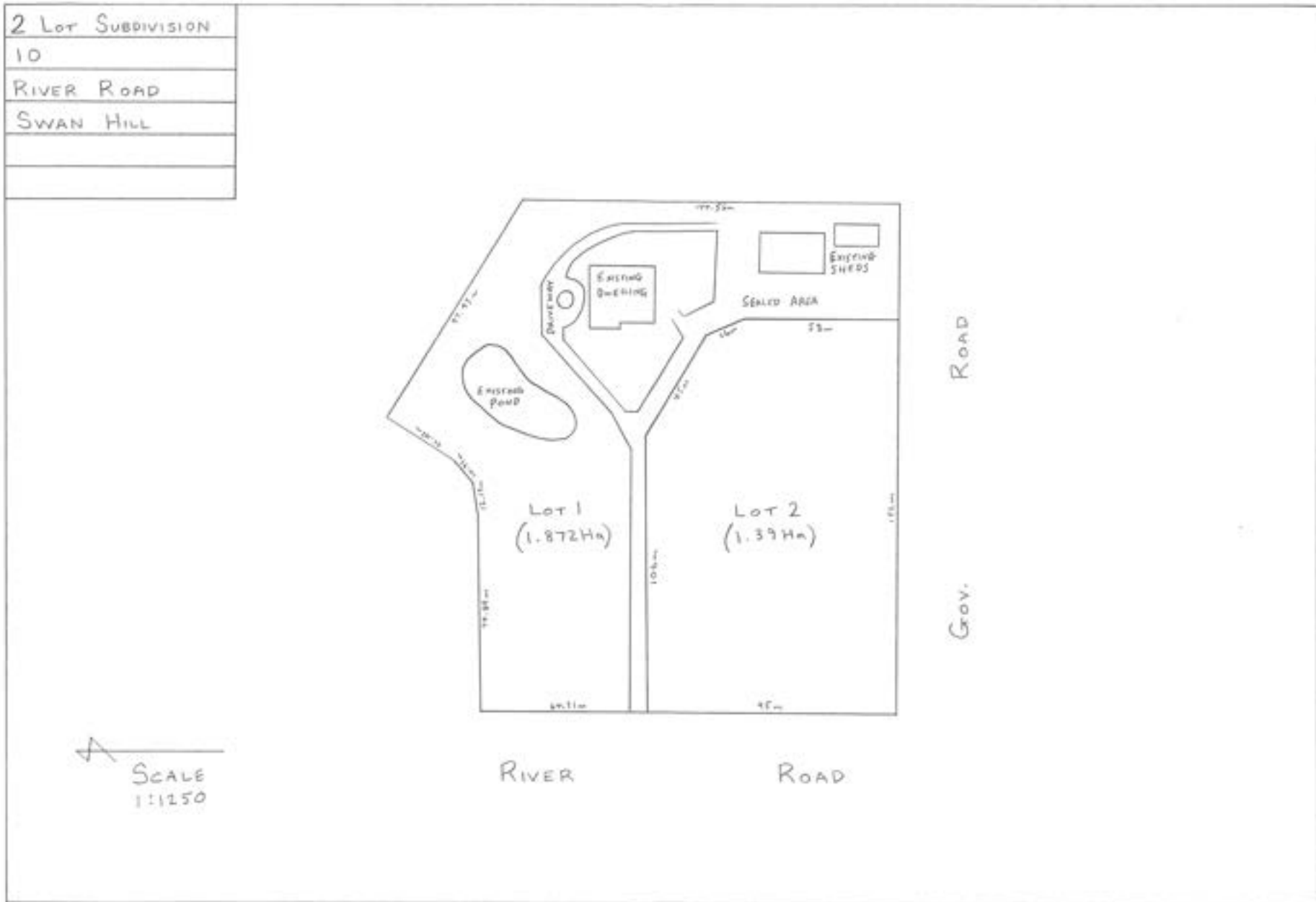
**Options: (choose applicable):**

1. Council issues a Notice of Decision to Refuse to Grant a Planning Permit
2. Council issues a Notice of Decision to Grant a Planning Permit subject to the conditions outlined in the attachment and include the requirement for an approved Cultural Heritage Management Plan to be submitted prior to the Notice of Decision being issued.

- Attachments:**
1. 10 River Road - Plan [2.4.1 - 1 page]
  2. 10 River Road - Planning Submission [2.4.2 - 6 pages]
  3. 10 River Road - Stormwater Plan [2.4.3 - 1 page]
  4. Objection-to-planning-permit [2.4.4 - 4 pages]
  5. LMW Objection as adjoining landowner [2.4.5 - 2 pages]
  6. Late - Objection redacted [2.4.6 - 2 pages]

7. DELEGATE REPORT PL N 2023055 - 10 River Road Swan Hill [**2.4.7** - 20 pages]
8. PROPOSED CONDITIONS PL N 2023055 - 10 River Road Swan Hill [**2.4.8** - 3 pages]







**ROY COSTA PLANNING & DEVELOPMENT**

164 Eighth Street Mildura  
PO Box 2925 Mildura 3502  
Phone (03) 50210031 Email: admin@roycosta.com.au

Our Ref: 21-062  
Your Ref:

26 April 2023

Planning Department  
Mildura Rural City Council  
PO Box 105  
MILDURA VIC 3502

Dear Sir/Madam,

**PLANNING APPLICATION  
2 LOT SUBDIVISION  
10 RIVER ROAD SWAN HILL**

Enclosed, please find a planning application lodged on behalf of the owner, proposing the creation of a 2 Lot Subdivision upon the above property.

From the outset it should be noted that Planning Application 2021-080 to subdivide the subject land into 2 lots was presented to the Council Meeting held 14 June 2022 and again 29 November 2022.

At the meeting of 14 June 2022 Council resolved to issue a Refusal to Grant a permit for the subdivision; and also resolved that Council work with the applicant further to achieve a more appropriate subdivision plan.

Due to the above an on-line meeting was held with Tamara Broadsmith from Council and Roy Costa from our office on 4 July 2022 to discuss options for the proposed 2 Lot Subdivision.

The attached plan of subdivision was the result of the meeting.

At the Council meeting held 29 November 2022, the concerns raised by the Councillors was stormwater drainage issues.

Due to this, stormwater drainage design was undertaken by Heil Engineering Consultants; with the drainage design forming part of this latest application.

The site is 3.262ha in area, with a dwelling and sheds existing upon the site.

This application is seeking to subdivide the land into 2 allotments, so that the dwelling and associated driveways, sheds, and rural hobby land is located upon one allotment and a vacant rural residential allotment is created for a future dwelling.

The dwelling allotment is to be 1.872ha in area, with the vacant allotment to be 1.39ha in area.

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)  
Rokar Pty. Ltd. ACN 057 497 685 Trading As Roy Costa Planning & Development



The owner is seeking to retire within the existing dwelling with associated shedding and rural hobby land and dispose of the vacant allotment no longer required as part of the owner's interest.

Two major important factors to note in respect to this proposal are the surrounding area and zonings of land.

## **SURROUNDING AREA**

A dwelling allotment with a constructed dwelling exists directly upon the property to the north of the subject site.

Directly to the south of the subject site is "normal" residential housing.

The subject site is located within 500 metres of the main commercial area of Swan Hill township and within 1 kilometre of the Swan Hill Central Business District.

All services are immediately available for the land to be developed for residential purposes; however, cannot be undertaken due to the current Farming Zone of the land; however, is suitable for the proposed subdivision associated with this application to create one additional allotment for rural residential purposes.

Given the size of the allotment and existing buildings upon the land; and location of the property; the allotment is definitely not suited for Farming Uses; and suited for Rural Residential style living.

This subdivision is not removing any valuable land out of production.

This subdivision is not removing any valuable agricultural land from production or removing land that can be joined with any surrounding property/s for the expansion of any agricultural production.

This is due to the use and buildings upon the subject land.

Therefore, the proposed subdivision is consistent with the established character of the surrounding area and will not undermine in any shape or form the important agricultural sector of the municipality.

Furthermore, in respect to Rural Living Zoned land and Low Density Residentially Zoned Land; all such land has been developed; therefore, there is no land available for rural type living purposes.

The subject land is in very close proximity to the Swan Hill township area.

An important factor to note is that stormwater drainage is to be provided for the subdivision in accordance with the Heil Engineering Consulting drainage design that will ensure the subject land is not adversely affected by any future stormwater drainage and surrounding area.

## **ZONINGS OF LAND**

The subject land is zoned Farming Zone, however developed for rural residential purposes.

To the immediate south of the subject land is General Residential Zone 1 land, which has been developed for residential purposes.

There is no residential land available in this area for new housing of any kind.



In addition, there is no land set aside for any future residential land in this area; for which there should be given that all services are available for this land to be developed for Low Density residential allotments now.

This land is located within 500 metres of the Commercial 1 Zone land of the Swan Hill township; and within 1 kilometre of the Swan Hill Central Business District; therefore, the subject land is in walking distance of the commercial area of Swan Hill.

Given the above, the proposed additional allotment upon this land should be supported as:

- the proposal is not removing agricultural land out of production,
- not affecting agricultural production in the district,
- is in keeping with the character of the area, in particular the residentially developed land immediately to the south of the subject land.

The proposed subdivision meets the provisions of the Swan Hill Planning Scheme and Farming Zone subdivision provisions as detailed below.

The intentions of the Swan Hill Planning Scheme provisions in respect to Horticulture is to ensure the continuation of valuable horticultural production land, which this subdivision will not adversely affect in any way.

The subdivision will not affect the agricultural strategic directions of the Swan Hill Planning Scheme.

## **SWAN HILL PLANNING SCHEME**

In accordance with the Swan Hill Planning Scheme, the subject land is zoned Farming Zone (FZ).

The land is also located within Land Subject to Inundation Overlay (LSIO).

The proposal complies with the Swan Hill Planning Scheme as detailed below.

### **00 PURPOSE AND VISION**

#### **02.03 STRATEGIC DIRECTIONS**

#### **02.03-4 NATURAL RESOURCE MANAGEMENT**

This proposed subdivision is seen to accord with these provisions as the subdivision:

- Will not undermine the viability of the rural sector as the land is not valuable agricultural land, is small in area, and cannot be joined to any abutting agricultural property for enlargement of an agricultural holding.
- Will not have any negative implications on agricultural production.
- Will not undermine the productive agricultural base of the Rural City.
- Will not have an adverse impact on agricultural activities.
- Will not have a negative impact on the rural economy of the region in any way.

## **PLANNING POLICY FRAMEWORK**

<b>Clause 14.01-1S</b>	<b>PROTECTION OF AGRICULTURAL LAND</b>
<b>Clause 14.01-2S</b>	<b>SUSTAINABLE AGRICULTURAL LAND USE</b>
<b>Clause 14.01-2R</b>	<b>AGRICULTURAL PRODUCTIVITY – LODDON MALLEE NORTH</b>

The proposal is seen to meet these objectives by:

- \* The intention of these provisions is to protect valuable agricultural land.
- \* This subdivision will not adversely affect any valuable agricultural land in any way.
- \* The proposed subdivision will not change the existing character of the area; and in fact, is in keeping with the established character of the area.
- \* The subdivision will not remove any productive land; or remove land that could be available for expansion of agricultural land in the area.
- \* The subdivision will not be detrimental to the rural economy of the municipality as the land is not used and would not be used for any agricultural production.
- \* Therefore, the sustainability and viability of the agricultural industry will not be adversely affected by this subdivision.
- \* The subdivision will not create permanent land use changes that will affect the horticultural production of the municipality.
- \* One of the main aims of these provisions is to avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land; and as detailed above the land is not productive land and will not be productive land into the future.

## **FARMING ZONE PROVISIONS**

### **Clause 35.07      PURPOSE**

The subdivision and dwelling meet the PPF, and MSS as stated above.

The subdivision will not affect the use of the surrounding land.

The proposed subdivision will not adversely affect the continued operation of any land within the Swan Hill District used for horticulture as surrounding properties are used for dwelling purposes and not horticulture.

The intentions of these provisions are to protect valuable agricultural land; and as stated above the proposal will not remove or diminish any valuable agricultural land in any way.

**Clause 35.07-1 TABLE OF USES**

A Planning Permit will be required for a future dwelling upon the vacant allotment to be created by this subdivision.

**Clause 35.07-2 USE OF LAND FOR A DWELLING**

Access to the site will be provided to the satisfaction of the Responsible Authority.

All necessary services are available to the proposed vacant allotment.

**Clause 35.07-3 SUBDIVISION**

A permit is required for this proposed subdivision.

This proposed subdivision meets these provisions by way of the following:

1. The subdivision is to create a lot for an existing dwelling.
2. The subdivision is a two lot subdivision.

**Clause 35.07-6 DECISION GUIDELINES**

The proposal meets the PPF, and MSS as detailed above.

No Regional Catchment Strategy applies to the land.

The subdivision will not affect the municipality's agricultural sector in any way.

The subdivision will not limit the operation of the horticultural production in the district.

There is no adverse environmental issue that would be created by this subdivision and construction of an additional dwelling.

The subdivision will not have negative impacts on services within the area; with adequate services existing for the existing dwelling and proposed vacant allotment.

No traffic management measures are required for this proposal.



## **OVERLAY PROVISIONS**

The property is located within Land Subject to Inundation Overlay (LSIO).

In accordance with these provisions a permit is required for the proposed subdivision.

## **CONCLUSION**

In summary, the proposed subdivision complies with all relevant provisions of the Swan Hill Planning Scheme, in particular the PPF and MSS.

Given all the above-mentioned, and in particular the resolution of stormwater drainage for the subdivision, we now request Council support this application as proposed.

If you have any queries in relation to the above, please contact Mr. Roy Costa from our office who will be pleased to assist.

Yours sincerely,

*Roy Costa*

ROY COSTA RPIA  
ROY COSTA PLANNING & DEVELOPMENT

**LEGEND**

- - - - - EXISTING PROPERTY BOUNDARY
- PROPOSED TITLE BOUNDARY
- MINOR AND MAJOR (20%AEP & 1%AEP) OVERLAND FLOW
- - - - - TOP OF BATTER
- - - - - TOE OF BATTER
- - - - - DIRECTION OF FLOW

**MAJOR STORM EVENT SUMMARY 1%AEP (1 IN 100YR ARI)**

AREA (TOTAL) = 3.26ha  
 RUNOFF COEFFICIENT:  $c = 0.30$

LOT 1:  
 AREA: 1.87ha  
 REQUIRED RETARDATION 1%AEP = 580m<sup>3</sup>

LOT 2:  
 AREA: 1.39 Ha  
 REQUIRED RETARDATION 1%AEP = 430m<sup>3</sup>

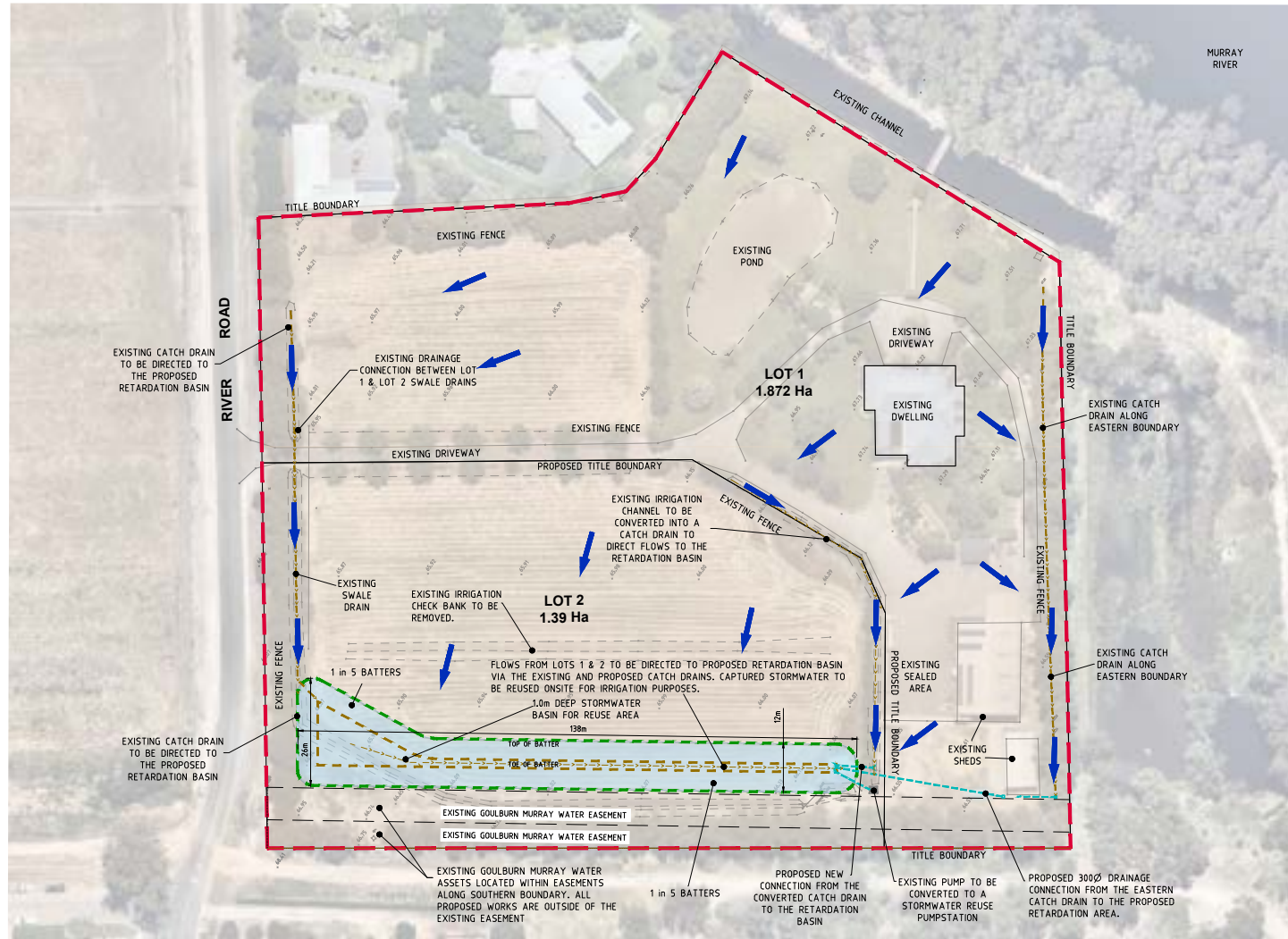
TOTAL REQUIRED BASIN CAPACITY: 1,010m<sup>3</sup>

ALL STORM WATER WILL BE CAPTURED INDIVIDUALLY ON EACH LOT, DIRECTED TO THE PROPOSED BASIN AND THEN REUSED ON SITE FOR IRRIGATION PURPOSES

RETARDATION CAPACITY LOTS 1 & 2:  
 STORMWATER RETARDATION AREA:  
 1.0m DEEP WITH 1 IN 5 BATTERS.

AREA: 1900m<sup>2</sup>  
 CAPACITY: 1170m<sup>3</sup>

PRELIMINARY



STORMWATER MANAGEMENT PLAN

SCALE: 1:500

RELEASE DETAILS			
NO.	DESCRIPTION	DATE	DOCUMENT STATUS
P2	PRELIMINARY	26.04.23	PRELIMINARY RH
P1	PRELIMINARY	04.04.23	PRELIMINARY RH
NO.	DESCRIPTION	DATE	DOCUMENT STATUS



• Urban Development • Project Management •  
 • Infrastructure Design • Construction Administration •  
 BRIAN HILL, VIC 3686 P. 03 50321919  
 OCEAN GROVE, VIC 3226 P. 03 52592250 www.heiconsult.com.au



0 5 10 20  
 Scale 1:500

**MR. D HENSON**  
**PROPOSED 2 LOT SUBDIVISION**

10 RIVER ROAD  
 SWAN HILL, VIC

**STORMWATER MANAGEMENT PLAN**

DRAWING NO. 23027\_SMWP  
 SHEET NO. 01 of 01

REVISION NO. P2  
 A11  
 CAD: 23027\_SDM01-03.dwg

The information contained in this document has been redacted as defined in the Privacy & Data Protection Act 2014 and is provided for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By entering this Internet site you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination or distribution of this information is strictly prohibited. If you have any questions, please contact Council's Privacy Officer on 5036 2333.



## 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:**

**Address:**

**Phone:**

**Email:**

### What application do you object to?

**Permit application No:** PLN2023055

**Address of proposed permit:** 10 River Road Swan Hill VIC 3585

**What is proposed:** 2 Lot Subdivision

### The Objection:

#### Reasons for your objection

I object to this application for the following reasons:

Firstly we object to having housing in such close proximity to our home. River Road is and always has been a rural area which is why we purchased our existing property 26 years ago. At that time we were assured that this area would never be subdivided that it would remain a rural environment along the river. We were also advised that as the Tyntynder Flats area was a flood zone it could not be subdivided.

When we purchased our existing property & also the acreage we later sold to [redacted], it was already on 2 titles. We were told by the purchaser that it would remain as one property. [redacted] The ground level of the proposed Title 1 & Title 2 have been altered ie soil has been removed to build up the current house pad on that property which causes extreme flooding of the paddocks. Also, the proposed dam/water storage facility will not be sufficient to contain the amount of water that builds up in the 2 paddocks at the front of this property or on the proposed Title 1 & Title 2. The proposed water storage could never contain the amount of water that builds up in those paddocks when we have large downfalls of rain unless he

45 Splatt Street SWAN HILL VIC 3585  
PO Box 488 SWAN HILL VIC 3585  
DX30166 Swan Hill  
Telephone: (03) 5036 2333 Fax: (03) 5036 2340  
Email: council@swanhill.vic.gov.au  
ABN 97435620018

remains entitled to pump water into the existing council wetlands as is the current situation.  
We would hate to be the purchaser of this subdivision and be placed in the position of having a property such as this that is constantly under water/flooded for weeks on end during a heavy rain event.



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

**Signed:**

**Date: 16/08/2023**

Important notes over page

## Important notes about objections to permit applications

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice - Application for Planning Permit.
4. An objection must:
  - (a) State the reasons for your objection, and
  - (b) State how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority received it by the date shown in the notice you were sent, or which you saw in a newspaper, or on the site.
9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 28 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.



17 August 2023

Ref: SN22/007454  
Pac: 27653

Swan Hill Rural City Council  
DX 30166  
Swan Hill Vic 3585

Dear Sir/Madam

**Planning Application PLN2023055  
2 Lot Subdivision  
10 River Road, Swan Hill**

Lower Murray Water (LMW) acknowledges receipt of the above planning permit application referred pursuant to Section 55 of the *Planning and Environment Act 1987* and your letter dated 3 August 2023.

Pursuant to Section 55 of the *Planning and Environment Act 1987*, LMW provides the following comments in relation to the application: -

Water Supply

The land is located inside the Urban Water District.

Potable water supply is connected to proposed Lot 1 and can be made available to proposed Lot 2 subject to meeting the requirements of LMW including the payment of all applicable fees and charges.

Sewerage

The land is located inside the Sewerage District.

The existing dwelling and shed on proposed Lot 1 are connected to sewerage.

Objection

Pursuant to Section 52 of the *Planning and Environment Act 1987*, LMW as an adjacent landowner advises that it objects to the granting of a permit for a 2 Lot Subdivision.

LMW owns the land at 25 River Road, Swan Hill (Reserve 1 PS 643888L). This land will be used for the future site of the Swan Hill Water Treatment Plant (WTP).

Mildura (Head Office)  
T 03 5051 3400  
741-759 Fourteenth Street  
Mildura Victoria 3500  
PO Box 1438  
Mildura Victoria 3502  
AUSDOC DX 50023

Swan Hill (Area Office)  
T 03 5036 2150  
73 Beveridge Street  
Swan Hill Victoria 3585  
PO Box 1447  
Swan Hill Victoria 3585  
AUSDOC DX 30164

Kerang (Area Office)  
T 03 5450 3960  
56 Wellington Street  
Kerang Victoria 3579  
PO Box 547  
Kerang Victoria 3579  
AUSDOC DX 57908

E [contactus@lmw.vic.gov.au](mailto:contactus@lmw.vic.gov.au)

[lmw.vic.gov.au](http://lmw.vic.gov.au)



ABN 18 475 808 826

All Emergencies  
1800 808 830



The land selected for the location of the future Swan Hill WTP was based upon many factors such as proximity to the Murray River (raw water source), the existing Goulburn Murray Water pump station, the ability to easily connect back into Swan Hill urban reticulation and also importantly, the proximity to neighbours.

Knowing that the planning scheme did not support the use and development of new dwellings within the Farming Zone in this area was a major factor in determining the site being ideal for the WTP.

Allowing a subdivision of this land for non-agricultural purposes would imply that the future use and development of a dwelling would be acceptable, contrary to the intent of the Farming Zone.

The proposed subdivision and potential for additional dwelling development, if approved, would adversely impact the future operation of the WTP.

LMW have made application to the Swan Hill Rural City Council to rezone this land to the Public Use Zone – Schedule 1 (PUZ1), to facilitate the orderly development of the WTP. This will further the objectives found within the *Swan Hill Master Plan Report 2021-2041*.

In accordance with Sections 64 to 66 of the *Planning and Environment Act 1987*, please provide a copy of Council's decision on this application in a timely manner to allow for an application for review to the VCAT if required.

Should you require further information please contact Anne O'Rourke or Stuart Mensch.

Yours faithfully



**IAN STEWART**  
**ACTING GENERAL MANAGER INFRASTRUCTURE SERVICES**



## Incident 388934

Generated on 07-03-2024 09:55:15

#	388934
Category	Planning/General Enquiries/Email
Title	Re: Subdivision of 10 River Road Swan Hill
Complaint	
Description	<p>Hi Joyline,</p> <p>I tried calling you today but you were out of the office.</p> <p>They advised to email you.</p> <p>Regarding: Planning Permit No PLN2023055 Subdivision of Land 10 River Road Swan Hill Vic 3585.</p> <p>Our Names are [REDACTED] and we have paid a deposit on [REDACTED] Swan Hill which is the neighbour of 10 River Road Swan Hill. We take over this property mid December this year. If the subdivision of 10 River Road Swan Hill goes through we will have a house right next to ours and when we looked at the property on [REDACTED] we purchased this because it was rural and no close neighbours, we bought it to have the privacy. We believe if we have a neighbour right next to us and we are now zoned as residential the value of our property will decrease in value.</p> <p>The Zoning of 10 River Road Swan Hill is zoned as a Farming Zone, not residential lots. If this is approved we believe this will open up a lot of frustration and River road will no longer be the relaxed rural lifestyle. I believe the minimum subdivision is 20ha in the farming zone?</p> <p>The land at 10 River Road Swan Hill is too low and when a rain event occurs there is always lots of water laying in paddocks and has a major drainage problem. There are plenty of residential blocks to build on in tower hill, near the aerodrome- we dont need another rural area turned into these type of blocks.</p> <p>I believe this property at 10 River Road and the property we also purchased at [REDACTED] will have a water treatment plant opposite in which if the subdivision goes through will affect the Water Treatment Plants plans for LMW, impacting on the design and distance of key infrastructure , increasing the risk or impacting on amenity.</p> <p>[REDACTED] is unsure if he can attend the meeting on Tuesday 12th March at 2.15pm at Swan Hill Town Hall, he said he will if he is about though. He is still the owner of [REDACTED] Swan Hill until December. Just wondering if he cannot attend can myself or [REDACTED] attend via Zoom link up? We live up near [REDACTED] and will be unavailable to make it in person.</p> <p>Or is there a way you can express our concerns via this letter on the day on behalf of us?</p> <p>Thanks and looking forward to your reply</p> <p>[REDACTED]</p>
Contact	
Notes	Joyline Rovere (07-03-2024 09:37:31):
Parent ID	0
Request time	06-03-2024 14:52:23
Status	Waiting for response
Records File No.	
Records Related File No.	
Urgency	Low
Priority	Normal
Due Date	[REDACTED]
Submit user	[REDACTED]
Request user	[REDACTED]
Assigned to	Joyline Rovere

Location	
Admin group	Planning
Weight	0
Escalation Level	0
Resolution	
Close time	
Activities	
Messages	<p>06-03-2024 14:52:23 [REDACTED] Re: Subdivision of 10 River Road Swan Hill Hi Joyline, I tried calling you today but you were out of the office. They advised to email you. Regarding: Planning Permit No PLN2023055 Subdivision of Land 10 River Road Swan Hill Vic 3585. Our Names are [REDACTED] and we have paid a deposit on [REDACTED] which is the neighbour of 10 River Road Swan Hill. We take over this property mid December this year. If the subdivision of 10 River Road Swan Hill goes though we will have a house right next to ours and when we looked at the property on [REDACTED] we purchased this because it was rural and no close neighbours, we bought it to have the privacy. We believe if we have a neighbour right next to us and we are now zoned as residential the value of our property will decrease in value. The Zoning of 10 River Road Swan Hill is zoned as a Farming Zone, not residential lots. If this is approved we believe this will open up a lot of frustration and River road will no longer be the relaxed rural lifestyle. I believe the minimum subdivision is 20ha in the farming zone? The land at 10 River Road Swan Hill is too low and when a rain event occurs there is always lots of water laying in paddocks and has a major drainage problem. There are plenty of residential blocks to build on in tower hill, near the aerodrome- we dont need another rural area turned into these type of blocks. I believe this property at 10 River Road and the property we also purchased at [REDACTED] will have a water treatment plant opposite in which if the subdivision goes through will affect the Water Treatment Plants plans for LMW, impacting on the design and distance of key infrastructure , increasing the risk or impacting on amenity. [REDACTED] is unsure if he can attend the meeting on Tuesday 12th March at 2.15pm at Swan Hill Town Hall, he said he will if he is about though. He is still the owner of [REDACTED] Swan Hill until December. Just wondering if he cannot attend can myself or [REDACTED] attend via Zoom link up? We live up near [REDACTED] and will be unavailable to make it in person. Or is there a way you can express our concerns via this letter on the day on behalf of us? Thanks and looking forward to your reply [REDACTED]</p>
Main CI	
History	<p>7/03/24 9:37 AM SWANHILL.VIC.GOV.AU/jrovere Incident changed Incident #388,934 status has been changed to Waiting for response</p> <p>[REDACTED]</p>
Main Asset	
Main project	
Main task	
Links to other Items	

---



# Planning Assessment Report Delegate Report

## Application Details

<b>Application Number:</b>	PLN2023055	<b>Planner:</b>	Warrick Fisher
<b>Application Description:</b>	Subdivision of land (2 Lots) and earthworks in the Farming Zone affected by the Environmental Significance Overlay – Schedule 1 and the Land Subject to Inundation Overlay		
<b>Application Received:</b>	13 July 2023		
<b>Land / Address:</b>	10 River Road, Swan Hill 3585 Lot 2 on Plan of Subdivision 405848E		
<b>PPF:</b>	Clause 13.03-1S Floodplain management Clause 14.01-1S Protection of agricultural land Clause 14.01-1L Agriculture Clause 14.01-2S Sustainable agricultural land use Clause 14.01-2R Agricultural Productivity Clause 16.01-3 S Rural Residential Development		
<b>Zoning:</b>	Farming Zone (FZ)		
<b>Overlays:</b>	Environmental Significance Overlay (ESO1) Land Subject to Inundation Overlay (LSIO) Specific Control Overlay (SCO1)		
<b>Under what clause(s) is a permit required?</b>	Clause 35.07-3 Farming Zone (FZ) – a permit is required to subdivide land. Clause 42.01-2 Environmental Significance Overlay (ESO1) – a permit is required to subdivide land. Clause 44.04-3 Land Subject to Inundation Overlay (LSIO) – a permit is required to subdivide land.		
<b>Restrictive covenants on title?</b>	Nil		
<b>Current Use &amp; Development:</b>	Dwelling and outbuildings		
<b>Is a Cultural Heritage Management Plan Required?</b>	Yes. For part of the proposed drainage retardation basin. A CHMP has not been submitted with the application.		
<b>Relevant SHRCC VCAT Decisions</b>	<ol style="list-style-type: none"> <li>1. <b>Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023)</b> 124 Lae Road, Robinvale</li> <li>2. <b>Zappia v Swan Hill RC [2008] VCAT 1446 (16 July 2008)</b> 3 Timor Road, Robinvale</li> <li>3. <b>Burns v Swan Hill RCC [2023] VCAT 1184 (25 October 2023)</b> 5 Little Murray Weir Road, Castle Donnington</li> </ol>		

**Subject Site & Locality**

Lot 2 on Plan of Subdivision 405848E is an irregular shaped allotment and measures 3.262 hectares in size.



Figure 1: Lot 2 on Plan of Subdivision 405848E

The land currently contains a dwelling and outbuildings on the eastern portion of the site and a dam to the north of the site. There is an internal driveway that provides access from River Road to the dwelling and outbuilding. There are also 2 small paddocks abutting the River Road frontage.



Figure 2: Aerial view of subject site



The subject land includes several easements throughout the property including a powerline easement running from east to west through the central area of the lot and a water supply/drainage as well as a carriageway easement along the southern boundary of the lot.

The local area is characterised by a mixture of land uses and development, including:

- A dwelling to the north
- No. 2/10 channel to the north-east
- Future site of Lower Murray Water Treatment Plant opposite the site to the west over River Road. Lower Murray Water (LMW) has purchased 25 River Road to be developed and used for the Swan Hill Water Treatment Plant. An application for a planning scheme amendment for the rezoning of this land is currently being undertaken and note LMW have objected to this proposal. This will be discussed later in this report.
- Milloo Street Wetlands to the south east
- GMW channel to the east
- Murray River beyond the channel
- Residential zoned land to the south and south-west being the Swan Hill township urban boundary.

Over the years, the Farming Zone land in the area has been proliferated by dwellings and non-agricultural uses reducing the ability for the farming land to be used for agriculture, clearly against planning policy of the Swan Hill Planning Scheme.



Figure 3: Surrounding land

**Proposal**

The proposal is for the Subdivision of land (2 Lots) and earthworks in the Farming Zone affected by the Environmental Significance Overlay – Schedule 1 and the Land Subject to Inundation Overlay. The hand-drawn plan submitted with the application detailed the following:

- Lot 1 has an area of approximately 1.872 hectares. It will comprise the existing dwelling, dam and all other outbuildings (sheds) on the subject land. Access will be via the existing crossover from River Road.
- Lot 2 has an area of approximately 1.39 hectares. Is vacant land and will contain the proposed drainage retardation basin (earthworks) measuring 1,010m<sup>3</sup> with a 1.0m depth. There is no crossover or access way proposed to any road.

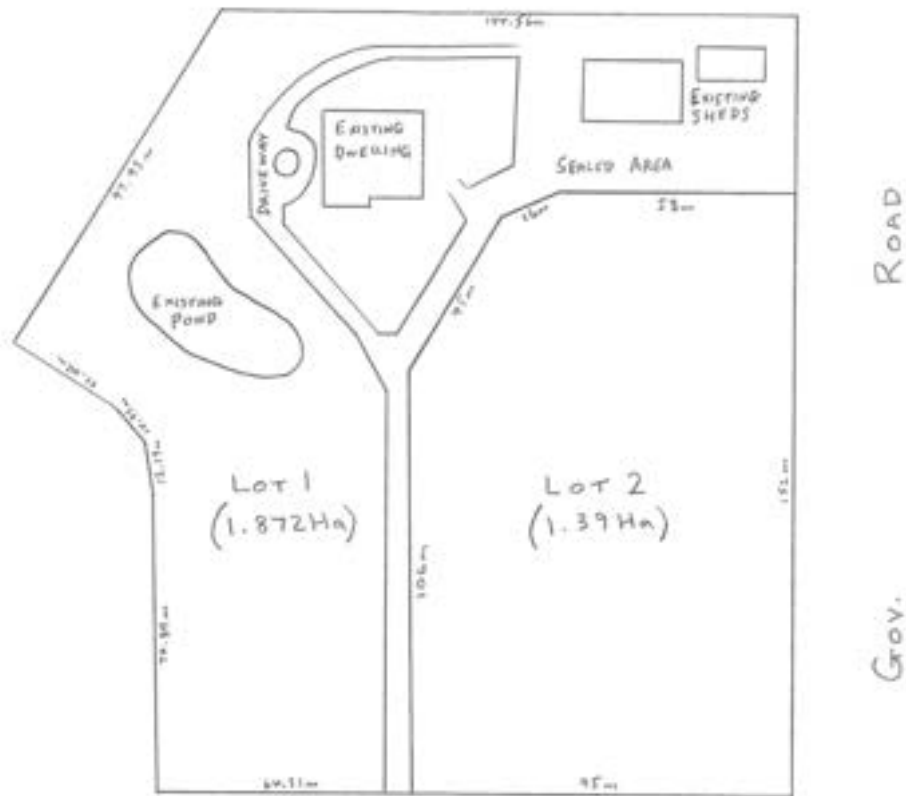


Figure 4: Proposed plan of subdivision



Figure 5: Proposed drainage retardation basin

This is the **FOURTH** application for the same proposal from the same applicant. The three previous applications were refused by Council for being contrary to the Swan Hill Planning Scheme, including the Farming Zone and Land Subject to Inundation Overlay. An applicant has appeal rights through VCAT if an application is refused, but the applicant has not chosen to pursue VCAT for any previous refusal by Council. It is noted the first application had a different proposed layout but was a proposal for a 2 lot subdivision of the land. The last two applications have had the same proposed plan of subdivision.

As part of the application, the applicant provided a drainage plan for the proposed subdivision that included the construction of a drainage retardation basin with a depth of 1 metre and a volume of 1,010m<sup>3</sup> within 100m of the Murray River. In accordance with the ESO1 and LSIO, a planning permit is required for the works.

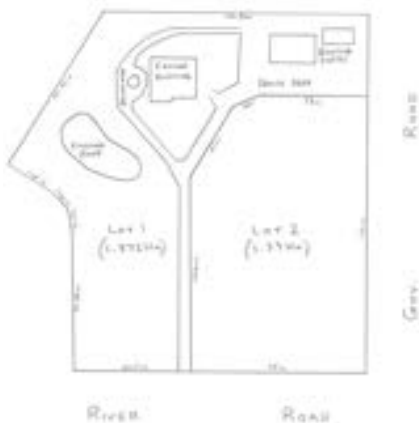
### Site History

As mentioned earlier in this report, this application is the fourth (4<sup>th</sup>) application for a 2 lot subdivision on the subject land. The four applications have been submitted since June 2021. The applications are detailed below:

1. **PLN2021-080 – Refused by Council on 21/06/2022.** Grounds for refusal were:
  - a. Proposal is inconsistent with the State and Local Planning policies, in particular it does not meet the requirements of the following provisions of the Swan Hill Planning Scheme:
    - Clause 13.03-1S – Floodplain management
    - Clause 13.07-1S – Land use compatibility
  - b. Proposal is inconsistent with the Provisions of the Farming Zone.
  - c. The proposal is inconsistent with the Land Subject to Inundation Overlay.



2. **PLN2022071 – Refused by Council on 22/12/2022.** Grounds for refusal were:
- a. The proposal is inconsistent with State and Local Planning policies, in particular, it does not meet the requirements of the following provisions of the Swan Hill Planning Scheme:
    - i. Clause 13.03-1S - Floodplain Management
    - ii. Clause 13.07-1S - Land Use Compatibility
    - iii. Clause 21.06-1 - Rural Areas
  - b. The proposal is inconsistent with the provisions of the Farming Zone.
  - c. The proposal is inconsistent with the Land Subject to Inundation Overlay.



3. **PLN2023040 – Refused by Council on 01/06/2023.** Grounds for refusal were:
- a. A determining referral authority (Goulburn Murray Water) has objected to the application. The grounds of objection are:  
 “The proposed retardation basin cannot be located on top of title easement E-3 and E-4 for water supply and drainage in favour of Goulburn-Murray Rural Water Authority.”





4. **PLN2023055 – Current application.** Recommendation to be refused as detailed in this report. This application included a drainage retardation basin due to stormwater inundation issues with the land.



#### Restrictive Covenant / Section 173 Agreement

The title provided with the application shows that the property is not encumbered by any restrictive covenant and/or Section 173 Agreement.

#### Public Notification

The application was advertised to the surrounding properties or adjoining neighbours.

As a result of the advertising of the application, there were two (2) objectors from neighbouring properties and Lower Murray Water also objected as an adjoining land owner of the future Lower Murray Water Treatment Plant opposite the site to the west over River Road. Lower Murray Water (LMW) has purchased 25 River Road to be developed and used for the Swan Hill Water Treatment Plant. An application for a planning scheme amendment for the rezoning of this land is currently being undertaken.

The objections from the neighbouring properties stated the following:

1. *'Firstly we object to having housing in such close proximity to our home. River Road is and always has been a rural area which is why we purchased our existing property 26 years ago. At that time we were assured that this area would never be subdivided that it would remain a rural environment along the river. We were also advised that as the Tyntynder Flats area was a flood zone it could not be subdivided.'*

*When we purchased our existing property & also the acreage we later sold to Darren, it was already on 2 titles. We were told by the purchaser that it would remain as one property. The ground level of the proposed Title 1 & Title 2 have been altered ie soil has been removed to build up the current house pad on that property which causes extreme flooding of the paddocks Also, the proposed dam/water storage facility will not be sufficient to contain the amount of water that builds up in the 2 paddocks at the front of this property or on the proposed Title 1 & Title 2 The proposed water storage could never contain the amount of water that builds up in those paddocks when we have large downfalls of rain unless he remains entitled to pump water into the existing council wetlands as is the current situation.*

*We would hate to be the purchaser of this subdivision and be placed in the position of having a property such as this that is constantly under water/flooded for weeks on end during a heavy rain event.'*

- 2. 'Our Names are Allen and Bree Henson and we have paid a deposit on Vincent Cutris Place at 20 River Road Swan Hill which is the neighbour of 10 River Road Swan Hill. We take over this property mid December this year. If the subdivision of 10 River Road Swan Hill goes though we will have a house right next to ours and when we looked at the property on 20 River Road we purchased this because it was rural and no close neighbours, we bought it to have the privacy. We believe if we have a neighbour right next to us and we are now zoned as residential the value of our property will decrease in value.*

*The Zoning of 10 River Road Swan Hill is zoned as a Farming Zone, not residential lots. If this is approved we believe this will open up a lot of frustration and River road will no longer be the relaxed rural lifestyle. I believe the minimum subdivision is 20ha in the farming zone?*

*The land at 10 River Road Swan Hill is too low and when a rain event occurs there is always lots of water laying in paddocks and has a major drainage problem. There are plenty of residential blocks to build on in tower hill, near the aerodrome- we dont need another rural area turned into these type of blocks.*

*I believe this property at 10 River Road and the property we also purchased at 20 River Road will have a water treatment plant opposite in which if the subdivision goes through will affect the Water Treatment Plants plans for LMW, impacting on the design and distance of key infrastructure , increasing the risk or impacting on amenity.'*

- 3. LMW owns the land at 25 River Road, Swan Hill (Reserve 1 PS 643888L). This land will be used for the future site of the Swan Hill Water Treatment Plant (WTP).*

*The land selected for the location of the future Swan Hill WTP was based upon many factors such as proximity to the Murray River (raw water source), the existing Goulburn Murray Water pump station, the ability to easily connect back into Swan Hill urban reticulation and also importantly, the proximity to neighbours.*

*Knowing that the planning scheme did not support the use and development of new dwellings within the Farming Zone in this area was a major factor in determining the site being ideal for the WTP.*

*Allowing a subdivision of this land for non-agricultural purposes would imply that the future use and development of a dwelling would be acceptable, contrary to the intent of the Farming Zone.*

*The proposed subdivision and potential for additional dwelling development, if approved, would adversely impact the future operation of the WTP.*

*LMW have made application to the Swan Hill Rural City Council to rezone this land to the Public Use Zone – Schedule 1 (PUZ1), to facilitate the orderly development of the WTP. This will further the objectives found within the Swan Hill Master Plan Report 2021-2041.*

*In accordance with Sections 64 to 66 of the Planning and Environment Act 1987, please provide a copy of Council's decision on this application in a timely manner to allow for an application for review to the VCAT if required.*

**Cultural Heritage Management Plan**

The subject land is within a Cultural Heritage Sensitivity Area. A CHMP is not required for the subdivision but a CHMP is required for part of the drainage basin that is located in an area of Aboriginal Cultural Heritage Sensitivity.



The works are considered ‘high impact’ and the regulations do not exempt the works from the requirement of a Cultural Heritage Management Plan (CHMP) from being required for the works.

The applicant submitted the proposal does not require a CHMP. An assessment of the CHMP requirements by the Planning Department consider a CHMP is required and Council cannot issue a planning permit if a CHMP is required unless a CHMP has been prepared and approved and submitted with the planning application. In this instance the applicant has not provided an approved CHMP for the proposal and a permit cannot be granted in its current form.

Should Council resolve to issue a planning permit, it would need to be an “in-principle” approval as the application will require a CHMP to be submitted by the applicant prior to the permit being issued.

**Referrals**

The application was referred to relevant internal and external agencies/departments.

The following referrals were undertaken:

Authority	Response
Department of Energy, Environment & Climate Action (DEECA)	Provide response consenting to the proposal with no conditions.
North Central Catchment Management Authority (NCCMA)	No response at time of writing this report but is expected to be received prior to 19 March 2024 Council Meeting. It is expected NCCMA will object to the proposal as per the previous refused application PLN2023040.
Lower Murray Water	Was referred to LMW under Section 52 as an authority and did not object to the proposal from an authority perspective but did object as an adjoining land owner. LMW submitted the objection on the grounds they own the adjoining property to the west at 25 River Road. This is the land of the future Swan Hill Water Treatment Plant that LMW has made application to rezone the land to the Public Use Zone – Schedule 1 to facilitate the orderly development of the treatment plant. The objection from an adjoining owner perspective is LMW want to ensure surrounding land uses and development will not adversely impact the future operation of the treatment plant. LMW stated ‘Allowing a subdivision of this land for non-agricultural purposes would imply that the future

*use and development of a dwelling would be acceptable, contrary to the intent of the Farming Zone. The proposed subdivision and potential for additional dwelling development, if approved, would adversely impact the future operation of the WTP.'*

Should Council approve the proposal, LMW have indicated they will submit an application for review with VCAT.

Goulburn Murray Water

GMW provided consent to the proposal subject to 7 conditions and 2 permit notes in relation to services and easements.

Engineering Department

Consent subject to 5 conditions relating to:

- A 1.8m high chain-mesh fence is to be installed around the entire perimeter of the proposed basin, with access for maintenance purposes being by lockable gates.
- Drainage easement to be created over the proposed retardation basin, proposed and existing catch drains, proposed underground drainages and pump station shown on lot 2.
- New Vehicular crossing for Lot 2 is to be shown in the drawing.
- Section 173 agreement must be provided that the retardation basin be safe, maintained and fit for purpose at any time.

Health Department

Consent subject to 2 conditions relating to a land capability assessment to be submitted prior to works commencing and no polluted drainage to discharge beyond the boundaries of the land.

## Municipal Planning Strategy (MPS)

### Clause 02.03 Municipal Planning Strategy – Strategic Directions

#### Clause 02-03-4 Natural resource management

This clause is based around the need to preserve and protect the valuable agricultural and horticultural land within the municipality, particularly from the impacts of additional dwellings or small lot subdivisions in farming areas. The clause also recognises that significant fragmentation has already occurred, particularly in high value irrigated areas close to the Murray River.

The clause goes on to include the following statements:

*In order to manage the natural resources in the Rural City, Council will:*

- ***Protect horticultural and dryland agriculture because it is fundamental for economic growth.***
- ***Discourage small lot subdivision in rural areas that undermines the productive agricultural base of the Rural City.***
- ***Discourage dwellings in rural areas that are not related to agriculture.***
- ***Discourage land uses in the Farming Zone that are not directly related to agriculture, or that have an adverse impact on agricultural opportunities.***
- ***Support rural industry so long as it is associated with a rural activity.***
- ***Direct rural industries to locations where the impact on agricultural land and off-site effects are minimised, and where good road access is available.***



- *Encourage the proper siting and design of intensive animal production to protect residential amenity and environmental quality.*

It is considered the proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.

#### Planning Policy Framework (PPF)

Clause 13.03-1S Floodplain management  
Clause 14.01-1S Protection of agricultural land  
Clause 14.01-1L Agriculture  
Clause 14.01-2S Sustainable agricultural land use  
Clause 14.01-2R Agricultural Productivity  
Clause 16.01-3 S Rural Residential Development

The proposal is contrary to the following clauses of the PPF:

- Clause 13.03-1S – Floodplain management
- Clause 14.01-1S – Protection of agricultural land
- Clause 14.01-1L – Agriculture

The application was referred to North Central Catchment Management Authority in accordance with Section 55 of the Act. At the time of writing this report, NCCMA had not provided a response but objected to the same proposal in PLN2023040 on the following grounds:

1. *The proposal is not consistent with the objectives of the State Planning Policy Framework (VPP) Clause 13.03-1S as the proposal is likely to increase the risk to life, property and community infrastructure to flood hazard. The policy identifies that any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority should be considered. In July 2019, North Central CMAs Board adopted the "Guidelines for Development in Flood Affected Areas". These guidelines were released by the Department of Environment, Land, Water and Planning (DELWP) in February 2019 and provide an assessment framework and method to assist decisions on development in flood affected areas. As detailed in these guidelines, development should not intensify the harmful impacts of flooding. These guidelines identify that an appropriate depth of flooding for the subdivision of land and construction of a single dwelling is between 0.3 to 0.5 metres. The estimated depth of flooding at the location of the proposed new lot in the event of a 1% AEP flood is in the order of 1.2 to 1.9 metres. This potential depth of flooding poses and unacceptable increase in risk to the life and safety of future occupants.*
2. *The proposal is not consistent with the purpose of the Land Subject to Inundation Overlay (LSIO) as the proposed development is not compatible with the flood hazard.*
3. *The proposal is not consistent with the decision guidelines in the Victorian Planning Provisions Practice Note 11 'Applying for a Planning Permit Under the Flood Provisions', in that:*
  - a. *It is likely to result in danger to the life, health and safety of the occupants due to flooding on the site.*
  - b. *It relies on low-level access to and from the site.*
  - c. *It is likely to increase the burden on emergency services and the risk to emergency personnel.*
  - d. *It is likely to increase the amount of flood damage to public or private assets.*
4. *The incremental long-term effects of such developments. While a single development may not cause a significant change, the cumulative effect of several similar developments may be substantial.*
5. *The proposal relies on protection from flood mitigation infrastructure that is not being formally managed. This is inconsistent with Victorian Government Policy identified in the Victorian Floodplain Management Strategy, 2016 which states:*

*"Policy 17c – Where there is flood mitigation infrastructure that is not being formally managed – the relevant Municipal Planning Scheme must not assume that the infrastructure will provide flood protection".*

The response from NCCMA is likely to be provided to Council prior to the Council meeting on 19 March 2024.

The proposal is contrary to Clause 14.01 (Agriculture) of the PPF for the following reasons:

1. It will result in inappropriate fragmentation of rural land.
2. Does not consolidate existing isolated small lots in rural zones.
3. Small lot subdivision is discouraged for personal and financial circumstances, and for rural lifestyle purposes.
4. The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.
5. The proposal does not protect productive agricultural land from permanent changes in land use.

The above sections of the PPF are further detailed below and note Clause 14.01-1L provides detailed policy regarding small lot subdivisions.

**Clause 14.01 – Agriculture**

**Clause 14.01-1S Protection of agricultural land**

**Objective**

*‘To protect the state’s agricultural base by preserving productive farmland’.*

**Strategies**

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
- Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.
- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- Protect productive farmland that is of strategic significance in the local or regional context.
- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- Prevent inappropriately dispersed urban activities in rural areas.
- Protect strategically important agricultural and primary production land from incompatible uses.
- Limit new housing development in rural areas by:
  - Directing housing growth into existing settlements.
  - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
  - Encouraging consolidation of existing isolated small lots in rural zones.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
  - Desirability and impacts of removing the land from primary production, given its agricultural productivity.
  - Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
  - Compatibility between the proposed or likely development and the existing use of the surrounding land.
  - The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
  - Land capability.
- Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

**Clause 14.01-1L Agriculture**

**Objective**

*‘To discourage small lot subdivision that prejudices surrounding agricultural activities’.*

**Strategies**

Strategy	Response
Discourage ‘small lot’ subdivision unless the balance lot is at least the minimum lot size specified in the zone.	<p><b>X Strategy NOT MET</b></p> <p>Lots 1 and 2 are proposed to be 1.872 hectares and 1.39 hectares respectively.</p> <p>The balance lot does not meet the 20 hectare minimum lot size.</p>
Discourage small lot subdivision to meet personal and financial circumstances.	<p><b>X Strategy NOT MET</b></p> <p>It is clear from the proposal the subdivision is to meet personal and financial circumstance given the existing and proposed size of each allotment. The purpose of the subdivision is to create a rural lifestyle allotment.</p>

	It is considered the application is for personal and financial circumstances which is discouraged by this Strategy.
<i>Prevent small lot subdivision to create lots for 'rural lifestyle' purposes.</i>	<b>X Strategy NOT MET</b> The proposal will create lots for rural lifestyle purposes.
<i>Encourage any excised lot to be of a manageable size that maintains sufficient land on the balance lot to support agricultural activity.</i>	<b>X Strategy NOT MET</b> The application was not supported by a farm management plan to demonstrate the potential viability of either allotment to be used for farming purposes and each lot does not meet the minimum lot size of the Farming Zone.
<i>Require the excision of a dwelling to be via the re-subdivision of existing lots so that the number of lots is not increased.</i>	<b>X Strategy NOT MET</b> The subdivision is not being undertaken via the re-subdivision of existing lots. The application is for a 2 lot subdivision of an existing allotment.
<i>Discourage the creation of long, narrow lots, 'axe handle' lots or island-style lots.</i>	<b>Strategy MET</b>
<i>Discourage subdivisions that will impact on significant farm infrastructure.</i>	<b>? Insufficient information provided</b> There is no information provided in the application to determine if the subdivision will impact on farm infrastructure.
<i>Discourage further subdivision (by any method) of land where a dwelling has already been excised from the land.</i>	<b>Strategy MET</b> No previous dwelling has been excised from the land according to Council records.
<i>Discourage the excision of a dwelling if it is required for the carrying out of agricultural activities on the land.</i>	<b>X Strategy NOT MET</b> The proposal will remove the potential for the dwelling to be used in association with a farming use.
<i>Ensure the excision dwelling is habitable and has existing use rights under Clause 63.</i>	<b>X Strategy NOT MET</b> The application has not demonstrated the existing dwelling has existing use rights under Clause 63.
<i>Encourage a beneficial agricultural outcome for the land.</i>	<b>X Strategy NOT MET</b> The proposal does not provide a beneficial agricultural outcome and no evidence has been provided. The application was not supported by a farm management plan that could demonstrate a beneficial outcome.  Given the limited information provided with the application, there is no factual comment that can be made to whether there is beneficial agricultural outcome as a result of the subdivision.
<i>Consolidate land in the same ownership if consolidation would facilitate the productive use of land.</i>	<b>X Strategy NOT MET</b> No consolidation is proposed and no evidence provided to determine if there is opportunity for consolidation.
<i>Whether there is a need for an agreement under Section 173 of the Act that specifies that the land may not be further subdivided (except in accordance with the minimum lot size in the zone).</i>	<b>COMMENT:</b> Should a permit be granted, it is considered a Section 173 Agreement would be required to ensure: <ul style="list-style-type: none"> <li>1. no dwelling is to be constructed on proposed Lot 2</li> <li>2. the land is not further subdivided by any means unless via consolidation.</li> <li>3. proposed Lot 1 is aware of farming practices in the surrounding area.</li> </ul>

The assessment of the strategies outlined in Clause 14.01-1L demonstrates the proposal is contrary to policy for small lot subdivision.

On balance, the proposal as submitted does not adequately justify the proposal.



## Zoning

### Clause 35.07 – Farming Zone

In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the zone is to:

- *Provide for the use of land for agriculture*
- *Encourage the retention of productive agricultural land*
- *Ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture*
- *Encourage the retention of employment and population to support rural communities*
- *Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provisions*
- *Provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Pursuant to Clause 35.07-3, a permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- **The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.**
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The Schedule to the Farming Zone stipulates the **minimum subdivision area is 20ha** of all land which is in a gazetted irrigation district or where a water use licence has been issued and applied to land for horticultural production purposes. Proposed Lot 1 is to be 1.872 hectares (with dwelling) and Lot 2 is to be 1.39 hectares.

It is acknowledged a permit may be granted to create a smaller lot in accordance with Clause 35.07-3, but the creation of the smaller lot/s must be assessed against the relevant planning policy, Municipal Planning Strategy (MPS) and decision guidelines of the Swan Hill Planning Scheme.

It is considered the proposal is contrary to not only the purpose and decision guidelines of the Farming Zone, the application fails to be supported by planning policy and the MPS as previously detailed in this report.

## Overlays

### Clause 42.01 Environmental Significance Overlay – Schedule 1 'Murray River Corridor'.

The purpose of the Environmental Significance Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

#### Statement of environmental significance

Clause 12.03-1S (River corridors, waterways, lakes and wetlands), Section 2.0 of this schedule and the NSW *Murray Regional Environment Plan No. 2 – Riverine Land* identify the Murray River as an asset of national and State significance. The Murray River, its tributaries and its environs serve a variety of environmental, economic, social, cultural, recreational and tourist functions.

In accordance with the ESO1, a planning permit is required for subdivision and the development of the drainage retardation basin.

The application was referred to DEECA and NCCMA. At the time of writing this report, DEECA had responded with consent subject to no conditions. No response from NCCMA has been received but it is noted the authority objected to the proposal in the previous applications refused by Council. It is expected the response from NCCMA will be received prior to Council's 19 March 2024 Council meeting.

Given the expectation NCCMA will object to the proposal, their objection will form part of the refusal to grant a planning permit reasons.

### Clause 44.04 – Land Subject to Inundation Overlay

In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the overlay is to:

- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

Pursuant to Clause 44.04-3, a permit is required to subdivide land development of the drainage retardation basin.

At the time of writing this report, the referral response from NCCMA had not been received. It is expected the authority will object to the proposal as per the previous applications refused by Council. It is expected the response from NCCMA will be received prior to Council's 19 March 2024 Council meeting.

Given the expectation NCCMA will object to the proposal, their objection will form part of the refusal to grant a planning permit reasons.

In planning application PLN2023040, NCCMA objected to the proposal on the following grounds:

6. *The proposal is not consistent with the objectives of the State Planning Policy Framework (VPP) Clause 13.03-1S as the proposal is likely to increase the risk to life, property and community infrastructure to flood hazard. The policy identifies that any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority should be considered. In July 2019, North Central CMAs Board adopted the "Guidelines for Development in Flood Affected Areas". These guidelines were released by the Department of Environment, Land, Water and Planning (DELWP) in February 2019 and provide an assessment framework and method to assist decisions on development in flood affected areas. As detailed in these guidelines, development should not intensify the harmful impacts of flooding. These guidelines identify that an appropriate depth of flooding for the subdivision of land and construction of a single dwelling is between 0.3 to 0.5 metres. The estimated depth of flooding at the location of the proposed new lot in the event of a 1% AEP flood is in the order of 1.2 to 1.9 metres. This potential depth of flooding poses and unacceptable increase in risk to the life and safety of future occupants.*
7. *The proposal is not consistent with the purpose of the Land Subject to Inundation Overlay (LSIO) as the proposed development is not compatible with the flood hazard.*
8. *The proposal is not consistent with the decision guidelines in the Victorian Planning Provisions Practice Note 11 'Applying for a Planning Permit Under the Flood Provisions', in that:*
  - a. *It is likely to result in danger to the life, health and safety of the occupants due to flooding on the site.*
  - b. *It relies on low-level access to and from the site.*
  - c. *It is likely to increase the burden on emergency services and the risk to emergency personnel.*
  - d. *It is likely to increase the amount of flood damage to public or private assets.*
9. *The incremental long-term effects of such developments. While a single development may not cause a significant change, the cumulative effect of several similar developments may be substantial.*
10. *The proposal relies on protection from flood mitigation infrastructure that is not being formally managed. This is inconsistent with Victorian Government Policy identified in the Victorian Floodplain Management Strategy, 2016 which states:*

*"Policy 17c – Where there is flood mitigation infrastructure that is not being formally managed – the relevant Municipal Planning Scheme must not assume that the infrastructure will provide flood protection".*

Given the position of NCCMA, it is appropriate to ensure their objection is included in the reasons for refusal.

#### **Clause 45.12 – Specific Controls Overlay**

The requirements of the overlay are not applicable as the subdivision are not being done in relation to the Goulburn Murray Water Connections Project.

This development does not impact on any of the requirements of the overlays.

#### **Particular Provisions**

There are no specific particular provisions applicable for this application.

#### **Assessment**

This is the **fourth application** for planning permit for a dwelling excision on the land. The previous three (3) applications were refused by Council. The applicant has not chosen to apply for an application for review with VCAT and continues to submit the same applications to Council.

The only difference made to this application from the previous application (PLN2023040) refused by Council is the relocation of the proposed drainage basin to an area that is not located within an easement.

The application has not demonstrated at any point how the proposal is different to the previous three (3) applications that would result in Council recommending approval of the application. The same applicant has continued to submit the same application expecting a different result. There has not been any change in the Swan Hill Planning Scheme that would enable the Planning Department to recommend approval of the application.

Accordingly the recommendation is to refuse to issue a permit in this (repeated) instance.

In addition to the above, the following information is provided.

Planning Policy places great emphasis on the importance of protecting existing agricultural land from inappropriate development. Clause 14.01-1S is particularly clear in requiring a nexus between the development of farmland and ongoing productive use of agriculture, to protect against loss of agricultural land. It is also the intent of planning policy to encourage consolidation of existing rural settlements rather than facilitating dispersed and isolated development. The associated strategies are intended to protect land for agriculture and to ensure that any proposal is limited to that which is required to improve agricultural production. One of the strategies under Clause 14.01-1S is to 'encourage consolidation of existing isolated small lots in rural zones'. The aim of this strategy is to avoid the fragmentation of farming land.

Furthermore, the purpose of the Farming Zone is to provide land for agriculture, retain productive agricultural land and ensure non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. The decision guidelines of the zone seek to implement the purposes and for the reasons which will be outlined below it is considered that the proposal fails to satisfactorily address the decision guidelines and is therefore contrary to the stated purposes of the Zone.

#### Previous VCAT Decisions

There are many VCAT decisions that support the recommendation from the Planning Department which are outlined below and there are many local Swan Hill Rural City Council VCAT decisions that are listed in the summary section of this report. The Swan Hill Rural City Council decisions have been discussed in previous planning applications presented to Council. Below are further examples of additional relevant VCAT decisions.

In *Douglas v Campaspe SC* [2014] VCAT 421, Member Sibonis made the following statement:

*"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."*

This proposal does not encourage sustainable agricultural land use as the proposal will effectively create a lot that is potential for residential use on irrigated agricultural land.

In this instance, it is also useful to have regard to the comments of Senior Member Byard in *Greg Chalmers Pty Ltd v Greater Geelong CC* [2007] VCAT 292 in relation to fragmentation of rural land as a result of subdivision:

*"Generally speaking, the more rural land is fragmented into smaller pieces the less useful and useable it is for farming purposes. It has long been recognised in rural planning, indeed for decades that fragmentation of rural land, with or without a proliferation of non-farm rural houses not required for farming purposes are a very serious threat to the continued usefulness and usability of farming land. Fiddly bits of land are less useful, particularly if of an appropriate shape and location, than larger areas. The whole trend of farming practice has been to increase areas required for farming enterprises whilst there has been continuing pressure to cut land up into smaller amounts to exploit its residential value. Good town and country planning looks for residential uses to be located in or on the edge of towns, or at least in areas planned for that purpose, rather than spread over rural zoned areas."*

The proposed subdivision in this case would serve to permanently remove land from agricultural use, limit the expansion and operation of adjoining and nearby agricultural uses and is not reasonably required to support and enhance agricultural production.

Senior Member Russell Byard in *Smith v Baw Baw SC* [2016] VCAT 611 has made following comments in relation to the proliferation of rural houses:



*“There is now, and for decades past has been, a desire by some people to capitalise on the residential value of farming land but this is to the detriment of farming purposes. It is thus that policies against the fragmentation of farming land by subdivision into small less useful or useless pieces (useless, that is to say from a farming point of view) have been formulated. Indeed, the tendency over 50 years or so has been for the areas needed for viable farming to increase rather than decrease, notwithstanding the advantages of advanced farming techniques, machinery, fertiliser and so on. I should add, that it is not a question of every piece of land being a viable farm, standing alone. Substantial pieces of land can be aggregated to be the basis of viable agricultural activities. To do that it is convenient but not always necessary for pieces of land being used to be contiguous. A piece of land, not sufficient for a viable farm in itself, is still valuable farm land that can be owned, leased or used for agistment in association with other farm land. However, fragmentation into little bits is strongly contraindicated.”*

The land subject to this application is currently used as a single property for rural/residential purposes. The existing lot sizes and proposed lot sizes are similar and there is no perceived or proposed agricultural benefit from the proposal.

In *Pincott & Ors v Baw Baw SC [2012] VCAT 1137*, member Graeme David had to consider the merits of a proposed boundary realignment in the Farming Zone of two existing lots of 35.6ha and 12.9ha to create two lots of 0.6ha and about 48h. The smaller lot was proposed to develop a future dwelling for a member of the landholder family. Member David concluded the proposal was not appropriate and refused the application.

Member David also concluded:

*“I consider that if approved the proposal is most likely to generate interest for other proposals for boundary realignment and creation of small rural lots in the Farming Zone that may not be supported by policy”.*

## Conclusion

By approving the proposed subdivision, it would likely generate increased interest for other similar applications for boundary realignment and creation of small lots in the Farming Zone that are not supported by the Swan Hill Planning Scheme. Council is, and has for a long time, had considerable pressure from applicants to support this type of subdivision and by approving this application, it would send the message Council supports applications that fail to meet the provisions of the Planning Policy Framework and the Farming Zone of the Swan Hill Planning Scheme.

For the reasons discussed above, the proposal would incrementally further fragment the agricultural landscape character; lead to a concentration or proliferation of dwellings in the area; impinge the opportunity to use this land for more productive, sustainable agriculture and eventually have an adverse impact on use of the land for agriculture.

## Recommendation

That Planning Permit Application Number **PLN2023055** be determined pursuant to Section 60(1) of the *Planning and Environment Act 1987* by issuing a Notice of Decision to Refuse to Grant a Permit for **Subdivision of land (2 Lots) and associated drainage works in the Farming Zone affected by the Environmental Significance Overlay – Schedule 1 and the Land Subject to Inundation Overlay on 10 River Road, Swan Hill 3585**, on the following grounds:

1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.
2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework for the following reasons:
  - a. There is no beneficial agricultural outcome for the land.
  - b. It will result in inappropriate fragmentation of rural land.
  - c. Does not consolidate existing isolated small lots in rural zones.
  - d. Small lot subdivision is discouraged for personal and financial circumstances.
  - e. The excision of the dwelling is not via the re-subdivision of existing lots so that the number of lots is not increased.
  - f. The proposal does not protect productive agricultural land from permanent changes in land use.

3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.
4. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.
5. The proposal is not consistent with the objectives of Clause 13.03-1S as the proposal is likely to increase the risk to life, property and community infrastructure to flood hazard.
6. The proposal is not consistent with the purpose of the Land Subject to Inundation Overlay as the proposed subdivision is not compatible with the flood hazard.

Report prepared by:



Warrick Fisher  
Planning Team Leader

**Date:** 06 March 2024

Peer Reviewed by:



Michelle Grainger  
Director Development and Planning

**Date:** 06 March 2024

**PROPOSED CONDITIONS: PLN2023055**

**10 RIVER ROAD, SWAN HILL**

**Plans**

1. The layout of the subdivision and earthworks must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.

**Services**

2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

**Easements**

3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

**Certification of Plan**

4. The plan of subdivision submitted for Certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

**Statement of Compliance**

5. Before the Statement of Compliance is issued under the Subdivision Act 1988, all planning conditions and all other requirements of the Responsible Authority and the relevant referral authorities must be completed or satisfactorily provided for, to the satisfaction of the Responsible Authority and the relevant referral authorities.

**Section 173 Agreement**

6. Before the Statement of Compliance is issued under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must provide for the following:
  - a) No further subdivision by any means with the exception of consolidation.
  - b) No dwelling is permitted on proposed Lot 2.
  - c) The owner of Lot 1 acknowledges and accepts the possibility of nuisance from agricultural activities on adjacent and near land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - d) The drainage retardation basin and all associated infrastructure on Lots 1 and 2 must not be removed and must be safe, maintained, and fit for purpose at any time in accordance with the approved drainage plan.

The owner of the land must pay all of the Responsible Authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

### **Drainage**

7. Before a Statement of Compliance for the plan of subdivision is issued under the Subdivision Act 1988, all drainage courses or outfall drainage lines required to the legal point of discharge and which pass through lands other than those within boundary of each lot approved by the subdivision shall be constructed at the cost of the applicant and the applicant shall secure adequate easements for such drainage to be constructed within. Such easements as required shall be registered at the Land Titles Office.
8. Before the plan of subdivision is certified under the Subdivision Act 1988, the flow paths of a 1% AEP storm need to be determined and the development designed such that no private property is inundated by this storm. These flow paths must be indicated on the plans and submitted to the Responsible Authority for approval. In rural areas natural flow paths across private property may be used.
9. Before the plan of subdivision is certified under the Subdivision Act 1988, a drainage plan with computations prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be in accordance with Council's Infrastructure Design Manual and include (but not limited to):
  - a) How the land will be drained.
  - b) How stormwater is to be captured and retained on site.
  - c) Details of fencing surrounding the drainage retardation basin.
10. Before a Statement of Compliance for the plan of subdivision is issued under the Subdivision Act 1988, all drainage works required by the approved drainage plan must be completed to the satisfaction of the Responsible Authority.
11. Before the plan of subdivision is certified under the Subdivision Act 1988, drainage easements must be shown on the plan of subdivision to the satisfaction of the Responsible Authority for each lot of the subdivision.

### **Access**

12. Before the Statement of Compliance is issued under the Subdivision Act 1988, a new vehicular crossing must be constructed to proposed Lot 2 to the satisfaction of the Responsible Authority.

### **Permit Expiry**

13. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
  - a) The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit.



- b) A statement of compliance is not issued within 5 years of the date of certification.

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

## 2.5 Ken Harrison Reserve Advisory Committee

**Directorate:** Development and Planning  
**File Number:** S11-20-11  
**Purpose:** For Discussion

### Council Plan Strategy Addressed

**1. Liveability** - We will be a healthy, connected, and growing community supported by a range of infrastructure and services.

#### 1.3 Building Healthy Communities

1.3.1 Encourage active healthy lifestyles for people of all ages, abilities, and interests

1.3.2 Spaces where people of all ages, abilities and backgrounds can flourish

### Current Strategic Documents

Council Plan  
10 Year Major Project Plan  
Recreation Reserves Masterplan Concepts

### Declarations of Interest

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Summary

The purpose of this report is to consider the establishment of an Advisory Committee for the Ken Harrison Recreation Reserve, Yana Street, Swan Hill for the purpose of developing an up- to-date Strategic Direction/Masterplan. If it is agreed that an Advisory Committee should be formed, it is recommended that a Councillor be nominated to Chair.

### Discussion

The Ken Harrison Recreation Reserve is located 2.5km to the southwest of the Swan Hill Central Business District. The Reserve, approximately 17.3 hectares, is surrounded by medium and low-density residential allotments including new housing development sites, two schools and a proposed secondary college.

With the continued residential development (145 hectares, equivalent to 1500 to 2000 residential lots, supporting approximately 5,000 people over the next 30 years), consideration for the future development and potential infrastructure needs of the recreation reserve is timely.

The group's users provide a strong planning reference opportunity and an opportunity to gather diverse opinions and ideas. The formation of a committee also

builds upon and feeds into the existing 10 Year Major Projects Plan allocation of \$80,000 that has been included in Year 1.



### **Ken Harrison Recreation Reserve Users**

1. Swan Hill Lawn Tennis and Croquet Club
2. Swan Hill Little Athletics Club
3. Swan Hill Scouts
4. Swan Hill Band Group
5. St Mary's Tyntynder Cricket Club
6. Swan Hill Italian Club
7. Swan Hill Soccer Association

And various casual users.

### **Ken Harrison Recreation Reserve Infrastructure**

- Pump and Switchboard Sheds (3)
- 3 x Bay Cricket Nets
- Cricket Pavilion
- Soccer Pavilion
- Tennis Pavilion and outdoor shelters
- Little Athletics Canteen/Kiosk and Shed
- Little Athletics infrastructure (Long jump pits, throw rinks/nets)
- Shade sail/structures
- Italian Social Club
- Scouts & Band Hall
- 4 x hard surface tennis courts
- Playgrounds x 2 and a stand-alone A Frame swing
- Soccer Pitches x 2 and removable soccer goals
- Tennis Courts (approximately 50 including croquet)

- Main cricket/football/sports ground includes 1 x turf cricket square & removable AFL goal posts
- Back cricket ground (former hockey fields) includes 1 x concrete cricket pitch
- Carparks x 2
- Internal roadways
- Circular sealed concourse around main oval
- Internal and external reserve fencing
- Brick public toilet block

Ken Harrison Reserve formed part of the overarching Recreation Reserve Masterplan 2018 process. The Ken Harrison Reserve Plan is reasonably comprehensive and includes a list of 27 identified projects.

The Soccer pavilion and an irrigation project have been completed with a series of other projects delivered in part. There is now a greater likelihood for the priorities to change due to the adjustment in the surrounding demographics, along with the reliance on the site to behave as a green space for these developments, warranting a review and more comprehensive assessment of how the reserve will look in the future.

### Consultation

- Tennis Australia/Tennis Victoria has shown an active interest in the development of a more significant Tennis Centre for the Reserve to compliment the high standard of grass tennis courts.
- The Lawn Tennis and Croquet Club, the Soccer Club and the Little Athletics Club have all expressed an interest in forming an Advisory Committee to oversee the future potential of the reserve.
- The Advisory Group will comprise two representatives from each Club together with the Councillor appointed to Chair. Council Officers will provide support to the Advisory Committee. Gender equity must be considered in the representative mix and a Terms of Reference will apply
- It is suggested that the Advisory Committee membership comprises of the representatives nominated in the Terms of Reference.
- Broader engagement of the community will occur as milestones are identified by the Advisory Group
- Discussions between Officers and the Business Manager at McKillop College have taken place and at this stage the school's future-use intentions of Ken Harrison Reserve will be subject to need and focused around organised events and sport carnivals. Green space has been planned as part of their development and although space for a full-size sports ground has not been accomplished, there will be sufficient green space on the school site to accommodate curriculum-based learning activities.

### Financial Implications

- \$80,000 has been allocated in Year 1 of the 10 Year Major Projects plan (2024/25) to support a Masterplan for the reserve
- \$6,600,000 has been budgeted in *Unallocated* of the 10 Year Major Projects Plan for a Tennis Centre/Multisport Pavilion.



## Social Implications

- Fair access and equity must be considered in the context of Advisory Committee Governance along with any outcomes that are generated by the Committee
- The development of the reserve adds to the liveability of our region, increasing scope for larger scale sporting events of a regional and national level.
- The current and future residential growth of the southwest precinct and the proposed development of McKillop College are further catalysts to discuss the future needs for the reserve.
- Sport and recreation are a critical part of social fabric in a regional community

## Economic Implications

- The Advisory Committee will be a voluntary body. No sitting fees will apply.
- Recommendations from the Advisory Committee and the development of a recreation reserve master plan will assist in grant funding opportunities from the State and Federal Governments for identified projects.

## Environmental Implications

Nil

## Risk Management Implications

- A lack of reasonable representation of stakeholders could result in a biased consensus
- Motives of committee members will need to be managed, the Terms of Reference must be clear and concise.

**Attachments:** Terms of Reference

## Options

1. That Council agree that an Advisory Committee for the Ken Harrison Recreation Reserve is formed.
2. That the Ken Harrison Recreation Reserve Advisory Committee be established for an initial 24 month period for the purpose of Strategic Direction and Master planning activity, meeting a minimum of eight times from May 2024 to June 2026 or on an as needs basis.
3. That Council appoint a Councillor to be the Chairperson of the Ken Harrison Recreation Reserve Committee.
4. That an Advisory Committee for Ken Harrison Recreation Reserve is not formed

## Recommendation

- 1. That the Ken Harrison Recreation Reserve Advisory Committee be established for an initial 24 month period for the purpose of Strategic Direction and Master planning activity, meeting a minimum of eight times from May 2024 to June 2026 or on an as needs basis.**
- 2. That Council appoint a Councillor to be the Chairperson of the Ken Harrison Recreation Reserve Committee.**

**KEY RECOMMENDATIONS**

1	Extend the tennis pavilion to provide for soccer. Consider unisex, female friendly and accessibility at all facilities. Consider joint use and upgrade of current amenities during the development. (e.g. kitchen upgrade).	Key Project
2	Consider methods for improving security at the Reserve through controlling vehicle access to the oval/athletics track area (Fig. Ballards).	Key Project
3	Upgrade the athletics club's facilities – larger storage area and improved lock space.	Key Project
4	Prepare a lighting plan to identify improvements to lighting at the Reserve to AS. Include an assessment of floodlighting the acrylic multi-use hard courts. Erect floodlighting over two grass tennis courts to facilitate night use for tennis and croquet.	Key Project
5	Install a variable speed jacking pump for the irrigation system.	Key Project
6	Upgrade the kitchen and improve storage capacity at the cricket pavilion.	Key Project
7	Replace the synthetic grass cover on the junior cricket oval.	Key Project
8	Assess the electrical capacity/supply to the Reserve to determine any potential issues with power supply and required upgrade works.	High
9	Develop the Yana Street playing fields to primarily service soccer in winter, as well as other sports & activities. This would entail formalising two full-sized soccer pitches with support infrastructure (coaches' boxes, lights, pavilion).	High
10	Relocation of the machinery shed (determined in consultation with user groups). Consider the area between the main courts and north of athletics pavilion.	High
11	Undertake minor surface work to the acrylic multi-use courts to achieve compliance and improve safety. Seal light tower footings with acrylic and seal the gap between the court pavement and the spoon drain with a flexible filler product.	High
12	Reconfigure the irrigation system on the soccer fields to reduce the spacing between the sprinkler heads.	Medium
13	Review opportunities throughout the Reserve to provide drinking water to support spectators, players and other Reserve users.	Medium
14	Remove the poplar trees along the northern boundary that are located one metre from the tennis courts and present potential hazard to the court surface through root growth.	Medium
15	Over time, replace the old fencing around the tennis courts with black coated chain mesh fencing.	Medium to Low
16	Prepare a landscape plan for the Reserve.	Low
17	Install ball catching nets at the soccer goal ends abutting the roadway (that are placed in situ during the soccer season).	Low
18	Locate the CFA training track and associated facilities on the access road and carpark on the east side of the soccer fields and tennis courts.	Low



19	Update the entry sign at the main entrance to include Swan Hill Scouts & Band groups.	Low
20	Construct a shared accessible trail through the Reserve to create a circuit that connects to the Yana Street path, nearby schools & adjacent residential areas. Incorporate easy level fitness equipment along the trail, seating and drinking water.	Low
21	Review opportunities throughout the Reserve to provide seating and shade to support spectators, players and other Reserve users.	Low
22	Upgrade the central public playground. Ensure access for all abilities.	Low
23	Remove the perimeter road around the senior oval when it reaches the end of its functional life. Convert the area to parkland with shade, seating & car park/s & access roads.	Low
24	Make the change areas at the Cricket pavilion suitable for female players, provide an ambulant toilet and disability access to pavilion.	Low
25	Install a structure along the Southern side of the tennis hard courts to provide shade for soccer and tennis spectators.	Low
26	Install directional signage and undertake general landscaping of the entry and car parks.	Low
27	Consider the need for synthetic multi-purpose outdoor courts (for futsal and tennis).	Low

**KEN HARRISON SPORTING COMPLEX - SWAN HILL  
REDEVELOPMENT MASTERPLAN**

\* AS - Australian Standards

# Ken Harrison Reserve Advisory Committee Terms of Reference



## Terms of Reference

### Background

The Ken Harrison Reserve - Advisory Committee is being formed by Swan Hill Rural City Council to set clear and agreed directions in relation to future development and management of the Ken Harrison Recreation Reserve, Yana Street, Swan Hill.

The role of the Advisory Committee is to ensure that potential developments, specific to the site, reflect the desires and needs of all user groups of the reserve. This committee will focus on supporting the planning and development of infrastructure activities, including the potential development of significant sporting facilities.

The committee will also act as the link between Council and their associated sporting/community groups, to ensure a transparent communication process is achieved throughout the planning, design and management phases.

### Purpose

The Advisory Committee is responsible for providing Council with direction and planning for developments at the Ken Harrison Recreation Reserve until 30 June 2026.

### Objectives/ Roles

- To assist with the strategic development and planning for the Reserve
- Contribute to, review and provide comment on existing or draft masterplans and facility designs that eventuate from planning processes
- Information sharing with user groups of the Recreation Reserve

### Membership

- The Advisory Committee will comprise of two (2) representative for each associated user group/sporting organisation.



### **Member Recreation Reserve Users**

- Swan Hill Lawn Tennis and Croquet Club
  - Swan Hill Little Athletics Club
  - Swan Hill Scouts
  - Swan Hill Band Group
  - St Mary's Tyntynder Cricket Club
  - Swan Hill Italian Club
  - Sawn Hill Soccer Association
- Members representing the Swan Hill Rural City Council including a Councillor who will act as Chair
  - Guests, including consultants may be invited to meetings from time to time
  - Any new member users of the Ken Harrison Recreation Reserve who sign a formal user agreement for use of the reserve will be eligible to join the committee
  - A maximum of one vote per represented user group
  - In the event one of the represented group members is unavailable, upon prior notification to the Chair, a proxy member may attend a meeting in their place
  - The Councillor as Chair, will vote as part of routine committee matters. Where a voting tie is formed the Chair will also have the casting vote
  - Council Officers attending the meeting do not vote
  - The Council can seek applicants for the Advisory Committee through direct approach to the user groups / sporting organisations
  - Applicants will be appointed by Council
  - Subsequent applicants will be appointed by the Advisory Committee on a needs basis or as vacancies arise
  - Gender equity governance will considered in the formation of the committee

## **Quorum**

- Quorum to be minimum of four user groups and the Chair. Council Staff do not make up the Quorum

## **Members Responsibilities**

In order to fulfil the Advisory Committee's objectives, members are expected to:

- Attend and actively participate in organised Advisory Committee meetings
- Respond to requests for feedback on issues
- Maintain confidentially

## Meeting frequency

- A minimum of four meetings across a 12 month period (including options for online)
- A meeting can only proceed when a quorum is present consisting of a minimum of
  - One Councillor representative
  - One Council employee
  - Three identified stakeholder representatives

## Management of the group

- The Advisory Steering Committee is not a decision making body and does not require voting protocols or other decision making mechanisms
- Formal advice provided by the Advisory Committee to Council will be reached by consensus
- Council Officer attending will record minutes for the group and circulate the minutes prior to the next meeting

## Conflict of Interest

In accordance with Section 79 of the Local Government Act 2020, members of the Committee are required to disclose all Conflicts of Interest.

## Review, Amendment, Modification or Variation

This Terms of Reference may be amended, varied or modified in writing after consultation and agreement by the Council and the Committee.

## 2.6 KSI - CP progress report Second quarter update (December)

**Directorate:** Corporate Services  
**File Number:** S16-28-03  
**Purpose:** For Decision

### Council Plan Strategy Addressed

**4. Leadership** - We will ensure accountable leadership, advocacy and transparent decision making.

#### 4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

### Current Strategic Documents

Council Plan

### Declarations of Interest

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Summary

The purpose of this report is to discuss and review the second quarter progress update of Council's performance against the Council Plan 2021-2025. The period reported is from 1 October 2023 to 31 December 2023.

The quarterly progress report, provided as an attachment, offers a summary of the progress against the four Council Plan areas; Liveability, Prosperity, Harmony and Leadership.

The intent of this report is to give Councillors and the community the confidence that Council is on track to meet its published commitments.

### Discussion

In accordance with Section 90 of the *Local Government Act 2020*, Council developed and adopted a four-year Council Plan on 26 October 2021.

The plan is a strategic document outlining what Swan Hill Rural City Council will do to help achieve Council's and the community's vision for the municipality.

The plan describes Council's priorities and outcomes for its four-year term and how these will be resourced.

The plan has been divided into four strategic pillars:



Liveability

We will be a healthy, connected and growing community supported by a range of infrastructure and services.



Prosperity

We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy.



Harmony

We will be a welcoming community for all, recognised for our maturity and respect for each other.



Leadership

We will ensure accountable leadership, advocacy and transparent decision making.

This report provides the Second quarter update in relation to the actions taken and progress made to achieve these goals and strategic initiatives in the 2023/24 financial year.

Regular reporting to Councillors and the community is a key principle of transparency and good governance. This report will be provided to Council on a quarterly basis and published online for the community to access.

**Council has made progress on the following:**

**1.1.1.3. Continue to implement relevant actions of the Swan Hill Riverfront Masterplan- Water Tower Lighting project is complete. Further discussions around preferred railway crossing point being held with key stakeholders. Design options being finalised on ten steps and Pental Island Bridge.**

**1.2.1.3 Develop drainage strategies for key urban areas in the municipality -** Consultants are now fine-tuning the base drainage model for both Swan Hill and Robinvale. Analysis of information obtained from the models will define issues with the existing drainage infrastructure. A preliminary report is to be prepared for Council Assembly in February 2024. Projects will be proposed, and assessed within the drainage models, to overcome issues with the existing drainage infrastructure and presented to Council Assembly for discussion. Final report with actions is expected to be completed by April/May 2024.

**1.3.2.1. Reinvigorate performance spaces across the area, including Robinvale Community Art Centre -** Theatre is now fully operational and has been used for; Children's show the Mik Maks, with 197 attending, Robinvale Secondary Awards Night and movies are now presented every month. A casual Theatre Technician is



now working at Robinvale Community Arts Centre, once a week and on call. Various Community groups are now using the arts centre on a regular basis.

**2.1.1.3 Support effective and responsive early years education opportunities in Manangatang, Woorinen South and Swan Hill – Council has appointed a contractor from Local Logic Place to assist in collating data relevant to the Kindergarten Infrastructure Service Plan. Local research conducted by Local Logic Place on behalf of Council indicates that data provided by the Department of Education is significantly under representative of our estimated population and projected demand for three and four year old kindergarten. Further meetings with representatives of the Department of Education will be scheduled to examine the data.**

**2.3.2.3. Review current assets and identify future needs - create a program to bridge the gap and identify funding requirements. - Asset management Plans (AMP) and management plans (MP) for all asset classes being progressed. Transport last updated 2022/23, new condition inspections due next financial year. Stormwater updated for 2023/2024 and has been to ELT and Council Fleet AMP Expected completion February 2024, Openspace AMP expected completion of initial draft April 2024, revaluation being brought forward to 2023/24 so this will be used for final modelling**

**3.2.2.2. Continue to assist to develop Our Place identifying an Aboriginal language name and business model – Our Place has been replaced with the development of the tourism and cultural hub at the Pioneer Settlement, since heritage overlay of Pioneer Settlement. The use of Aboriginal names and the planning for the development of Pental Island as a cultural tourism experience is well underway.**

**4.1.2.1. Implement a Project Management Framework and system - Project Management Office (PMO) has presented an information session on the Project Management Framework and Processes. Extension of this information session to the other two directorates in coming months. This approach allows for a comprehensive understanding across the organisation.**

**The following objectives were marked from In Progress to Complete & Ongoing in the second quarter:**

**1.4.1.3. Enhance artistic outreach programs in smaller towns and communities, including Fairfax Youth Initiative and ACRE programs - The Fairfax Youth Initiative presented the Fairfax Youth Festival in Swan Hill at the Town Hall from 18th September to 1st October. Approximately 100 participants came from across the Mallee Region and took part. A First Nations led youth theatre initiative 'The Marruk Project' which was born in the Mallee in 2009 was presented as part of Square Pegged performance. The first Winter Wonderland, a Christmas themed installation was presented in Mully's Place from Wednesday 13 December - Friday 22 December. Approximately 1900 attended over the ten days.**

**2.2.1.2 Continue to support existing businesses to grow through the implementation of the Better Approvals process - Business Support team is established and guides have been finalised.**

**2.3.2.1 Complete road network services review, identify and pursue funding opportunities, focusing on the agricultural sector and industry - Final study report was presented to the Council meeting held on Tuesday 21 March, 2023. The report was well received by Council and will be used for prioritising road projects for future grant applications and Council works programs.**

**3.1.1.1 Engage with LGBTIQ+ community members to improve inclusion and community awareness through leadership of the Inclusion Network - Seeking funding to support training for Council and community, in inclusion and community awareness for gendered violence and LGBTQIA+ issues.**

**4.1.3.1 Deliver projects on time, on budget and within scope - The projects completed within this quarter, Nyah West toilet block, Fish Point Road and the Tresco West Road, came under budget and as scheduled.**

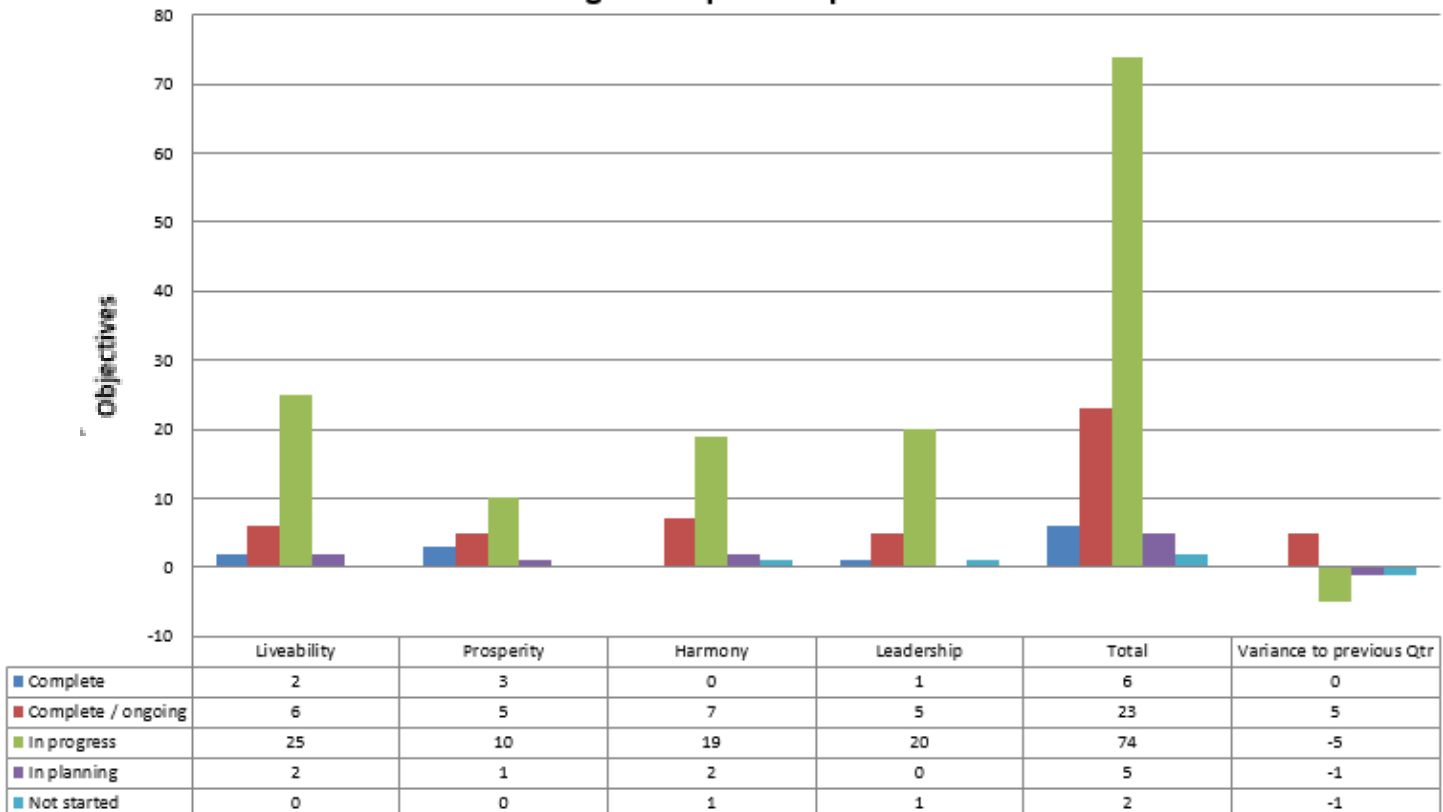
The following objectives were marked from in Planning to In Progress during the second quarter:

**3.1.3.3 Improve engagement with community based special interest groups - A welcome sign was added to the Customer Service area "Everyone is welcome here." We have also started using more multilingual resources.**

The following objectives were marked from Not Started to In Progress during second quarter:

**2.2.1.1 Develop a new planning scheme that is clear in its intention, supports growth and builds confidence and certainty in land use - Planning scheme review has commenced.**

**Progress Report Graph**



**Consultation**

Council consulted the community during the development of the Council Plan 2021-2025.

### **Financial Implications**

This report contains no financial implications, however many of the initiatives contained within the Council Plan requires Council to allocate funds in its 2023/24 budget to implement the Council Plan.

### **Social Implications**

The report is provided and made available to the community to increase awareness of the activities of Council, provide a mechanism for transparency and could increase community involvement in decision making at Council level.

### **Economic Implications**

Implementation of the actions will improve a number of economic outcomes for our community.

### **Environmental Implications**

Implementation of the actions will improve a number of environmental outcomes for our community.

### **Risk Management Implications**

Council is required to be compliant with the Local Government Act 2020 in regard to the Council Plan and annual reporting. This quarterly report supports that compliance.

**Attachments:** 1. Council- Plan- Progress- Report December 2023 [2.6.1 - 27 pages]

### **Options**

1. That Council adopt the Second quarter Council Plan - Progress Report 2023/24 with no amendments.
2. That Council adopt the Second quarter Council Plan - Progress Report 2023/24 to the March with amendments.

### **Recommendation/s**

**That Council adopt the Second quarter Council Plan - Progress Report 2023/24 with no amendments.**

# COUNCIL PLAN

## PROGRESS REPORT – December 2023





# CONTENTS

Introduction	2
Overall results snapshot	3
Strategic Pillars	6
Liveability	7
Prosperity	14
Harmony	18
Leadership	22

# INTRODUCTION

## What is the Council Plan?

The Council Plan is a strategic document outlining what the Swan Hill Rural City Council (Council) will do to achieve Council's and the community's vision for the municipality. The 2021-2025 plan describes Council's Strategic Initiatives for its four-year term.

The Council Plan is an important document that drives everything the Swan Hill Rural City Council does over a four- year period. It sets the vision, priorities and outcomes for Council's term and lists how progress will be measured. The plan guides Council's annual budget, which determines the projects, services, events and other initiatives that will be funded and delivered in the next financial year.

Council is held accountable for its progress on the Council Plan's outcomes through quarterly progress reports, and annually in the Swan Hill Rural City Council's Annual Report.

## How we will track and measure our progress

Each of the Council Plan Initiatives has a number of actions that will track Council's progress. Council will report on its progress in completing the four-year priorities quarterly with updated progress commentary.

All actions will be marked with the following symbols to represent their current status:



Complete - the action has been completed.



Complete/ongoing - actions that span over a number of years that cannot be marked as completed until later years.



In progress - these actions are past the planning phase, and are in progress towards completion.



In planning - actions that are not complete or in progress but actions have been taken are marked as in planning stage.

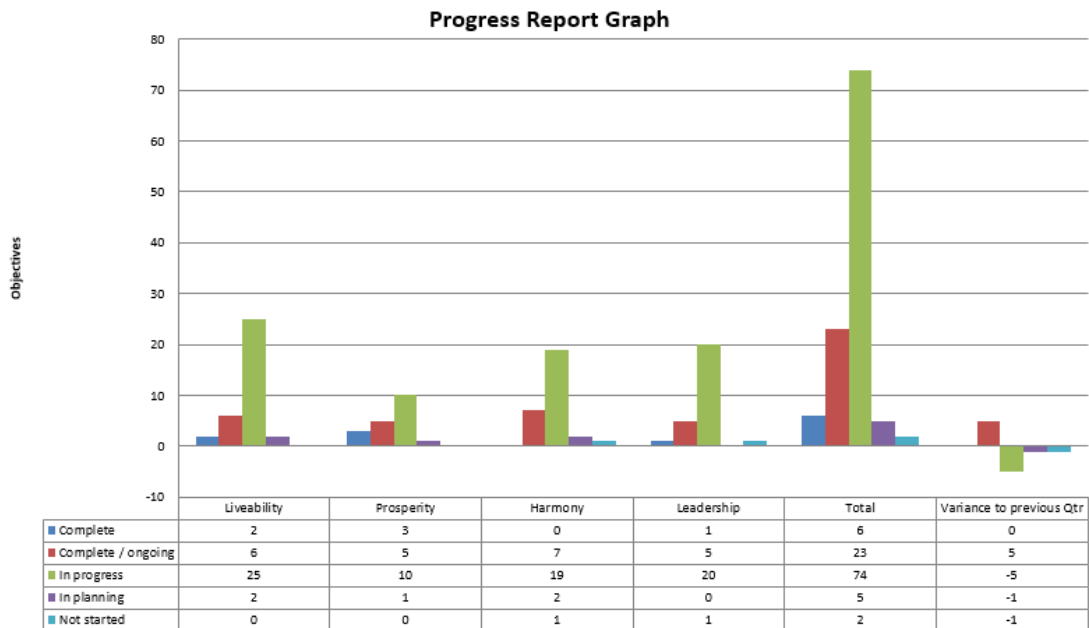


Not started - actions that have not been commenced at the time of reporting.

# OVERALL RESULTS SNAPSHOT

The Council Plan 2021-25 includes 29 initiatives and 110 actions through which the achievement of the Council Plan may be measured over its four-year term.

Each action has a nominated responsible officer who is a member of the Leadership Team, reflecting the importance placed on achieving targets. As some objectives/actions span over a number of years they cannot be marked as completed until later years.



Council has made progress on the following:

**1.1.1.2. Continue to implement relevant actions of the Swan Hill Riverfront**

**Masterplan-** Water Tower Lighting project is complete. Further discussions around preferred railway crossing point being held with key stakeholders. Design options being finalised on ten steps and Pental Island Bridge.

**1.2.1.3 Develop drainage strategies for key urban areas in the municipality -**

Consultants are now fine-tuning the base drainage model for both Swan Hill and Robinvale. Analysis of information obtained from the models will define issues with the existing drainage infrastructure. A preliminary report is to be prepared for Council Assembly in February 2024. Projects will be proposed, and assessed within the drainage models, to overcome issues with the existing drainage infrastructure and presented to Council Assembly for discussion. Final report with actions is expected to be completed by April/May 2024.

**1.3.2.1. Reinvigorate performance spaces across the area, including Robinvale**

**Community Art Centre -** Theatre is now fully operational and has been used for; Children's show the Mik Maks, with 197 attending, Robinvale Secondary Awards Night and movies are now presented every month. A casual Theatre Technician is now working at Robinvale Community Arts Centre, once a week and on call. Various Community groups are now using the arts centre on a regular basis.

**2.1.1.3 Support effective and responsive early years education opportunities in**

**Manangatang, Woorinen South and Swan Hill –** Council has appointed a contractor from Local Logic Place to assist in collating data relevant to the Kindergarten Infrastructure Service Plan. Local research conducted by Local Logic Place on behalf of Council indicates that data provided by the Department of Education is significantly under representative of our estimated population and projected demand for three and four year old kindergarten. Further meetings with representatives of the Department of Education will be scheduled to examine the data.

**2.3.2.3. Review current assets and identify future needs - create a program to bridge the gap and identify funding requirements. -**

Asset management Plans (AMP) and management plans (MP) for all asset classes being progressed. Transport last updated 2022/23, new condition inspections due next financial year. Stormwater updated for 2023/2024 and has been to ELT and Council Fleet AMP Expected completion February 2024, Openspace AMP expected completion of initial draft April 2024, revaluation being brought forward to 2023/24 so this will be used for final modelling

**3.2.2.2. Continue to assist to develop Our Place identifying an Aboriginal language**

**name and business model –** Our Place has been replaced with the development of the tourism and cultural hub at the Pioneer Settlement, since heritage overlay of Pioneer Settlement. The use of Aboriginal names and the planning for the development of Pental Island as a cultural tourism experience is well underway.

**4.1.2.1. Implement a Project Management Framework and system -**

Project Management Office (PMO) has presented an information session on the Project Management Framework and Processes. Extension of this information session to the other two directorates in coming months. This approach allows for a comprehensive understanding across the organisation.



The following objectives were marked from In Progress to Complete & Ongoing in the second quarter:

- 1.4.1.3. Enhance artistic outreach programs in smaller towns and communities, including Fairfax Youth Initiative and ACRE programs** - The Fairfax Youth Initiative presented the Fairfax Youth Festival in Swan Hill at the Town Hall from 18th September to 1st October. Approximately 100 participants came from across the Mallee Region and took part. A First Nations led youth theatre initiative 'The Marruk Project' which was born in the Mallee in 2009 was presented as part of Square Pegged performance. The first Winter Wonderland, a Christmas themed installation was presented in Mully's Place from Wednesday 13 December - Friday 22 December. Approximately 1900 attended over the ten days.
- 2.2.1.2 Continue to support existing businesses to grow through the implementation of the Better Approvals process** - Business Support team is established and guides have been finalised.
- 2.3.2.1 Complete road network services review, identify and pursue funding opportunities, focusing on the agricultural sector and industry** - Final study report was presented to the Council meeting held on Tuesday 21 March, 2023. The report was well received by Council and will be used for prioritising road projects for future grant applications and Council works programs.
- 3.1.1.1 Engage with LGBTIQ+ community members to improve inclusion and community awareness through leadership of the Inclusion Network** - Seeking funding to support training for Council and community, in inclusion and community awareness for gendered violence and LGBTQIA+ issues.
- 4.1.3.1 Deliver projects on time, on budget and within scope** - The projects completed within this quarter (Nyah West toilet block, Fish Point Road and the Tresco West Road) came under budget and were completed as scheduled.

The following objectives were marked from in Planning to In Progress during the second quarter:

- 3.1.3.3. Improve engagement with community based special interest groups** - A welcome sign was added to the Customer Service area "Everyone is welcome here." We have also started using more multilingual resources.

The following objectives were marked from Not Started to In Progress during second quarter:

- 2.2.1.1 Develop a new planning scheme that is clear in its intention, supports growth and builds confidence and certainty in land use** - Planning scheme review has commenced.

# STRATEGIC PILLARS

The Community Vision is supported by four themed pillars – which form the key directions and focus of this Council Plan.

Our vision for the municipality anchors and connects these pillars to deliver real outcomes for the community.



**Liveability**

**We will be a healthy, connected and growing community supported by a range of infrastructure and services.**



**Prosperity**

**We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy.**



**Harmony**

**We will be a welcoming community for all, recognised for our maturity and respect for each other.**



**Leadership**









**We will ensure accountable leadership, advocacy and transparent decision making.**



Liveability






**1. We will be a healthy, connected and growing community supported by a range of infrastructure and services**




1.1. A modern municipality: Vibrant, connected and resilient				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
1.1.1. Attractive urban areas and regional townships	1.1.1.1. Finalise and implement rural living / rural residential strategy	2022/23	In Progress 	Project is underway, completion date of January 2024 is tracking well.
	1.1.1.2. Complete stage 1 of Vibrant Villages project	2021/22	Complete 	Vibrant Villages stage 1 project completed (re:\$500,000 RDV funding) Nyah, Nyah West, Lake Boga and Woorinen.
	1.1.1.3. Continue to implement relevant actions of the Swan Hill Riverfront Masterplan.	2021-2025	In Progress 	Water Tower Lighting project is complete. Further discussions around preferred railway crossing point being held with key stakeholders. Design options being finalised on Ten Steps and Pental Island bridge.
	1.1.1.4. Complete and implement the Robinvale Riverfront Masterplan	2021-2025	In Progress 	Awaiting funding application outcome for Centenary Park playground and Riverfront Terrace expected in April 2024. Skate park project completed.
	1.1.1.5. Develop Nyah Riverfront Masterplan	2021/22	In Progress 	Plan adopted by Council and first stage works costed. Approval to commence works given by the PAC at its December 2023 meeting. Works to commence early 2024.
	1.1.1.6. Develop Boundary Bend Riverfront Masterplan (Pending funding)	2022-2025	In Planning 	Deferred to the 24/25 budget process.
	1.1.1.7. Develop a Small Town Strategy	2022/23	In progress 	Report discussed with Councillors at 12 December 2023 Assembly, with adoption to follow early in 2024.
1.1.2. Ensure adequate provision of a variety of safe and secure housing	1.1.2.1. Explore the development or sale of Council and other government land in urban areas	2022/23	In Progress 	Council continues to review land ownership with a view for development or sale. For example Feldtmann Lane, Swan Hill, Herbert St, Robinvale and development of land in Ronald Street, Robinvale for housing.
	1.1.2.2. Develop and build houses on Council owned property	2021-2025	In Progress 	Ronald St Project stage 2 construction due to commence March 2024.






	1.1.2.3. Continue to Implement the Robinvale housing strategy	2021-2025	In Progress 	Housing summit was successfully held in November. Options for improving housing availability in Robinvale are being developed. The construction of four additional dwellings in Ronald Street Robinvale are being planned.
	1.1.2.4. Continue development of Tower Hill stages	2021-2025	In Progress 	Stage 14 construction completed; 10 lots have sold, 2 reserved for a future project, 6 currently under offer with the remaining 7 lots for on the market for sale. Stage 15 construction commenced and will be available for sale at the end of 2023.
	1.1.2.5. Assist South West Development Precinct developers	2021-2025	In Progress 	This is ongoing as developers require assistance.
1.1.3. Excellent transport links to allow ease of movement	1.1.3.1. Advocate for a review of the Swan Hill Town Bus route	2022/23	In Progress 	On-going process. This action item will also be an item for consideration/discussion within the proposed Integrated Transport & Land Use Strategy to be initiated this financial year.
	1.1.3.2. Advocate for the completion of the Murray Basin Rail Project	2021-2025	In Progress 	Council continues to support the Rail Freight Alliance and its work in advocating for the completion of the Murray Basin Rail Project. Council has previously signed a petition seeking additional State government funding and has acknowledged the Federal Government's contribution of a further \$200m for the completion of the project.
	1.1.3.3. Advocate for the continual improvement of the Murray Valley Highway and upgrade of the Robinvale Sea Lake Road	2021-2025	In Progress 	Council has continued to advocate for improvements to the Robinvale Sea Lake Road and the Murray Valley Highway on behalf of our community. The Department of Transport and Planning have advised that sections of the Robinvale Sea Lake Road between Manangatang and Cocamba, and Robinvale to Manangatang will be worked on this financial year. Similarly, sections of the Murray Valley Highway, albeit in neighbouring shire boundaries will also be improved. This information is available on the departments website and Council has also provided direct links to this information from the Council site. A further \$14 Million is committed to works on these roads this financial year as part of flood recovery repairs. Council will continue to advocate in this space at every opportunity to achieve positive road improvements.
	1.1.3.4. Actively participate in the Central Murray Regional Transport Forum	2021-2025	Complete and Ongoing 	The Central Murray Regional Transport Forum met again on the 28 October 2023. Presentations from DTP, RDV and NHVR regarding various freight issues. Strategic review confirmed for the engagement of a consultant. Next meeting 29 February 2024.
	1.1.3.5. Implement relevant actions from the CMRT strategy	2021-2025	Complete and Ongoing 	Review of the strategic plan is being advertised for the purposes of engaging a consultant on behalf of the forum. Next meeting 29 February 2024.





**1.2. Careful and responsible management of our Environment for a sustainable future**




STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
1.2.1. Engage, empower and mobilise communities to prepare for, adapt to and mitigate the effects of a changing climate	1.2.1.1. Support initiatives that align with policy such as the Circular Economy and provide tangible outcomes for the community, for example: ↑ cleaner air for all, quality and smell ↓ litter, roadside dumping, co-mingling waste	2021-2025	In Progress 	Grant fund Regional Vic (RV) Household Education and Behaviour Change Fund - Round 2 was successful (\$60,918 Ex GST). The main focus and goal of the project is to educate and help residents to quickly adapt to and correctly use new household recycling and waste services. Council has been advised of success in two more grant fund applications: Stage 2 of Compost Facility Infrastructure \$961,400 and Transfer Station Upgrade Fund Rd 2 \$296,350. Grant application is being prepared for the purchase of a high compression mobile plastic baler through the SV Circular Economy Councils Fund Rd 3 program. Following great success with the Ag Plastic recovery trial at Swan Hill landfill late last year, a huge opportunity exists within the Loddon/Mallee region for such a facility. Grant fund is based on a 5 to 1 co-contribution arrangement. Further grant applications will be submitted when opportunities arise. No advice received as yet on SV Circular Economy Councils Fund Rd 3 application.
	1.2.1.2. Prepare an advocacy document for renewable energy resources in the municipality	2022/23	In Progress 	Work continues on the Advocacy Document.
	1.2.1.3. Develop drainage strategies for key urban areas in the municipality	2023/24	In Progress 	Consultants are now fine-tuning the base drainage model for Swan Hill and Robinvale. Analysis of information obtained from the models will define issues with the existing drainage infrastructure. A preliminary report is to be prepared for Council Assembly in February 2024. Projects will be proposed, and assessed within the drainage models, to overcome issues with the existing drainage infrastructure and presented to Council Assembly for discussion. Final report with actions is expected to be completed by April/May 2024.
	1.2.1.4. Implement effective diversion and reuse of waste resources	2022/23	In Progress 	The shed for Mattress Recycling Facility has been ordered and will be constructed at the Swan Hill Waste Facility. Quotes have been received for solar power installation and earthworks will be undertaken within the next couple of months for the concrete slab.
	1.2.1.5. Develop irrigation strategies for key urban areas in the municipality	2022/23	In Progress 	Riverside Park irrigation upgrade 3 month maintenance period has concluded and there is 9 months left on the defects liability period. The system is holding pressure (despite initial concerns with suction capacity) and operating in a satisfactory manner. McCallum St shared path garden bed irrigation has been installed, trees are semi established with a reduction of manual watering in progress (high rainfall to date

				has meant minimal manual watering needed). Nyah Recreation Reserve is on Vendor Panel and awaiting response. A RFQ 'Scope & Design' will be sought for the SH Rec. Res. irrigation upgrade, to mitigate reliance on aging LMW pumps under a current agreement that will expire soon.
1.2.2. Accessible open spaces and healthy rivers and lakes	1.2.2.1. Improve the presentation of the Lake Boga foreshore and its environs in collaboration with the community	2021-2025	In Progress 	Lake Boga Southern Precinct Beautification, Planning & Services applications have been lodged. Underground bore for power access completed. Contractor has received bollards and cables, awaiting shed design.
	1.2.2.2. Prepare a Murray River and lakes access strategy for the municipality incorporating - camping / walking and bike tracks	2024/25	In Progress 	Undertaking this project as part of a joint Murray Rivers Tourism project. Brief for project has been released for tender
	1.2.2.3 Plan and construct open space development of the decommissioned Number 9 Channel	2024/25	Complete and ongoing 	The McCallum street section for the decommissioned Number 9 Channel has been completed; future projects are being considered for other locations within the balance of the decommissioned channel; an investigation is underway to determine land ownership and access rights to various titles forming the decommissioned Number 9 channel.

1.3. Building Healthy Communities				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
1.3.1. Encourage active and healthy lifestyles for people of all ages, abilities and interests	1.3.1.1. Continue to implement master plans for all recreation facilities	2021-2025	In Progress 	No further action on Nyah change room with funding required still required to meet scoping works brief. Will need to be reviewed in early 2024 as to how best to proceed. Swan Hill Sporting Hub designs yet to be finalised.
	1.3.1.2. Develop detailed plans for the Lake Boga - Swan Hill trail	2022/23	In Planning 	<ul style="list-style-type: none"> <li>• Estimated costings and two alignment variations associated with different road, road reserve and rail networks</li> <li>• Confirmation from GMW that the slipway land below the rail crossover near Long Lake Road and Murray Valley Highway has no license or lease with GMW.</li> <li>• Confirmation from North Central Catchment Management Authority that the former slipway is not classed as a designated waterway the land is not subject to lease or license.</li> <li>• Request to VicTrack to arrange a license for the land below the cross over. The outcome is contingent on V/Line engineering safety approvals which are yet to be completed by V/Line.</li> </ul>
	1.3.1.3. Support initiatives leading to better outcomes for children and families	2021-2025	In Progress 	The Swan Hill Pregnancy and Early Years Expo and the Robinvale /Euston Pregnancy and Early Years Expo were both highly successful events in their respective communities. Ideally these events will be held annually or biannually into the future.
	1.3.1.4. Partner with agencies to address preventable illnesses and active lifestyles	2021-2025	In Progress 	Council services continue to partner with other agencies and networks on health and wellbeing initiatives benefitting all age cohorts, from early years to youth and elderly. These partner organisations include Swan Hill District Health, Mallee Family Care, Robinvale District Health, Robinvale Our Place, headspace, Murray Valley Aboriginal Cooperative. The Swan Hill STI Test Vending Machine was launched at Outthink on December 12, 2023. This initiative is led by the Centre for Excellence in Rural Sexual Health in partnership with Council to trial a STI Test vending machine in Swan Hill.
1.3.2. Spaces where people of all ages, abilities and backgrounds can flourish	1.3.2.1. Reinvigorate performance spaces across the area, including Robinvale Community Art Centre	2022/23	Complete and ongoing 	Theatre is now fully operational and has been used for; Children's show the Mik Maks, with 197 attending. Robinvale Secondary Awards Night and movies are now presented every month. A casual Theatre Technician is now working at Robinvale Community Arts Centre, once a week and on call. Various Community groups are now using the arts centre on a regular basis.

	1.3.2.2. Incorporate child and family-friendly principles into development of outdoor spaces	2022/23	In Progress 	A Child Safe Standard One Self Audit tool was developed and distributed to members of the Leadership Team in April/May 2023. Results of the tool indicate that some Council service areas are committed and taking meaningful action to progress compliance with Standard One.
	1.3.2.3. Review and implement the public art policy	2021/22	Complete 	Public Art Policy formally adopted by Council 15 March 2022.











1.4. Foster Creative and Cultural opportunities				
TRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
1.4.1. Promote and celebrate the creative and cultural pursuits within the region	1.4.1.1 Deliver creative industries projects across the region	2022/23	In Progress 	Artist in Residency projects, The ACRE Project, delivered in Nyah/Nyah West, Lake Boga, Moulamein and Bunaloo. Planning for Manangatang and Balranald Shire Council events.
	1.4.1.2. Support local creatives in developing their businesses (Arts Action)	2022/23	Complete and Ongoing 	Exhibitions of three local creatives being organised for delivery in February 2024 to see out the gallery program before redevelopment.
	1.4.1.3. Enhance artistic outreach programs in smaller towns and communities, including Fairfax Youth Initiative and ACRE programs	2022/23	Complete and Ongoing 	The Fairfax Youth Initiative presented the Fairfax Youth Festival in Swan Hill at the Town Hall from 18th September to 1st of October. Approximately 100 participants came from across the Mallee Region and took part. A First Nations-led youth theatre initiative 'The Marruk Project' which was born in the Mallee in 2009 was presented as part Square Pegged performance. The first Winter Wonderland, a Christmas themed installation was presented in Mully's Place from Wednesday 13 December - Friday 22 December. Approximately 1900 attended over the ten days.









**2. We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy**

2.1. Effective partnerships for prosperity				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
2.1.1. Support diverse educational opportunities that fosters life-long learning	2.1.1.1. Establish an effective relationship with the education sector through regular engagement	2022/23	In Progress 	Regular meeting with SuniTAFE to consider shared opportunities. April 22 - Attended the funding announcement for the purchase of electric and Hybrid Vehicles. Recent meeting and Tour at SuniTAFE Swan Hill.
	2.1.1.2. Advocate for the establishment of an education hub in Swan Hill	2023/24	In Progress 	Country University Centre Mallee's capital works have been completed. A centre manager has been appointed. CUC Mallee will commence taking students this semester.
	2.1.1.3. Support effective and responsive early years education opportunities in Manangatang, Woorinen South and Swan Hill	2023/24	In Progress 	Council has appointed a contractor, to assist in collating data relevant to the Kindergarten Infrastructure Service Plan. Local research conducted by Local Logic Place on behalf of Council indicates that data provided by the Department of Education is significantly under representative of our estimated population and projected demand for three and four year old kindergarten. Further meetings with representatives of the Department of Education will be scheduled to examine the data.
	2.1.1.4. Assist youth with diverse employment pathways through the Empower and Engage! Programs	2022/23	Complete and ongoing 	YSO to re-establish connection with Manangatang College SRC. Empower also outreaches to Robinvale to assist young people with employment and education pathways.
2.1.2. Support our key industries	2.1.2.1. Establish a Terms of Reference and develop an Annual Plan with the AgriBusiness Advisory Committee	2022/23	Complete 	Committee did not meet due to the time of the year with many committee members unavailable due to harvest. Will recommence meetings in February 2024.

	2.1.2.2. Consider the establishment of an Industry Support Committee (Manufacturing and other)	2022/23	In Progress 	Further discussion with Swan Hill Inc. at its first meeting with Council in 2024 to gauge interest in developing a committee when the Economic Development Strategy is adopted in 2024.
	2.1.2.3. Review the Economic Development Strategy to ensure a targeted focus on key outcomes	2022/23	In Progress 	Conducted a successful housing summit which has identified actions for bringing together key stakeholders with a view to looking at critical issues and working in partnerships under the umbrella of a Committee for Greater Swan Hill.
	2.1.2.4. Develop a strategic plan for future success of the Pioneer Settlement	2023/24	In Planning 	This will commence once approval given via Heritage Victoria on exact location of Pioneer Settlement building. Known tender will commence for strategic planning.
	2.1.2.5. Develop an Economic recovery plan in response to Covid-19	2021/22	Complete 	A response plan was developed in late 2020 and is complete
	2.1.2.6. Establish a Livestock Exchange Stakeholder committee to improve stakeholder engagement and to better meet the needs of Livestock Exchange users	2022/23	Complete 	Committee met on 12 December 2023. Productive meeting although several committee members did not attend which was disappointing. Next meeting scheduled for 12 March 2024.








2.2. A thriving diverse economy				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
2.2.1. Encourage the growth and development of our economy	2.2.1.1. Develop a new planning scheme that is clear in its intention, supports growth and builds confidence and certainty in land use	2024/25	In Progress 	Planning scheme review has commenced.
	2.2.1.2. Continue to support existing businesses to grow through the implementation of the Better Approvals process	2021-2025	Complete and ongoing 	Business Support team is established and guides have been finalised.
	2.2.1.3. Actively pursue the establishment of a designated area migration agreement (DAMA)	2021-2023	In Progress 	Council's involvement in advocating or assisting visa holders to work in the region is still underway.
















2.3. Infrastructure that enables prosperity				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
2.3.1. Digital connectivity that allows people to live, work and play across our region	2.3.1.1. Advocate for high speed broadband access to all businesses and residents	2022/23	In Progress 	Funding application successful. Sites being determined and infrastructure to be installed early 2024. No further advice from service provider as to when works will commence.
	2.3.1.2. Seek innovative solutions for broadband and mobile connectivity	2022/23	Complete and ongoing 	Funding application successful for new towers to support Woorinen, Nyah, Piangil and Murray Downs. Sites being determined and infrastructure installed 2024. Awaiting advice from applicant as to when works will commence. No further advice from service provider as to when works will commence.
2.3.2. Assets for our current and future needs	2.3.2.1. Complete road network services review, identify and pursue funding opportunities, focusing on the agricultural sector and industry	2022/23	Complete and ongoing 	Final study report was presented to the Council meeting held on Tuesday 21 March, 2023. The Report was well received by Council and will be used for prioritising road projects for future grant applications and Council works programs.
	2.3.2.2. Deliver and review Councils capital works program and Major Projects Plan each year	2021-2025	Complete and ongoing 	The major project delivery is in progress with 14 active projects. Nyah West toilet block, Fish Point Road and the Tresco West Road are completed within this quarter.
	2.3.2.3. Review current assets and identify future needs - create a program to bridge the gap and identify funding requirements.	2021-2025	In Progress 	AMP's for all asset classes being progressed. - Transport last updated 2022/23, new condition inspections due next financial year. - Stormwater updated for 2023/2024 and has been to ELT and Council - Fleet AMP Expected completion FEB24 - Openspace AMP expected completion of initial draft APR24, revaluation being brought forward to 2023/24 so this will be used for final modelling
	2.3.2.4. Continue to plan and seek funding to implement the development of community infrastructure	2021-2025	In Progress 	Regional University now operational. All projects listed are in progress. Awaiting funding application outcomes.












**3. We will be a welcoming community for all, recognised by our maturity and respect for each other.**

3.1. Communities that are safe, welcoming and inclusive				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
<b>3.1.1.</b> The diversity of our communities is celebrated	3.1.1.1. Engage with LGBTIQ+ community members to improve inclusion and community awareness through leadership of the Inclusion Network.	2022/23	Complete and Ongoing 	Seeking funding to support training for Council and community, in inclusion and community awareness for gendered violence and LGBTQIA+ issues.
	3.1.1.2. Support co-designed development of multicultural events and activities	2022/23	In Progress 	Council continues to support co designed events and activities, such as Harmony Day and Robinvale Lantern Festival.
	3.1.1.3. All-abilities events and activities are well-planned and promoted	2022/23	In Progress 	Ongoing - working with other multicultural groups to promote events grants, and providing knowledge of existing events, lining Harmony Day and Lantern Festival committees.
	3.1.1.4. Continue to develop the annual Harmony Day and Lantern Festival events.	2022/23	In Progress 	In December 2023, Harmony Day 2024 date was agreed to be shifted due to a clash with Ramadan, to improve inclusiveness. The event has also confirmed a grant from Regional Multicultural Events and Festivals Fund.
<b>3.1.2.</b> Encourage the growth and positive development of our youth	3.1.2.1. Improve Youth Support Services outreach to young people in Manangatang and Robinvale	2022/23	Complete and ongoing 	Have established two workers based in Robinvale who work directly with our Robinvale Youth Group and created the homework club. Over \$15,000 raised for homework club. Looking to re-establish in Manangatang in 2024 with the induction of new YSO
	3.1.2.2. Ensure young people are involved in co-design of annual events	2023/24	Complete and ongoing 	Robinvale Youth Group is active with 18 current members - weekly meetings. NOVO Youth Council Active with eight members - weekly meetings. Sexuality and Gender Alliance Group active with 20+ members - weekly meetings
	3.1.2.3. Support and redevelop the Fairfax Youth Initiative to enhance leadership outcomes for rural and remote youth involved in creative pursuits	2022/23	In Progress 	The 2023 event was a success, and an independent review was undertaken in November-December 2023. This review and evaluation will be presented in early 2024, and start the process of establishing the external governing body to move Council's to a partner rather than the underwriter of the event.

	3.1.2.4. Undertake the youth wellbeing actions from the Youth Strategy, specifically mental and sexual health.	2023/24	Complete and ongoing 	Empower and Engage programs focusing on Manangatang and Robinvale and focusing on mental health. Sexual Health presentations delivered in 2023 and to be delivered in 2023/24 through partnerships with local high schools and community groups. Worked in partnership with Youth Affairs Council Victoria to upskill five local young people to be peer facilitators in the 'Yeah Nah' affirmative consent project. These sessions will be delivered through the start of 2024.
3.1.3. Flourishing community organisations	3.1.3.1. Actively promote the benefits of Volunteering in all our communities, streamline the process to facilitate volunteering in Council activities and programs	2022 - 2024	In Progress 	The National Volunteers Day is celebrated each year with a shared post and promotion via Media, and several work teams also provide their own volunteer appreciation events. 2024 plans include increasing the media output around December.
	3.1.3.2. Provide support and training (Governance, Leadership and Strategic Planning) for our small town progress/improvement groups	2022/23	In Progress 	Ongoing support being provided including identification of funding opportunities and assistance with grant applications.
	3.1.3.3. Improve engagement with community based special interest groups	2022/23	In Progress 	A welcome sign was added to the Customer Service area "Everyone is welcome here." We have also started using more multilingual resources.
3.1.4. Our elderly and vulnerable are cared for	3.1.4.1. Support the development of Residential Aged Care services	2023/24	In Progress 	Ongoing work continues as Council moves towards transitioning from service delivery.
	3.1.4.2. Determine Council's role in aged care services	2022/23	In Progress 	At the October Council Meeting, it was resolved to confirm Friday May 31st 2024 as the date of transition completion. This was communicated to the Commonwealth and staff. Council has completed the Transition Out Plan process for the Department of Social Services, and at this time had not heard of any announcement of approved providers.
	3.1.4.3. Undertake actions in the Municipal Early to Middle Years Plan associated with improving services to greater assist vulnerable families	2022/23	In Progress 	SHRCC MCH and MDAS have developed a new partnership under a Memorandum of Understanding to deliver a MCH service for Aboriginal and Torres Strait Islander families at MDAS. Due to ongoing challenges in recruiting a suitably qualified MCH Nurse this new partnership has been formed and MCH Nurses employed by SHRCC are contracted by MDAS to deliver MCH Services.
	3.1.4.4. Actively engage with local support networks to assist with accessibility and inclusion initiatives	2022/23	In Progress 	Ongoing - Youth Program working with schools, headspace, and other agencies such as health services to ensure inclusion in all events and programs. Planning for Mental Health Week events underway, Youth Ball and Youth Arts Festival held during October 2022. Accessibility support agencies now involved in major events such as Harmony Day, such as headspace, Sunraysia Mallee Ethnic Communities Council, and Mallee Family Care.

	3.1.4.5. Review Community Access and Inclusion Strategy (CAIS).	2021/22	In Progress 	Community Access and Inclusion Strategy currently has no funding has been identified to assist with this, staff will look at alternatives to review the strategy in 2023-2024. An allocation to undertake this work has been included in the draft 2023-24 Budget.
3.1.5. All members of our Communities are supported	3.1.5.1. Work in partnership with local agencies to prevent all forms of Family Violence.	2021 - 2025	In Progress 	Council supported the 2023 16 Days of Activism events in the region, with the Walk Against Violence Event, seeking and gaining funding for posters and events during the period that ended in mid-December.
	3.1.5.2. Develop and implement a Gender Equality Action Plan (GEAP)	2021/22	Complete and ongoing 	People Matters Survey completed in July, results to come to a Council meeting next quarter. GEAP continue to be implemented. There are 32 actions in the GEAP 17 have been completed, progress has also been made on 10 other actions.
	3.1.5.3. Ensure that we consider people of all abilities in the development of infrastructure and events	2021-2025	In Progress 	Swan Hill Riverfront all abilities equipment recently installed. Will be considered as part of the Gender Impact Assessments.
	3.1.5.4. Develop a Building Safer Communities program	2022/23	In Planning 	A list of potential community safety projects is being compiled for potential funding submissions, including CCTV in public parks. Potential for Riverside Swan Hill CCTV and safety fencing project in Caix Square Robinvale. Awaiting suitable funding rounds to open.

















3.2. An engaged and respected Aboriginal community				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
3.2.1. Strengthening our trust, relationships and partnerships with Traditional Owners and the Aboriginal and Torres Strait Islander community	3.2.1.1. Develop a Reconciliation Action Plan	2022/23	In Planning 	Registration has been paid and have a Registered Aboriginal Plan ID. Funding available in the 2023/2024 budget. Draft invitation for a consultant being developed.
	3.2.1.2. Adequately resource Aboriginal Engagement	2022/23	In Progress 	New Council webpage dedicated to engaging with local Aboriginals on key elements including welcome to country ceremonies, public art program and project developments. Aboriginal Officers hours have increased. Webpage being developed as part of the redevelopment of Council's webpage.
	3.2.1.3. Support our Aboriginal community to work towards a treaty or treaties	2021-2025	Not Started 	Extra funding for Aboriginal support needs to be achieved to enable this work to proceed.
3.2.2. Encourage and support community leadership	3.2.2.1. Continue to offer Aboriginal scholarships and leadership opportunities	2021-2025	In Progress 	Scholarships advertised.
	3.2.2.2. Continue to assist to develop Our Place identifying an Aboriginal language name and business model	2021/22	In Progress 	Our Place has been replaced with the development of the tourism and cultural hub at the Pioneer Settlement, since heritage overlay of Pioneer Settlement. The use of Aboriginal names and the planning for the development of Pental Island as a cultural tourism experience is well underway.
	3.2.2.3. Proactively support leadership within our Aboriginal community	2021-2025	In Progress 	First Nations Committee meeting on a regular basis. Briefing of Councillors on the treaty process to be scheduled. Changes introduced to Australia Day activities to be more inclusive of the First Nations Community.
3.2.3. Celebration and recognition of Aboriginal and Torres Strait history and culture	3.2.3.1. Investigate and seek funding for Aboriginal tourism opportunities	2022-2025	In Progress 	Project plans and concepts being developed with a view to attracting funding. Awaiting the outcome of grant applications to enable the Pental Island bridge to be built and the first stage of the Pental Island Masterplan to be completed.
	3.2.3.2. Formal inclusion of Aboriginal and Torres Strait Islander input in Art Gallery programming and cultural activities	2021-2025	Complete and Ongoing 	Inaugural solo exhibition of local First Nation artist currently in organisation to be opened in February 2024. This exhibition will support the artist through a number of professional development opportunities.
	3.2.3.3. Support Aboriginal and Torres Strait Islander days of significance	2021-2025	Complete and Ongoing 	Ongoing support for First Nations Events and the introduction of a new event on the 26th January 2024 aimed at encouraging reconciliation and understanding within the community.











**4. We will ensure accountable leadership, advocacy and transparent decision making.**

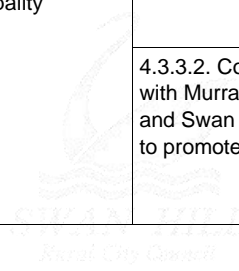
4.1. Excellent management and administration				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
4.1.1. Well managed resources for a sustainable future	4.1.1.1. Invest in the development of employees to enable a highly skilled and engaged workforce	2021-2025	In Progress 	Staff reviews have been completed, training plans are being developed.
	4.1.1.2. Promote a culture of continuous improvement with a focus on efficiency and customer service	2021-2025	In Progress 	The PMO has initiated the implementation of the Project Management (PMO) framework and has successfully conducted an information session to introduce this revised approach to project delivery across the organisation. Looking ahead to the next quarter, the PMO's primary focus is to facilitate additional training sessions on PM tools, techniques, and methods for reporting project progress and variations. Training has commenced in general and specific modules within Altitude. New templates for PaySlips and Purchase Orders have been configured for testing. Website - two groups of web authors have participated in open card sort sessions aimed at refining the navigation options for our New Council Website. Participants engaged in interactive activities, organising and categorising navigation elements to determine the most intuitive structure. Finalising our new website design with enhanced user experience. Crafted meticulously, the revamped design prioritises user experience through intuitive navigation and an enhanced search feature. Pulse Software was implemented to all SHRCC staff on 20 September 2023
	4.1.1.3. Embed rigor in our planning process to ensure long-term sustainability and continuity of Council's services	2021-2025	In Progress 	2022 Annual Report completed, Local Government Performance Reporting submitted and Service Performance report completed. 10 Year Major Project Plan approved, Council adopted 2022/23 Budget at its June Council meeting.
	4.1.1.4. Develop and implement a Workforce Development Plan	2021/22	Complete and ongoing 	Workforce Development Plan completed and approved in December 2021. Actions from the Workforce Development Plan are being implemented.
4.1.2. Provide robust governance and effective leadership	4.1.2.1. Implement a Project Management Framework and system	2021/22	In Progress 	Project Management Office (PMO) has presented an information session on the Project Management Framework and Processes. Extension of this information session to the other two directorates in

				coming months. This approach allows for a comprehensive understanding across the organisation.
	4.1.2.2. Develop and implement a Strategic Asset Management plan and supporting Asset Management plans	2021/22	Complete and ongoing 	Strategic Asset Management Plan (SAMP) ratified at Council meeting 14 June 2022. The Transport Asset Management Plan (TAMP) and Stormwater Asset Management Plans (SWAMP) have been updated. Fleet and Open Space Asset Management Plan's due this financial year
	4.1.2.3. Provide Councillors with professional development and support to ensure effective governance	2021-2025	In Progress 	Councillors provided with opportunities to attend MAV and LGPro courses and workshops. Two Councillors and CEO attended the ALGA Conference in Canberra in June 2022 and June 2023. New Councillor has attended 2 MAV session in March 2023
	4.1.2.4. Work with Town Representative groups to better plan and deliver projects	2021-2025	In Progress 	Nyah Riverfront Masterplan adopted by Council. Project works approved by PAC and works to commence early 2024 to enable completion by May 2024. Lake Boga foreshore works and irrigation project progressing. Council staff continue to work with town community groups to review their community plans.
4.1.3. Sound, sustainable: o Financial management o Excellence in service delivery o Strategic planning	4.1.3.1 Deliver projects on time, on budget and within scope	2021-2025	Complete and Ongoing 	The projects completed within this quarter (Nyah West toilet block, Fish Point Road and the Tresco West Road) came under budget and were completed as scheduled.
	4.1.3.2. Working to budget and ensure future planning to meet financial needs	2021-2025	Complete and Ongoing 	Council received sign off on its 2022/23 Financial Statements from the Victorian Auditor General on 06 October 2023. Adoption of the Financial Statements and Annual Report was undertaken at the October Council meeting. The 10 Year Major Projects Plan has been prepared, and reviewed by Council 28 November. Major Project budget forms have been issued for all projects budgeted for 2023/24 and proposed for 2024/25. Program budget worksheets for the 2024/25 year were delivered to program managers in the first week of December.
	4.1.3.3. Review two service delivery areas in years 2 (Parks and Gardens / Library) and 4 (Economic and Community development / Circular economy) of this Council Plan to improve and ensure accessibility and consistency of our customer experience	2022/23 & 2024/25	Not Started 	Not commenced, the intent is to use the internal auditor services once appointed to complete this work.

4.2. Transparent communication and engagement				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
<b>4.2.1.</b> Effective and authentic engagement with our community	4.2.1.1. Review our Community Engagement Strategy to ensure our engagement is meeting the needs of the community	2022/23	In Progress 	Met with relevant managers to discuss the updating of the Customer Service Strategy initially, with some to be taken from that document and included in the Community Engagement Strategy.
	4.2.1.2. Embed the Community Engagement principles and practices across the organisation	2023/24	In Progress 	Community Engagement Coordinator (CEC) has completed Design and Plan Engagement. Will continue modules in the New Year.
	4.2.1.3. Build constructive relationships with special interest groups in our community	2021-2025	In Progress 	This is ongoing and will continue to change as projects are initiated and progress.
	4.2.1.4. Review our use of social media platforms across Council with a view of increasing Councils exposure and ensuring consistent moderation	2021/22	Complete 	Complete - media monitoring will continue to be ongoing.
<b>4.2.2.</b> Visible presence in our community	4.2.2.1. Maximising the opportunities for Councillors and senior staff to represent Council at relevant community meetings, functions and events	2021-2025	In Progress 	Chief Executive Officer (CEO) and Deputy Mayor joined Murray River Group of Council's on an advocacy trip to Canberra. Mayoral or CEO visits to Robinvale to meet with Community members monthly. Mayor and Senior Staff met with Minister Shing for Regional Development in Robinvale on April 20. Robinvale Concept design workshop for residents to attend and on 18 May. Drop in sessions were held in Robinvale for the skatepark and nature play. Community Comfort centre biggest morning tea attended by 2 Councillors and Director. PS Gem Exhibition opening 22 June attended by Councillors and Senior Staff. Pental Island Group re started. Community group engagement in relation to key projects for example the Art Gallery and Cultural and Tourism Hub.
	4.2.2.2. Continue quarterly Coffee with a Councillor around the municipality	2021-2025	In Progress 	CwC has continued to be a successful form of Councillor Engagement with our Community.
	4.2.2.3. Arrange structured tours of the municipality where Councillors and senior staff meet with key community groups	2022/23	In Progress 	Tours were completed on 11 Jul 2023 of Nyah West, Nyah, Swan Hill and 9 Aug 2023 to Lake Boga, Kangaroo Lake, Kerang, Goschen, Ultima with staff from the Goschen Mining Project VHM Ltd.
	4.2.2.4. Create a culture where staff are ambassadors for the Council	2021-2025	In Progress 	Review and continue to improve internal communication tools. Acknowledge and reward staff appropriately



4.3. Bold leadership, strong partnerships and effective advocacy				
STRATEGIC INITIATIVES	ACTION	DUE DATE	PROGRESS	COMMENTARY
<b>4.3.1.</b> Create meaningful partnerships across our communities	4.3.1.1. Continue involvement in community groups	2021-2025	In Progress 	Ongoing
	4.3.1.2. Support Robinvale with its Committee for Robinvale Euston (C4RE)	2022/23	Complete and Ongoing 	The Robinvale Euston Workforce Network (REWN) work continued in this quarter with a forum in Robinvale in November and participation in a NSW-led workforce forum in December. Other important issues such as early childhood workforce was also included and is now a key part of the work. The final report on the Supporting Workforce Participation in Robinvale project was submitted in December 2023.
	4.3.1.3. Support the health and wellbeing partnerships that address preventable illnesses.	2023/24	In Progress 	Council has been included at officer-level in planning meetings of both the Murray and Mallee PHUs during this quarter and planning for key priorities in 2024 is in place.
	4.3.1.4. Continue to support and work with Swan Hill Incorporated	2021-2025	In Progress 	Annual Budget and Marketing Plan adopted by Council. Continuation of regular meetings with Swan Hill Inc. Executive and Council Officers.
<b>4.3.2.</b> Strong relationship with State and Federal governments to influence advocacy and funding opportunities	4.3.2.1. Continue to advocate on the following issues: <ul style="list-style-type: none"> <li>Improved Healthcare for our people, including a new hospital for Swan Hill</li> <li>A new Murray River Bridge at Swan Hill</li> <li>Complete the Murray Basin Rail Project</li> <li>Housing and enabling infrastructure</li> <li>Better use of environmental water and the development of a plan specific to the Murray River between Swan Hill and Robinvale.</li> </ul>	2021-2025	In Progress 	Housing Summit took place in November 2023 and Robinvale Housing with next 4 houses commencing construction during 2024. Tower Hill Stage 15 underway.
	4.3.2.2. Review Council's advocacy strategy on an annual basis	2021-2025	In Progress 	May and June 2023: Advocacy document was updated prior to attending ALGA Conference in Canberra
<b>4.3.3.</b> Working together in promotion of the municipality	4.3.3.1. Positively promote our region as a great place	2021-2025	In Progress 	Continue with Tourism promotion across the municipality and region and during all recruitment
	4.3.3.2. Continue to work with Murray River Tourism and Swan Hill Incorporated to promote the municipality	2021-2025	In Progress 	24 Aug 2023: Presentation and discussion with MRT Board. 5 Sept 2023: MRT CEO presented to Councillor Assembly 19 Sept 2023: Council approved signoff of a new MoU





## 2.7 Request for Council to join Victorian Local Governance Association (VLGA)

**Directorate:** Chief Executive Officer  
**File Number:** S71-02-11  
**Purpose:** For Decision

### Council Plan Strategy Addressed

**4. Leadership** - We will ensure accountable leadership, advocacy and transparent decision making.

#### **4.3 Bold leadership, strong partnerships and effective advocacy**

4.3.2 Strong relationship with State and Federal governments to influence advocacy and funding opportunities

### Current Strategic Documents

Council Plan

### Declarations of Interest

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Summary

The purpose of this report is to provide information to give consideration as to whether Council will become a member of the Victorian Local Governance Association (VLGA).

### Discussion

The Victorian Local Governance Association (VLGA) supports councils and elected representatives (councillors) to deliver positive outcomes for their local communities through high performance leadership and effective governance.

Offering direct support, training, professional development, events, networks and resources to members and carry out research, policy analysis and advocacy on behalf of local councils.

VLGA are the leading voice for local councils and offer our members the opportunity to realise their true leadership potential and increase their impact.

The VLGA aims to build genuine partnerships with member Councils, developing strong, proactive working relationships which are committed to sharing ideas and expertise which is specific to the unique environment in which Councils operate.

The VLGA was first established in 1994 as a strong independent advocate on behalf of Local Governments and their communities.

The VLGA is apolitical and engage in constructive discussions with all parties. There are currently 48 member Councils, with a governance board made up of six local government Councillors and three community chapter members. VLGA has a mixture of Councils and community groups and individuals who make up the general membership. VLGA focuses on the following key areas

- Advocacy
- Good Governance
- Community Engagement

With the VLGA highlights key points of difference to other peak bodies around Local Government and communities engaging in strong consultation practices, good sharing of information and understanding as to how complex decisions are made.

The VLGA provide the following services:

- A tailored made good governance seminar on site
- Advocacy to Ministers
- Leading edge forums
- Councillor advice and training
- Sector representation to other levels of government
- Policy advisory groups
- Access to VLGA facilities
- Assistance with issues relevant to the Swan Hill Rural City Council

The VLGA have also been actively involved in candidate training for Councillors and candidates this would be useful in the lead up to the 2024 Municipal Elections.

Peak bodies such as the VLGA provide an opportunity for Councils to progress these matters outside the traditional methods and involvement with bodies such as the MAV.

The VLGA provide Councillors and Officers with additional avenues of training on key matters such as advocacy, consultation and community decision making. A twelve month initial membership to the VLGA will allow both Council and the VLGA the opportunity to review the effectiveness of the partnership.

## **Consultation**

VLGA presentation on 6 February 2024 to Councillors at the Councillor Assembly.

## **Financial Implications**

The VLGA have advised that based on their fee structure for Local Governments (population based) Councils contribution would be \$10,000. Council would receive a 50% discount on any VLGA courses as a member. Course cost varies, depending upon the program - so anywhere from non-member rates of \$110 for a 1.5 hour live panel to up to \$10,000 for candidate and councillor induction training programs.



### **Social Implications**

Nil.

### **Economic Implications**

Nil.

### **Environmental Implications**

Nil.

### **Risk Management Implications**

Nil.

**Attachments:** Nil

### **Options**

1. That Council become a member of the Victorian Local Governance Association.;
- or
2. That Council remains as a non-member of the Victorian Local Governance Association membership.

### **Recommendation/s**

**That Council become a member of the Victorian Local Governance Association.**

## 2.8 Leave of Absence

**Directorate:** Chief Executive Officer  
**File Number:** S16-04-05-01  
**Purpose:** For Decision

### Council Plan Strategy Addressed

**4. Leadership** - We will ensure accountable leadership, advocacy and transparent decision making.

#### **4.1 Excellent management and administration**

4.1.2 Provide robust governance and effective leadership

### Declarations of Interest

Council Officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

### Summary

Mayor Cr Stuart King has received a written request from Cr Les McPhee for a leave of absence from Council for the period 12 March 2024 to the 12 April 2024.

**Attachments:** Nil

### Options

Council may approve or not approve the recommendation.

### Recommendation/s

**That Council approve Cr Les McPhee leave of absence for the period of 12 March 2024 to the 12 April 2024.**

### 3 Officer Report for Noting

## 4 Decisions Which Need Action / Ratification

### 4.1 Sign and Seal

**Directorate:** Chief Executive Officer  
**File Number:** S16-05-01  
**Purpose:** For Noting

#### Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the subject of this report.

#### 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 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.

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

No.	Document Type	Document Description	Date signed/ sealed
1158	Instrument of Appointment and Authorisation (Planning and Environment Act 1987)	Between Swan Hill Rural City Council and Michelle Grainger	27/02/2024
1159	Instrument of Appointment and Authorisation (Planning	Between Swan Hill Rural City Council and Awis Sadiq	27/02/2024

	and Environment Act 1987)		
1160	Section 173 Agreement Planning Permit #2020-041-3 Condition 22 (Council) and 21 (LMW) - 5533 Murray Valley Highway, Swan Hill 3585 (subdivision of land)	Between Swan Hill Rural City Council and Lower Murray Urban Water and Rural Water Corporation and G.M.Foott and W.E.Foott.	12/03/2024

Note: A Section 173 Agreement is typically a contract between the Council and a landowner that places use or development restrictions on the land.

They are intended to ensure compliance with conditions contained in permits granted by the Council and are often used in subdivision matters. These agreements refer to Section 173 of the Planning and Environment Act 1987.

### **Consultation**

Council authorise the signing and sealing of the above documents.

### **Recommendation/s**

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



## 4.2 Councillor Assemblies - Record of Attendance and Agenda Items

**Directorate:** Chief Executive Officer  
**File Number:** S15-05-06  
**Purpose:** For Noting

### Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

### Summary

The following report provides attendance details of Councillor Assemblies on a monthly basis.

### Discussion

Whilst Minutes have not been recorded, Agenda items and those in attendance are reported and 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.

### Council Plan Strategy Addressed

**4. Leadership** - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

### Current Strategic documents

No strategic documents applicable.

## Key Legislation

There is no key legislation applicable

**Attachments:** 1. COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA  
March [4.2.1 - 2 pages]

## Options

Council Assemblies are reported to ensure good governance and transparency.

## Recommendation

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

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**27 February 2024 at 9.00am, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- Presentation of Draft Budget to Councillors
- KSI – December 2023
- Art Gallery update

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Jacquie Kelly
- Cr Stuart King
- Cr Chris Jeffery
- Cr Nicole McKay
- Cr Bill Moar
- Cr Ann Young

**Apologies**

- Cr Les McPhee

**Leave of Absence**

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Leah Johnston, Director Infrastructure
- Michelle Grainger, Director Development and Planning
- Bhan Pratap, Director Corporate Services

**Other**

- Nil

**CONFLICT OF INTEREST**

- Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**12 March 2024 at 1.00pm, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- Fees and Charges
- Starter Blocks (swimming pool)
- Community Plan Update
- 124 Lae Road, Robinvale
- 10 River Road, Swan Hill
- Goschen Mine – Community Benefits
- Drainage Strategy
- Councillor/Directors question time

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Stuart King
- Cr Ann Young
- Cr Bill Moar
- Cr Nicole McKay

**Apologies**

- Cr Chris Jeffery
- Cr Jacquie Kelly

**Leave of Absence**

- Les McPhee

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Leah Johnston, Director Infrastructure
- Bhan Pratap, Director Corporate Services
- Michelle Grainger, Director Development and Planning
- Bruce Myers, Director Community and Cultural Services
- Ash Free, Finance Manager
- Dione Heppell, Liveability and Project Development Coordinator
- Nathan Keighran, Economic & Development Coordinator
- Dennis Hovenden, Economic & Development Manager
- Peter Ross, Engineering and Strategic Projects Manager
- Warrick Fisher, Planning contractor
- Syed Islam, Development Engineer
- Kerry Young, Engineer Assistant

**Other**

- Roy Costa
- Allen and Bree Henson
- Catherine Walker and Ashley Chen, WMS

**CONFLICT OF INTEREST**

- Nil



## 5 Notices of Motion

### 5.1 Public Library Funding

Having given due notice, **Councillor Bill Moar MOVED That Council write to the Minister for Local Government Melissa Horne, to restore and increase recurrent public library funding, specifically:**

1. **A \$4.5 million boost to the Living Libraries Infrastructure Program over 3 years, to deliver: much-needed refurbishments; the digital infrastructure required of modern libraries; and replace old semi-trailer trucks with efficient alternatives for communities that rely on mobile libraries.**
2. **An increase to the Public Libraries Funding Program of \$15 million over 3 years, to arrest the decline in State funding and help libraries deliver the extra services demanded by Victoria's rapidly growing population, keep pace with inflation, and allow libraries to open more often and open for longer.**

#### ***Preamble***

Whether people are borrowing books, accessing free literacy sessions, or getting out of harsh weather and avoiding high energy bills, Swan Hill Regional Library Service is on the frontline of supporting the many locals doing it tough. Thousands are battling the cost of living and juggling work, study, and family commitments.

Shockingly, the Victorian Government has just slashed funding for library infrastructure by more than half. Important projects that sought to extend, upgrade, or build new libraries are now ineligible.

Now is the time to support public libraries like ours, not cut funding. Victorians are looking for libraries to open for longer, expand online services, deliver more literacy sessions and education programs, and make more books and other resources available for loan.

But Victorian Government funding for public libraries has been falling in real terms for years – it is not keeping pace with inflation nor the demand for library services. Especially as our population grows.

Increasing operational funding will allow for extension to access hours, meaning that every Victorian can access a safe space and the resources they need, when they need them. And reversing the cuts to infrastructure funding will ensure full accessibility for people with disabilities, provide appropriate facilities for parents and breastfeeding mothers, and equip libraries with the digital infrastructure we need.

## **6 Foreshadowed Items**

## **7 Urgent Items Not Included In Agenda**

## **8 To Consider and Order on Councillor Reports**

## **9 In-Camera Items**