



Agenda

Scheduled Council Meeting

Tuesday 16 December 2025

to be held at 2:00 PM

Council Chambers

Swan Hill Town Hall

53 – 57 McCallum Street, Swan Hill. VIC 3585

Public Access

Open to the public and live streaming from
Council's website: 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

Leah Johnston, Director of Infrastructure

Michelle Grainger, Director of Development and Planning

Stephen Fernando, Director of Corporate Services

Swan Hill Elected Members



Cr Stuart King

0437 967 531

stuart.king@swanhill.vic.gov.au



Cr Terry Jennings

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terry.jennings@swanhill.vic.gov.au



Cr Les McPhee

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Cr Hugh Broad

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Cr Peta Thornton

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peta.thornton@swanhill.vic.gov.au



Cr Lindsay Rogers

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Cr Philip Englefield

0429 079 650

philip.englefield@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.

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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 Opening Declaration

“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.”

Or

“We, the Councillors of Swan Hill Rural City Council, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.”

1.4 Apologies / Leaves of Absence

None when the Agenda was distributed.

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 Tuesday 18 November 2025 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; 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 2026-27 Budget Initiatives & Project Suggestions

Directorate: Corporate Services
File Number: S15-06-20
Purpose: Information Only

Council Plan Strategy Addressed

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations. Objective 6.2: Strengthen Council’s internal capability, resources, systems and financial sustainability.
6.2.4 Maintain long-term financial sustainability.

Current Strategic Documents

Budget

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 enable Council to receive and hear submissions received from the community as suggestions for budget initiatives and projects to be considered in preparation of the Draft 2026-27 Annual Budget.

At the close of the submission period, 18 submissions were received. Five submitters have requested to speak to their submission.

Discussion

Council advertised for submissions to its 2026-27 Annual Budget beginning 02 October 2025. The submission period was open for a period of 36 days, closing 07 November 2025.

During the submission period, 19 submissions were received from the Let’s Talk page, with one submission being later withdrawn. Eighteen submissions are therefore presented for Council consideration. Five submitters have requested to speak to their submission.

Copies of all submissions received are attached to this report, with the following table providing a summary of budget initiatives received:

| Submission No. | Summary of budget initiative or project. |
|----------------|---|
| 1 | Establish a Community Sustainability Hub in Swan Hill North (Swan Hill North Preschool), and extension of Community Garden. |
| 2 | Youth activity centre and simulator machine. |
| 3 | Freshwater Aquarium - public education about rivers, waterways and environment. |
| 4 | Business opportunity to convert shipping containers into Tiny Homes. Constructing homes and developing a village of homes. |
| 5 | Fish Sculpture Art Trail - Lake Boga to Robinvale. |
| 6 | Submission withdrawn. |
| 7 | 1. Improving Greening, Cooling and Shade. 2. Integrated water management, improving stormwater contamination into waterways. 3. Urban riverfront works. 4. Active transport strategy. 5. Expand environmental unit. |
| 8 | Introduction of a Community Sustainability Rebate. |
| 9 | Converting old Swan Hill City Golf Club land into parkland for community use. Possible dog park. |
| 10 | Beautify #9 Channel reserve and creation of walking/cycling paths. |
| 11 | New Library constructed on the Monash Ave (Graincorp Site). |
| 12 | Splashpark at Lake Boga (Catalina or Yacht Club areas). |
| 13 | Footpaths within Woorinen South, and improved school crossing. |
| 14 | Increased maintenance funding for Manangatang Recreation Reserve. |
| 15 | Beautification works within Robinvale. |
| 16 | Blue Tree project for Robinvale. |
| 17 | Increased maintenance funding for Manangatang Recreation Reserve. |
| 18 | Continuing the footpath construction around Lake Boga. |
| 19 | Sewer system for Piangil. |

Submitters requesting to speak to their submission at the December Council meeting are:

| Name | Referring to submission No. |
|--------------------------------|-----------------------------|
| Jan Adcock | 10 |
| Irene Templeton | 14 |
| Trevor Tobias | 19 |
| Swan Hill Sustainability Group | 1, 7 & 8 |
| Rotary Club Robinvale – Euston | 15 |

Consultation

In complying with Council Community Engagement Guidelines, the development of the Annual Budget is to be undertaken via a participatory engagement process. In complying with the guidelines, this invitation of submissions from the community seeks ideas and feedback on elements to be considered during budget

development. During the ongoing development of the budget, Council will keep the community informed, listen to issues & provide feedback as to how input affected the decision.

Financial Implications

The receiving and hearing of budget considerations has no direct financial impact.

Social Implications

The receiving and hearing of budget considerations has no direct social implication.

Economic Implications

The receiving and hearing of budget considerations has no direct economic implications.

Environmental Implications

The receiving and hearing of budget considerations has no direct environmental implications.

Risk Management Implications

The receiving and hearing of budget considerations has no direct risk management implications.

Attachments: 1. Budget Sub CM [2.1.1 - 36 pages]

Options

1. Council considers budget initiatives and project ideas presented for possible inclusion in the 2026-27 Annual Budget to be adopted by 30 June 2026.

Recommendation/s

That Council:

1. **Receive and hear submissions from the community of budget initiatives and project ideas to be considered in development of the 2026-27 Annual Budget.**
2. **Thank each submitter for their contribution towards the development of the 2026-27 Annual Budget.**

Let's talk

Tell us about the project Results

Oct 02, 2025 - Nov 07, 2025

Project: 2026/27 Budget Planning

Form: Tell us about the project

Tool Type: Form

Activity ID: 261

Exported: 2025-12-04 11:37:22

Exported By: boco

Filter By: No filters applied.

Response No:
1

Date Submitted: Nov 07, 2025, 03:17 PM

Q1 First name:

Short Text Leanne

Q2 Last name:

Short Text Skipsey

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Swan Hill Sustainability Group

Q9 Describe your project:

Long Text

- Establish a Community Sustainability Hub in Swan Hill North by repurposing Swan Hill North Preschool to provide a space for community groups and NFPs to meet, collaborate and partner. The Hub will also provide a dedicated space to provide educational opportunities in sustainability including building capacity of local residents in reducing their usage of utilities (power and water) reducing their cost of living expenses as well as negative pressure on the environment. We would love to see the existing shed on the site converted into a commercial kitchen for building skills in cooking, preparing and preserving locally grown food. ('Food for All' Edible Gardens program are keen to partner in this)

- Extend George Lay Permaculture Community Garden by moving existing fence to utilise unused yard around Noahs Ark in Pye St, Swan Hill. This will reduce the sense of being cramped in the existing garden space and enable growing, pruning and netting of fruit trees to extend the harvest. It will also enable more space for community members to meet at weekly and monthly community events where locals gather and build skills and personal autonomy related to growing ones own food. Monthly morning teas provide a welcoming space for those with an interest in growing healthy food or any community members (including families) to meet others to develop a sense of belonging and reduce social isolation.

Q10 Attach additional documentation to support your idea:File Upload https://letstalk.swanhill.vic.gov.au/download_file/1287**Q11 Age, gender and diversity**

Multi Choice

Children (aged 0-14)
 Young people (aged 15-24)
 Adults (aged 24-54)
 Seniors (aged 54+)
 Men
 Women
 People who are refugees
 First Nations People
 People from culturally and linguistically diverse backgrounds
 Socio-economically disadvantaged groups
 People with disabilities

Q12 Benefit groups

Multi Choice

Local residents
 Families
 Volunteers
 Non for profit organisations
 Newly formed community group
 Arts and culture groups
 Indigenous community
 Other community groups

School groups
Business community
Visitors

Q13 Describe the benefits that will be delivered from this project:

Long Text The range of benefits of the proposals have been outlined in the Describe your Project section

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text Too early in process to know

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
2

Date Submitted: Nov 07, 2025, 11:43 AM

Q1 First name:

Short Text JUDY

Q2 Last name:

Short Text ATKINSON

Q6 Which of the following best describes you?

Multi Choice Other: Former resident of Swan Hill.

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text Youth Activity Centre where they can learn a number of skills by using a Simulator Machine for the following activities without paying a large fees for lessons which most youth cannot afford.
By having a place where the youth can go helps to stop them from being bored.

Driving - Learn about the road rules and safety when driving a vehicle before they go for their Learners Permit.

Golf - Learn play golf without paying a large fee for outdoor lessons & golf equipment.

Water Skiing - Learn how to water skiing without paying a large fee for hiring a boat, water skis and lessons.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Young people (aged 15-24)
Adults (aged 24-54)
Men
Women

Q12 Benefit groups

Multi Choice Local residents
Visitors
Business community

Q13 Describe the benefits that will be delivered from this project:

Long Text Education - provides a learning experiences for local & visiting youths.

Employment - Creates jobs for local community members.

Economic Development - Increase visitors spending while their sons or daughters are at the Youth Centre.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 **Estimated cost of project:**

Short Text Unsure

Q16 **Would you like to present your idea to Council?**

Multi Choice No

Response No:
3

Date Submitted: Nov 07, 2025, 10:31 AM

Q1 First name:

Short Text JUDY

Q2 Last name:

Short Text ATKINSON

Q6 Which of the following best describes you?

Multi Choice Other: Former resident of Swan Hill.

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text A large Indoor Freshwater Aquarium with a number of fish, turtles, crayfish, shrimps etc. where the public can learn and appreciate the rivers, waterways & the natural environment.

Indoor signage with Wamba Wamba artwork also a storyline of the Murray Codfish or the Platypus.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice School groups
Arts and culture groups
Indigenous community
Other community groups
Volunteers
Families
Local residents
Business community
Visitors
Newly formed community group
Non for profit organisations
Sporting groups

Q13 Describe the benefits that will be delivered from this project:

Long Text Tourism growth - new tourist attraction for Swan Hill.
Economic Development - increase visitors spending benefiting accommodation, hospitality, retail & services.

Education - Provides authentic learning experiences for schools, community groups & broader community.
Employment - Creates meaningful jobs for Wamba Wamba community members & local community.

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
4

Date Submitted: Nov 06, 2025, 05:40 PM

Q1 First name:

Short Text JUDY

Q2 Last name:

Short Text ATKINSON

Q6 Which of the following best describes you?

Multi Choice Other: Former resident of Swan Hill.

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text Ship Containers converted into Tiny Homes & Unites for the Homeless that would create Employment, Partnerships with Unemployment Agencies eg; CVGT etc..
Unemployed participants to learn trade skills from qualified tradesman by converting ship containers into accommodation.
Swan Hill to be the main base where the Tiny Homes & Unites are to be made that would create on going employment for locals.
Other training to be provided for participants is Landscape Gardening for them to create a Community Garden on site where the Container Village will be established.
Once established Homeless to have their rent automatic deducted from the Centrelink Benefits.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice Indigenous community
Families
Visitors
Local residents
Other: Homeless People.
Business community
Non for profit organisations

Q13 Describe the benefits that will be delivered from this project:

Long Text Swan Hill & Regional Communities. - Accommodation and a place to call Home for many People.

Employment / Education - Qualified Tradesman to train the unemployed participants trade skills by creating Tiny Homes & Unites that could lead to employment.

Economic Development/ Investments - Unites could also be used for visitors.
- Unites created in Swan Hill could also be sold & transported to other towns.

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text Unsure

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
5

Date Submitted: Nov 06, 2025, 03:38 PM

Q1 First name:

Short Text JUDY

Q2 Last name:

Short Text ATKINSON

Q6 Which of the following best describes you?

Multi Choice Other: Former resident of Swan Hill.

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text A Fish Sculpture Art Trail starting from Lake Boga to Robinvale that could become one of the biggest tourist attractions along the Murray River which is the lifeline for many towns within the Region. The trail consisting of a school of fiberglass Fish Sculptures in a moving formation that could be extended from Swan Hill to Yarrawonga and Robinvale to Mildura creating partnerships along the way. Each fish to be painted with artwork designed by community members at all levels to give them Pride of Place to be part of a project that helps to create tourism for their town. The project would also create employment in Swan Hill where the fish sculptures & molds are to be made, installed in each location.

(If Council are interested in my idea there will be a fee for the Fish Sculptures Concept).

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice First Nations People
Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice School groups
Arts and culture groups
Indigenous community
Other community groups
Visitors
Newly formed community group
Non for profit organisations
Business community
Local residents
Families
Volunteers
Sporting groups

Q13 Describe the benefits that will be delivered from this project:

Long Text Tourism Growth - new attraction for Swan Hill.
Economic Development - increase visitors spending benefitting accommodation, hospitality, retail and services.
Indigenous custodians of each town to use their story line to educate the tourist about the Murray River cod fish.
Employment - Creates jobs for community members.

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text Unsure.

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
7

Date Submitted: Nov 05, 2025, 09:07 AM

Q1 First name:

Short Text Jacque

Q2 Last name:

Short Text Kelly

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Swan Hill Sustainability Group

Q9 Describe your project:

Long Text We have five areas/ projects to propose to fund:

1. Livability and Health: Greening, Cooling and Shade
 - The new rule to follow is '3-30-300', that is, people should be able to see 3 trees from their house; have 30% tree canopy; and be 300m maximum from a green space. Would the residents of Swan Hill Rural City meet that rule?
 - Recurrent funding for the Cool-it project
 - Protect existing tree assets by creation of a Significant Tree Register.
 - Increase tree canopy through strategic planting.
 - * Funding for more native, water-wise gardens
 - As recommended in the Small Towns Future Development Plan (2023), provide greening, cooling and shade by tree planting.
2. Integrated Water Management. Healthy Rivers. Water Quality.
 - Action to reduce urban stormwater contamination and run-off into waterways.
 - We welcome publication of Swan Hill and Robinvale Drainage Strategy.
 - Upgrades to and creation of environmentally sound solutions to municipal drainage challenges. Wetlands and water sensitive design should be explored and prioritised.
 - Funding to monitor, maintain and improve the Millloo St wetlands in Swan Hill. (\$200K)
 - Funding to develop new filtration wetlands in southern part of Swan Hill.
3. Urban Riverfront works. Public Open Space. Biodiversity.
 - Urban riverfront masterplans should have recurrent funding to provide for implementation. (suggest \$300K/yr)
 - Weed control, revegetation, access, wayfinding, erosion, seating, fishing platforms, canoe launch, boating, recreation, cultural values protection, public artwork and information boards for historical and nature interpretation.
4. Active Transport Strategy - funding to promote health, activity and lower emissions.
5. Expand the Environment unit at Council -increase staffing and budget.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice People with disabilities
Socio-economically disadvantaged groups
People from culturally and linguistically diverse backgrounds
First Nations People
People who are refugees
Women
Men
Seniors (aged 54+)

Adults (aged 24-54)
Young people (aged 15-24)
Children (aged 0-14)

Q12 Benefit groups

Multi Choice Sporting groups
School groups
Arts and culture groups
Indigenous community
Other community groups
Volunteers
Families
Local residents
Business community
Non for profit organisations
Newly formed community group

Q13 Describe the benefits that will be delivered from this project:

Long Text Healthier community and environment.
Improved livability.
Improved wellbeing.
Improved tourism, boating and recreation facilities.
Protection of assets.
Resilience to climate change.
Reduced emissions.
Healthy rivers. Better water quality. Improved fish habitat.
Improved parks and riverfront.

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text to be supplied later

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
8

Date Submitted: Nov 04, 2025, 01:00 PM

Q1 First name:

Short Text Jana

Q2 Last name:

Short Text Sarantis

Q6 Which of the following best describes you?Multi Choice I am a resident/property owner in Swan Hill Rural City Council
I am business owner in Swan Hill Rural City Council**Q7 Are you submitting this form on behalf of a Community Group or Organisation?**

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Swan Hill Sustainability Group (formerly SLIM)

Q9 Describe your project:

Long Text We'd like to suggest that the Council adopt a Community Sustainability Rebate program. Many other councils have adopted similar programs, offering property owners, businesses and leasees/renters financial assistance (eg up to \$2000 grant/rebate per household) for the transition to electrification and reduce emissions. For example products and services that could be included are a rebate to swap from gas stove to induction, installation of rooftop solar or batteries, home electric vehicle chargers, efficient heat pumps, home energy assessments, upgrading insulation, double glazing etc. This is especially relevant with the upcoming switching off of piped gas to properties in the Swan Hill region. This will help the community reduce carbon emissions, reduce the cost of energy by installing more efficient electric appliances and make the transition more equitable for those who struggle to afford upfront cost of upgrading their properties for longer term financial gain and emissions reduction. This fits into the Council plan via the environmental sustainability pillar (Objective 1- Strategy: Advocate for longterm community benefits from the transition to renewable energy). To support the community in the renewable energy transition, making it more affordable and accessible, reducing our emissions and climate impact and reducing the cost of living for our constituents. Climate considerations are an important requirement written into the Local Government Act and this would be a great way for council to demonstrate their action on climate issues.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversityMulti Choice Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
Young people (aged 15-24)
Children (aged 0-14)
People with disabilities**Q12 Benefit groups**Multi Choice Families
Local residents
Business community
Non for profit organisations
Indigenous community

Q13 Describe the benefits that will be delivered from this project:

Long Text

Reducing local carbon emissions.
Reducing climate impact.
Reducing cost of energy for residents, especially socio-economically disadvantaged residents.
Making the transition to renewable energy more affordable and equitable for the socio-economically disadvantaged residents.
Supporting economic development and sustainability, supporting local trades, reducing cost for business means they are more productive and sustainable.
Meeting Council Plan objectives in Environmental Sustainability and the Local Government Act climate change action requirements.

Q14 Are there funding avenues available for this project?

Multi Choice

Unsure

Q15 Estimated cost of project:

Short Text

Ultimately up to council to pick an amount, but some other council's have allowed up to \$100,000 available per annum for similar projects with a cap of up to \$2000 per household which I think is reasonable.

Q16 Would you like to present your idea to Council?

Multi Choice

Yes

Response No:
9

Date Submitted: Nov 04, 2025, 11:53 AM

Q1 First name:

Short Text Paul

Q2 Last name:

Short Text Smith

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text The land which was part of the Swan Hill golf course at the entrance of Swan Hill directly across from the Police Station. This area could be made into parkland with open areas (the previous golf fairways) for general activities e.g. game/ball sports, sections with the eucalyptus trees could be enhanced with further native bushes/plants/small trees, expand the toilets at the other end, and establish a dog park.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversityMulti Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities**Q12 Benefit groups**Multi Choice Arts and culture groups
Indigenous community
Volunteers
Families
Local residents
Visitors
Other community groups
School groups**Q13 Describe the benefits that will be delivered from this project:**

Long Text This will provide environmental, educational and social opportunities as well as a welcoming entrance to Swan Hill.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text Unknown - SHRCC could easily cost this out. Engagement of community groups for ongoing ownership/support of the park land.

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
10

Date Submitted: Nov 03, 2025, 06:05 PM

Q1 First name:

Short Text Jan

Q2 Last name:

Short Text Adcock

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text Private citizen

Q9 Describe your project:

Long Text

Suggesting a walking/cycling/gopher track with suitable trees planted along side and seats to rest ..
Between gray street and McCallum street where chanel has been filled in.

With a view into the future with expansion of schools and housing in gray street and yana street safe travel for
walkers mums with prams runners elderly on gophas.

Also make easy access for the aged to the centre of town. Safe path from gray street no gutters etc, cross the road
at the big round about and an easy run up the footpath beside Showground. It's a great idea ...please consider

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice

Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice

Sporting groups
School groups
Arts and culture groups
Indigenous community
Other community groups
Volunteers
Families
Business community
Local residents
Non for profit organisations
Visitors
Newly formed community group

Q13 Describe the benefits that will be delivered from this project:

Long Text

Q14 Are there funding avenues available for this project?

Multi Choice

Q15 Estimated cost of project:

Short Text

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
11

Date Submitted: Nov 02, 2025, 09:17 AM

Q1 First name:

Short Text Christel

Q2 Last name:

Short Text Bradbury

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text Build a new Library at the old Grains Board site across from Riverside park. Build it as a part of the same vision of the Gallery and new Information Centre. Make the link from the train station over to the library and thru to the Riverside Park by revitalising the train stock cars and using them as a walkway across the tracks. Lining the train stock cars with fold over walkways allows people with prams, wheelchairs, elderly - in fact everyone to walk over a unique rail crossing. When the train is due to come in, one stock car can be shunted out of the way and repositioned again once the train has left. A small locomotive doing this job would be needed but also a tourist highlight to see the changing of the Station. If the train roundabout was used for this then the river platform would be a great tourist spot to take photos from, either that or a separate one built.

Back to the new library - if it is built with it having the walkway from the train station as part of its architectural design, have reading pods within its space and more reading pods at Riverside Park, it will revitalise Swan Hills community assets and link them up. The current library is ugly and not inviting, and definitely not a place for inspiration for little ones, study for our next leaders or quiet respite for the working people and retired community. The silo could get silo art on it and the shed could be resurfaced inside with facilities added for hosting more visiting events.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice Families
Local residents
School groups
Business community
Visitors

Q13 Describe the benefits that will be delivered from this project:

Long Text It will benefit the local community as a whole and be a part of the beautiful facilities on offer for locals and tourists alike.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
12

Date Submitted: Oct 29, 2025, 09:04 PM

Q1 First name:

Short Text Kaila

Q2 Last name:

Short Text Baber

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text Water play splash area on foreshore of Lake Boga in the area near Catalanina museum / ski club/ yacht club.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)

Q12 Benefit groups

Multi Choice School groups
Families
Local residents
Visitors

Q13 Describe the benefits that will be delivered from this project:

Long Text Safe water play for young children.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
13

Date Submitted: Oct 20, 2025, 10:16 PM

Q1 First name:

Short Text Lyndon

Q2 Last name:

Short Text Patterson

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Woorinen District Progress Association

Q9 Describe your project:

Long Text Completion of footpaths in Woorinen South identified in SHRCC 'Missing Links Footpath Construction Strategy 2019:
 -Palmer Street on school block both sides
 -Bright Street (between school and preschool)
 -Alma Street.

And improve safety at the Woorinen District Primary School crossing - through safety measures e.g. speed hump and signage.

Q10 Attach additional documentation to support your idea:File Upload https://letstalk.swanhill.vic.gov.au/download_file/1283**Q11 Age, gender and diversity**

Multi Choice Children (aged 0-14)
 Young people (aged 15-24)
 Adults (aged 24-54)
 Seniors (aged 54+)
 Men
 Women
 First Nations People
 People from culturally and linguistically diverse backgrounds
 Socio-economically disadvantaged groups
 People with disabilities

Q12 Benefit groups

Multi Choice School groups
 Arts and culture groups
 Other community groups
 Volunteers
 Families
 Local residents
 Non for profit organisations
 Visitors
 Indigenous community

Q13 Describe the benefits that will be delivered from this project:

Long Text Improved safety for children walking to the primary school and preschool.
 Pedestrian safety for local residents to access the post office/general store and community centre and to encourage physical activity and an active lifestyle.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text See attachment.

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
14

Date Submitted: Oct 16, 2025, 05:28 PM

Q1 First name:

Short Text Irene

Q2 Last name:

Short Text Templeton

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Manangatang Recreation Reserve

Q9 Describe your project:

Long Text Increase our annual maintenance from \$11,000 inc gst to \$30,000 inc gst. We have not had an increase in the maintenance contribution for quite a few years and find it very difficult to do the needed maintenance on \$11,000.00.

Also the netball/tennis courts will need renewing and we will need Council financial and professional assistance with this.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
First Nations People
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice Sporting groups
School groups
Indigenous community
Volunteers
Families
Local residents
Business community
Non for profit organisations
Newly formed community group
Visitors

Q13 Describe the benefits that will be delivered from this project:

Long Text The benefits of an increased allowance will enable the committee to complete expensive maintenance work on some of the buildings. The buildings are very old and need a lot of work. The showers need upgrading in two buildings. The toilets need to be updated - less flush and different designed bowls. Buildings need to be painted and patched up on the inside. We need a small kitchenette out in the umpires/ladies jockeys rooms. We need a storage cupboard built in the netball/tennis change rooms. We need new blinds in the netball/tennis change rooms and the canteen.

We need new floor boards in the back room of the canteen and the building needs to be levelled. The brick building needs an extension built onto it as it is way to small for the visiting teams. The Home rooms need extensions built onto it to accommodate the Secretary, Race day stewards, Jockeys change rooms, our Social Rooms, and probable a high tower on top of the building. Doors need shaving as they will not shut. Floor needs painting again and the walls need attention, nails popping out of the plaster board. Generally a lot of work to be done to maintain a reasonable facility.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text 30,000

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
15

Date Submitted: Oct 10, 2025, 12:27 PM

Q1 First name:

Short Text Rotary Club

Q2 Last name:

Short Text Robinvale - Euston

Q6 Which of the following best describes you?

Multi Choice Other: Community Organisation

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Rotary Club of Robinvale-Euston

Q9 Describe your project:

Long Text
1. McGinty Park water tank mural - commission an artist to work with community to brighten the park on the side of the highway
2. Beautification of entrances into Robinvale
a. Intersection of Murray-Vallet Hwy and Robinvale-Sea Lake Rd (where the TAC trailer goes)
b. New signage for town entrances
4. Robinvale-Euston Bridge event flag - cross border partnership opportunity
5. Centenary Park (new playground) community notice board installation
7. Community Arts Centre lighting

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice
Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups

Q12 Benefit groups

Multi Choice
Arts and culture groups
Indigenous community
School groups
Volunteers
Families
Local residents
Business community
Non for profit organisations
Visitors
Sporting groups

Q13 Describe the benefits that will be delivered from this project:

Long Text Better community engagement in projects that beautify and add value to Robinvale township. Increase in tourism

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text Various

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
16

Date Submitted: Oct 06, 2025, 02:33 PM

Q1 First name:

Short Text Jacky

Q2 Last name:

Short Text Rowe

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council
I am a visitor of Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text The Blue Tree Project raises awareness for mental health by painting trees blue — each tree acts as a symbol of support and a reminder to start conversations. Bringing this initiative to Robinvale would unite the community and local organisations, led by Council, in breaking the stigma around mental health and promoting open, supportive dialogue. A simple “Why is that tree blue?” can spark conversations that make a real difference.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
First Nations People
People who are refugees
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities

Q12 Benefit groups

Multi Choice School groups
Arts and culture groups
Indigenous community
Other community groups
Volunteers
Families
Local residents
Business community
Non for profit organisations
Newly formed community group
Visitors
Sporting groups

Q13 Describe the benefits that will be delivered from this project:

Long Text The Blue Tree Project will bring lasting benefits to the Robinvale community by raising awareness and encouraging open conversations about mental health, helping to reduce stigma and make mental health a visible, approachable

topic for everyone. It will strengthen community connections by uniting Council, local organisations, schools, and residents in a shared cause. Each painted tree will serve as a powerful visual symbol of hope, support, and unity to reminding people to check in on one another and prioritise wellbeing. In addition, the striking blue trees will create a unique tourist attraction, drawing visitors to Robinvale, sparking curiosity, and showcasing the town's strong commitment to community care and mental health awareness.

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text \$289.41 for the tin of paint

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
17

Date Submitted: Oct 03, 2025, 08:50 AM

Q1 First name:

Short Text Irene

Q2 Last name:

Short Text Templeton

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice Yes

Q8 What is the name of your Community Group or Organisation:

Short Text Manangatang Recreation Reserve

Q9 Describe your project:

Long Text We receive an annual maintenance allowance of \$10,000.00 from Council. With increasing prices on everything we need our maintenance allowance to increase to at least \$20,000.00 for us to remain a serviceable facility. It is a major facility for Manangatang and District which we would like to continue into the future. Insurance is a huge expense, water and maintenance is also expensive. These are not things you can get a grant for. We are 100% volunteers that put many hours into this facility.

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversity

Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
First Nations People
Socio-economically disadvantaged groups
People with disabilities
People from culturally and linguistically diverse backgrounds

Q12 Benefit groups

Multi Choice Sporting groups
School groups
Other community groups
Volunteers
Families
Local residents
Business community
Non for profit organisations
Visitors

Q13 Describe the benefits that will be delivered from this project:

Long Text The Reserve needs to remain financial for any works that need doing at the facility. We need to keep the grounds and buildings to a serviceable level, as updating is way out of our price range. We need to maintain our machinery for our volunteers to use. All of our community and district use the Reserve for many purposes and we would like to keep a safe and inviting area for them into the future.

Q14 Are there funding avenues available for this project?

Multi Choice Unsure

Q15 Estimated cost of project:

Short Text \$20,000.00

Q16 Would you like to present your idea to Council?

Multi Choice Yes

Response No:
18

Date Submitted: Oct 02, 2025, 07:32 PM

Q1 First name:

Short Text Teresa

Q2 Last name:

Short Text Obrien

Q6 Which of the following best describes you?

Multi Choice I am a resident/property owner in Swan Hill Rural City Council

Q7 Are you submitting this form on behalf of a Community Group or Organisation?

Multi Choice No

Q8 What is the name of your Community Group or Organisation:

Short Text

Q9 Describe your project:

Long Text Complete path around lake boga / it's use would huge encouraging locals to exercise more and tourists would also utilise and it would encourage them get out snd about, needs to be to caravan park through to no 99/ it was promised but seems to have been lost

Q10 Attach additional documentation to support your idea:

File Upload

Q11 Age, gender and diversityMulti Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
People who are refugees
First Nations People
People from culturally and linguistically diverse backgrounds
Socio-economically disadvantaged groups
People with disabilities**Q12 Benefit groups**Multi Choice School groups
Sporting groups
Indigenous community
Arts and culture groups
Volunteers
Families
Local residents
Business community
Non for profit organisations
Visitors**Q13 Describe the benefits that will be delivered from this project:**

Long Text Improve attraction for tourists and encourage mote people to improve their physical and mental health

Q14 Are there funding avenues available for this project?

Multi Choice Yes

Q15 Estimated cost of project:

Short Text \$50,000

Q16 Would you like to present your idea to Council?

Multi Choice No

Response No:
19

Date Submitted: Oct 02, 2025, 05:21 PM

- Q1 First name:**
Short Text Trevor
- Q2 Last name:**
Short Text Tobias
- Q6 Which of the following best describes you?**
Multi Choice I am a resident/property owner in Swan Hill Rural City Council
I am business owner in Swan Hill Rural City Council
- Q7 Are you submitting this form on behalf of a Community Group or Organisation?**
Multi Choice Unsure
- Q8 What is the name of your Community Group or Organisation:**
Short Text Pianigil cabin and caravan park
- Q9 Describe your project:**
Long Text SEWER in piangil. If Piangil was to have sewerage connections it would be the 3 or 4 largest town in the shire. The 37 vacant lot would have houses built and the old house would be upgraded. The middle management would have houses closer to their work place. Workers would have houses.
- Q10 Attach additional documentation to support your idea:**
File Upload
- Q11 Age, gender and diversity**
Multi Choice Children (aged 0-14)
Young people (aged 15-24)
Adults (aged 24-54)
Seniors (aged 54+)
Men
Women
- Q12 Benefit groups**
Multi Choice Business community
Local residents
Families
Other community groups
Non for profit organisations
Newly formed community group
Visitors
- Q13 Describe the benefits that will be delivered from this project:**
Long Text The town will grow. The economy will grow
Investment in tradesmen. Housing will increase and improve.
- Q14 Are there funding avenues available for this project?**
Multi Choice Yes
- Q15 Estimated cost of project:**
Short Text 12 to 15 million

Q16 Would you like to present your idea to Council?

Multi Choice Yes

2.2 2024/25 Rates Surplus

Directorate: Corporate Services
File Number: S15-06-19
Purpose: For Decision

Council Plan Strategy Addressed

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations. Objective 6.2: Strengthen Council’s internal capability, resources, systems and financial sustainability.
6.2.4 Maintain long-term financial sustainability.

Current Strategic documents

Budget

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 a Council resolution for the application of surplus funds derived from the 2024-25 financial year.

Discussion

The Financial Statements for 2024-25 were finalised in September 2025 and Council received clear audit opinions from the Victorian Auditor-General’s Office.

Following the completion of the financial statements, a rates determination result is calculated to determine a rate surplus or deficit from the financial year. The rates determination result is a calculation which excludes non-cash items such as depreciation, profit/loss on sale of assets, non-monetary contributions from developers, etc.

The budgeted rates determination result was a \$70,000 rates surplus. The year end rates determination result was a surplus of \$1,525,000.

The purpose of this report is to seek Council approval to the application of the \$1,525,000 in surplus funds.

The items detailed below represent the variances from budget that determine much of the 2024-25 rates surplus:

| | Variance to Budget |
|---|---|
| Grants Commission – Financial Assistance Grants (including Transfer from Reserve) <i>The approved Financial Assistance Grant for 2024-25 was higher than the budgeted grant.</i> | \$149,000 |
| Grants Commission – 2023-24 Underpayment <i>Final calculation of the 2022-23 Financial Assistance Grant resulted in an additional allocation to Council.</i> | \$11,000 |
| Interest Income <i>Higher than forecast cash holdings and increasing interest rates over the year resulted in higher interest income being earned.</i> | \$843,000 |
| Rates and charges Supplementary rates income | \$35,000 |
| User fees and charges Carparking fees – <i>result under budget</i> Livestock Exchange – <i>additional user fees over budget.</i> Heartbeat of the Murray – <i>result under budget</i> | (\$59,000) \$97,000 (\$61,000) |
| Statutory fees and fines <i>Animal infringements</i> | \$44,000 |
| Employee Costs (net) <i>Difficulty recruiting suitably qualified staff in a number of positions has resulted in below forecast salaries and wages. In some cases, the vacant positions are temporarily filled by agency staff which had not been forecast. This variance is the net effect of the current issues faced in recruiting staff.</i> | \$785,000 |
| Workcover <i>Premium savings.</i> | \$34,000 |
| Contract payments, materials and services <i>Storm damage – trees Nyah Recreation Reserve</i> <i>Performing Arts Program – result over budget</i> <i>Additional drainage maintenance – pipe cleaning.</i> <i>Utility savings – Swan Hill Aquatic and Recreation Centre.</i> <i>Insurance – premiums below budget.</i> <i>PS Gem – hull maintenance. Unexpected maintenance undertaken.</i> <i>Swan Hill Library rental increase.</i> <i>Strategic Asset Management Plan – unbudgeted expenditure.</i> | (\$76,000) (\$252,000) (\$20,000) \$50,000 \$60,000 (\$50,000) (\$43,000) (\$22,000) |
| 2024-25 Surplus | \$1,525,000 |

Officers have considered several uses for this surplus, and the suggested use of funds is as follows, and supported by the following:

| Item No. | Expense | Description | Allocation Amount |
|----------|---|---|--------------------|
| 1. | Workcover – MAV. | Council remains liable for any claims regarding the MAV Workcare scheme of which it was previously a member. Recent reviews of the scheme, which has now been closed for 4 years, indicate there could be a call from the member Councils. Funds reserved until review completed in 2027. | \$100,000 |
| 2. | Missing Links footpath projects | Completion of missing links footpath projects within Woorinen South (Palmer St and Bright St). | \$200,000 |
| 3. | Local Government Precinct concept. | Feasibility plan / review for a 'GovHub' that could accommodate local and state government services. | \$100,000 |
| 4. | Council Plan initiatives. | Funding to expedite initiatives identified within the Council Plan. Funds allocated to Council Plan Actions Reserve. | \$300,000 |
| 5. | Health precinct – Traffic Management Plan | Development of traffic management plan to increase parking within the health precinct. | \$50,000 |
| 6. | Commercial support for business plans. | Funding to action the Council Plan strategy of 'building internal capability and partnerships to meet evolving community needs.' Development of business plans for Ultima Compost Facility, Swan Hill Town Hall, Swan Hill Library. | \$100,000 |
| 7. | Implementation of Customer Service Strategy. | Funding to address the focus areas identified within the Customer Service Strategy. Consultant engagement to undertake the delivery of customer service actions. | \$55,000 |
| 8. | Lake Boga Netball Courts. | Remediation of netball court surface to ensure player safety and continuing competition. | \$150,000 |
| 9. | Centenary Park Playground. | Funding allocated for additional elements to be added to the playground. | \$200,000 |
| 10. | Disability Discrimination Act (DDA) compliance works. | Footpath on Monash Drive at Swan Hill Outdoor Swimming Pool to be redirected around power pole, and address non-compliant issues. | \$150,000 |
| 11. | Drainage Hydrovac | Purchase of Hydrovac for ongoing drainage maintenance. Purchase of plant item allows for immediate response in blocked pipe situations, improves drainage maintenance opportunities, removes operational hire costs, reduces an OH&S risk for staff cleaning pits. | \$120,000 |
| | Total | | \$1,525,000 |

Consultation

The above application of the 2024-25 surplus funds was discussed at Council briefing 28 October 2025 with a follow up discussion at Council briefing 02 December 2025.

Financial Implications

Allocation of the Rates Surplus to the recommended options allows for the projects to begin or continue immediately without impacting current budgets or having to rely on future budgets to fund the projects.

Social Implications

Funding allocated to sport and recreation projects and the DDA compliance improve the social connections and liveability of the municipality.

Economic Implications

Several projects are aimed at initiating development opportunities and supporting the economic development of the Municipality.

Environmental Implications

Nil

Risk Management Implications

The risk management implications are generally assessed individually as part of the implementation of each project at its commencement.

Attachments: Nil

Options

1. Council may choose to adopt or amend the recommendation.

Recommendation/s

That Council note the report and approve the appropriation of the 2024-25 rate surplus to the following specific purposes:

- **Workcover – MAV \$100,000**
- **Missing Links Footpath - \$200,000**
- **GovHub Business Case - \$100,000.**
- **Council Plan Actions Reserve - \$300,000**
- **Health precinct – traffic management plan - \$50,000**
- **Commercial support for business plans - \$100,000**
- **Implementation of Customer Service Strategy – \$55,000**
- **Lake Boga Netball Courts - \$150,000**
- **Centenary Park Playground Stage 2 - \$200,000**
- **Disability Discrimination Act (DDA) compliance works - \$150,000**
- **Drainage Hydrovac \$120,000**

2.3 Councillor Training Policy

Directorate: Corporate Services
File Number: S16.25P.02
Purpose: For Decision

Council Plan Strategy Addressed

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations. Objective 6.2: Strengthen Council’s internal capability, resources, systems and financial sustainability.

6.2.1 Build internal capability and partnerships to meet evolving community needs.

Current Strategic Documents

Governance Rules

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 Councillor Training Policy has been developed to set out the mandatory training requirements, roles and responsibilities. The Councillor Training Procedure supports the implementation of this policy and details the prescribed matters that must be delivered in accordance with the Local Government (Governance and Integrity) Regulations 2020.

Discussion

The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. This requires a Councillor to do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly. The *Local Government Act 2020* was amended in October 2024 to improve the governance and integrity of Councils by providing for ongoing mandatory training for Councillors and Mayors.

Councillor induction, Mayoral training and professional development training is a mandatory requirement in the *Local Government Act 2020* and detailed in the Local Government (Governance and Integrity) Regulations 2020.

All Mayors, Deputy Mayors, and Councillors must complete the prescribed mandatory training in accordance with the Regulations, which details the matters to be included and the timelines for completion.

The mandatory training includes:

- Mayoral training – This must be completed by all Mayors, Acting Mayors (appointed for one month or more), and Deputy Mayors within one month of being elected to the role.
- Councillor induction training – This must be completed by all Councillors within four months of taking the oath or affirmation of office.
- Professional development training – This must be completed by all Councillors annually, beginning in the first full calendar year after being elected.

The training may also include any other matters the Chief Executive Officer considers will support councillors in the performance of their role.

Failure to complete the mandatory training enables Council to withhold the Councillors allowance until training has been completed and a written declaration has been made.

Consultation

Nil

Financial Implications

Additional budget may be required to ensure Councillors receive sufficed and appropriate training and professional development opportunities.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

An investment in the professional development of Councillors is intended to strengthen the integrity of Council, promote good governance in the municipal district and reduce the risk of poor decision making and improper conduct by Councillors.

Failing to meet the mandatory training and professional development requirements may result in adverse consequences for Council and individual councillors.

- Attachments:**
1. Councillor Training Policy GOV034 V1 0 [2.3.1 - 2 pages]
 2. Councillor Training Procedure V1 0 (1) [2.3.2 - 18 pages]

Options

1. Endorse and adopt the Councillor Training Policy.

2. Endorse and adopt the Councillor Training Policy, once any requested amendments have been confirmed as completed by the Chief Executive Officer.
3. Not endorse or adopt the Councillor Training Policy.
4. Note the Councillor Training Procedure.

Recommendation/s**That Council:**

- 1. Endorse and adopt the Councillor Training Policy**
- 2. Note the Councillor Training Procedure**

Date adopted

Last review

Next review: June 2028

Responsible Officer: Director Corporate Services

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



POLICY TITLE COUNCILLOR TRAINING POLICY

POLICY NUMBER CPOL/GOV034

ENABLING LEGISLATION

Section 42 of the *Local Government Act 2020* (the Act) requires a Council to make available to the Mayor and Councillors the resources and facilities necessary to enable them to effectively perform their role

1. PURPOSE

The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. This requires a Councillor to do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly.

To enhance the standards of governance and behaviour across the local government sector, consistent content and ongoing training has been mandated, and must be completed by all councillors.

2. SCOPE

This policy applies to the Chief Executive Officer or delegate and Councillors.

3. POLICY

In accordance with the Act, the Chief Executive Officer (CEO) or delegate will:

- ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office
- ensure that the professional development training is available to be undertaken annually within the period, or by the day, prescribed for the purposes of section 33A (3) of the Act
- ensure that the Mayoral training is available to be taken within the relevant period specified in section 27A (1) of the Act, for a Mayor, Deputy Mayor or Acting Mayor
- provide reasonable assistance to a Councillor to enable them to access induction training and the professional development training, and for a Mayor, Deputy Mayor or Acting Mayor to access Mayoral Training.

4. RELATED POLICIES/PROCEDURES/DOCUMENTS

CPOL/GOV026 Model Councillor Code of Conduct

CPRO/GOV026 Internal Arbitration Procedure

CPOL/GOV014 Council Expense Policy

Local Government Victoria – *Guidance on the mandatory training for Mayors, Deputy Mayors and Councillors* (October 2024)

| | | |
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| Councillor training Policy CPOL/GOV026 | | |
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Date adopted

Last review

Next review: June 2028

Responsible Officer: Director Corporate Services

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



5. REVIEW

The policy will be reviewed in June of each Council election year.

6. DOCUMENT HISTORY

| Version Number | Issue Date | Description of Change |
|----------------|---------------|-----------------------|
| 1.0 | December 2025 | Initial Release |
| | | |
| | | |
| | | |

Signed: _____ MAYOR Date: _____

Date adopted

Last review

Next review: June 2028

Responsible Officer: Director Corporate Services

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



PROCEDURE TITLE: COUNCILLOR TRAINING PROCEDURE

PROCEDURE NUMBER PRO/GOV034

ENABLING POLICY

CPOL/GOV034 Councillor Training Policy

ENABLING LEGISLATION

Local Government (Governance and Integrity) Regulations 2020

1. PURPOSE

To set out the arrangements for delivering the Councillor training program, as prescribed in the Local Government (Governance and Integrity) Regulations 2020.

2. SCOPE

This procedure applies to the Chief Executive Officer (CEO) or delegate and Councillors.

3. DEFINITIONS

| | |
|--|--|
| Act | the <i>Local Government Act 2020</i> |
| Council | Swan Hill Rural City Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i> . |
| Candidate support program | a program of preliminary training designed to educate potential local government candidates about council election processes, local government legislative and policy fundamentals and life as a Councillor. |
| Councillor induction program | the program of professional development activities provided to all Councillors upon election. |
| Councillor professional development | the program of professional development activities provided annually to all Councillors. |
| Mayoral induction program | the program of professional development activities provided to the Mayor and Deputy Mayor. |
| Training certification statement | the statement prepared by the CEO and presented to Councillors for signing. See Appendix D |
| Training program | Mayoral induction program, Councillor induction program and/or Councillor professional development program. |

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| Councillor Training Procedure PRO/GOV034 | | |
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4. INTRODUCTION

Council is committed to supporting effective local governance through the ongoing development of Councillors. This policy aims to:

- Promote good governance by providing high-quality learning and development programs that equip Councillors with the knowledge, skills, and confidence required to fulfil their roles effectively.
- Foster professional leadership and capability growth among Councillors, encouraging continuous improvement and personal development.
- Ensure that professional development is guided by the following principles: alignment with legislative obligations; progressive learning over the term; responsiveness to individual and organisational needs; cost-effectiveness; and the cultivation of respectful, collaborative relationships between Councillors and with Council staff.

5. COUNCILLOR TRAINING PROGRAM

Council benefits from ensuring Councillors are well trained in their legislative obligations, principles of good governance, compliance with codes of conduct, conflicts of interest and other transparency disclosures and accountabilities. Councillor professional development commences prior to nomination and continues throughout the four-year term as an elected representative, with a combination of mandatory training prescribed by legislation (Appendix A) and discretionary training identified as necessary to Council or Councillor.

Further, the Mayor and Deputy Mayor are required to undertake additional training upon their appointment to that role.

The CEO will ensure the timing of all training aligns with legislative deadlines under the Act and Regulations. Councillors elected during an extraordinary vacancy or returning from a leave of absence must complete the relevant training within one month of their return. This includes:

- Mayoral Training: Within 1 month of election/appointment
- Councillor Induction: Within 4 months of taking oath/affirmation.
- Annual Professional Development: By 31 December each year, or 1 September in an election year.

5.1. Candidate Training and Support

Prior to the opening of nominations for local council elections, the CEO will ensure information is provided on the council website about the process of nomination for election as a Councillor, including the requirement all candidates undertake mandatory candidate training prior to nomination.

5.2. Mayoral Induction Program

For the Mayor and Deputy Mayor, the prescribed matters are:

- roles and responsibilities
- chairing meetings
- engagement and advocacy
- leadership; and

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- any other matter relating to the role of the Mayor which the CEO has determined should be addressed.

Upon election to the office of Mayor or Deputy Mayor, the CEO shall provide the Mayor and Deputy Mayor with a program of professional development activities which, if completed within four months of taking the oath or affirmation, will satisfy each Councillor's obligation. The Mayoral induction program may be the same for both Councillors, or may differ between Councillors depending on identified learning needs. The Mayoral induction program is subject to change and may be altered by the CEO with reasonable notice provided to Councillors. Participation in the Mayoral induction program is mandatory for the Mayor and Deputy Mayor.

5.3. Councillor Induction and Professional Development Program

For all Councillors (for both induction and ongoing professional development), the prescribed matters are:

- working together in a council
- decision making, integrity and accountability
- community representation
- strategic planning and financial management
- conduct
- land use planning; and
- any other matter relating to the role of a Councillor which the CEO has determined should be addressed.

Upon election, the CEO shall provide all Councillors with a mandatory induction program to be completed within four months. This program may be uniform or tailored to individual learning needs and can be updated with reasonable notice.

Each calendar year, the CEO will also provide a professional development program for all Councillors. An annual self-assessment process (Appendix C) will help identify focus areas, inform tailored learning plans or mentoring, and guide group training offerings

The Councillor professional development program must include:

- Any training that is outlined under the Act as mandatory or regulations.
- At the discretion of the CEO any additional professional development training or activities that they determine to be relevant and important to the professional development needs of Council.

Councillors may also request additional training (discretionary training). Any requests for discretionary training are to be made to the Director of Corporate Services, who will determine whether the training is within budget, and whether the training will assist the Councillor to better understand their role and responsibilities.

Additional optional resources are also available for Councillors to access (refer to Appendix B - Existing Resources and Training). Training resources used for Councillor Induction or Professional Development Training will be made available for access on the Councillor Hub.

5.4. Delivery of professional development training

The Councillor professional development training program may be delivered by:

- in-house training to a Councillor group (by an external subject matter expert, training provider or by a Council officer who is a subject matter expert in that area);

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- completion of online training modules;
- self-directed learning by way of webinars, videos, podcasts or similar;
- attendance at an external training event, seminar or conference;
- completion of a recognised qualification; and/or
- other activities deemed suitable by the CEO (e.g. mock meetings, mentoring or peer learning).

The Councillor professional development training program may be the same for all Councillors or may differ between Councillors depending on identified learning needs. The CEO will provide reasonable assistance and ensure accessibility to enable Councillors to complete their training. This may include flexible delivery methods, travel or technology support, and access to materials in alternative formats (where appropriate)

5.4.1. Councillor participation and resourcing Councillor professional development

Council funds the Councillor professional development plan through its annually adopted budget, with expenditure and participation reported in the Annual Report and to the Audit and Risk Committee. The Council Expense Policy (CPOL/GOV014) governs reimbursement for approved training aligned with official duties.

Participation in the Mayoral induction, Councillor induction, and annual professional development programs is mandatory under the Local Government Act. Councillors must make every effort to attend, while the CEO is responsible for providing reasonable assistance and arranging alternatives if a Councillor cannot attend (e.g., make-up sessions). Councillors must promptly notify the CEO of any inability to participate.

5.4.2. Certification

Following each training program, the CEO will prepare a training certification statement which sets out the training undertaken by each Councillor during that calendar year. The statement shall include for each element of the training program:

- the date(s) the training was undertaken
- the prescribed matters included, with reference to regulation 4A, 6 or 6A(2) of the Local Government (Governance and Integrity) Regulations 2020
- the detailed matters addressed
- the manner of delivery.

If the training certification statement confirms all required elements are completed, it shall be presented to each Councillor for certification. The Councillor then signs and dates the statement in the presence of the CEO as a written declaration of completion (Appendix D). If any required elements are incomplete, the statement may not be presented until those elements are finished.

If a Councillor fails to make the written declaration:

- for the Councillor induction program, four months from the taking of the oath or affirmation of office (subject to s32(4A) of the Act;
- for the Mayoral induction program, one month from election as Mayor or Deputy Mayor; or

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- for the Councillor professional development program, 31 December each year except for an election year when it must be completed by 1 September (subject to s33A(6) of the Act)

the CEO shall withhold the payment of the Mayoral, Deputy Mayoral or Councillor allowance until such time as both the training program has been completed and the written declaration has been made.

The failure to make the written declaration by the deadline for any of the applicable training programs results in the withholding of the entire Mayoral, Deputy Mayoral or Councillor allowance (i.e. a Mayor who fails to complete the Mayoral induction declaration but does complete the Councillor induction and Councillor professional development declarations will have their full allowance withheld – they do not ‘revert’ to receiving the Councillor allowance). Upon the completion of the training program and the making of the declaration, payment of allowances shall resume, and any amounts withheld shall be paid.

6. RELATED POLICIES/PROCEDURES/DOCUMENTS

Model Councillor Code of Conduct CPOL/GOV026

Internal Arbitration Procedure CPRO/GOV026

Council Expense Policy CPOL/GOV014

Local Government Victoria – *Guidance on the mandatory training for Mayors, Deputy Mayors and Councillors* (October 2024)

7. DOCUMENT HISTORY

| Version Number | Issue Date | Description of Change |
|----------------|---------------|-----------------------|
| 1.0 | December 2025 | Initial Release |
| | | |
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Signed: _____ CEO Date: _____

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APPENDIX A – RECOMMENDED 4 YEAR TRAINING PROGRAM

When determining training activities, Council will consider the 70/20/10 learning principle:

- 70 per cent of learning activities are provided via learning and developing from experience (experiential learning).
- 20 per cent of learning activities are provided via learning and developing through others (social learning)
- 10 per cent of learning activities are provided via learning and developing through structured programs (formal learning)

| COUNCILLOR TRAINING PROGRAM | | I N D | YEAR | | | |
|---|---|----------------------|-------------|----------|----------|----------|
| PRESCRIBED MATTER | CONTENT | | 1 | 2 | 3 | 4 |
| 1. Working together in a Council | 1.1 Councillor group commitment to work as a team | X | | | | |
| | 1.2 Renewing Councillor group commitment to work as a team | | X | X | X | X |
| | 1.3 Overview of the council and its elected roles | X | | X | | |
| | 1.4 Overview of non-elected roles | X | | | | |
| | 1.5 CEO recruitment and performance management | | X | X | X | X |
| 2. Decision-making, integrity and accountability | 2.1 Council decision-making and good governance | X | | X | | X |
| | 2.2 Effectively participating in council meetings | | X | X | X | X |
| | 2.3 Key integrity and accountability requirements | X | X | X | X | X |
| | 2.4 Preventing fraud and corruption | | X | | X | |
| 3. Community representation | 3.1 Understanding and responding to the needs of the municipality | X | | X | | |
| | 3.2 Representing the diversity, interests and needs of the community | | X | X | X | X |
| 4. Strategic planning and financial management | 4.1 Introduction to strategic planning and financial management | X | | | | |
| | 4.2 Effective strategic planning | | X | X | X | X |
| | 4.3 Effective financial and risk management | | X | X | X | X |
| 5. Conduct | 5.1 The councillor conduct framework | X | | X | | X |
| | 5.2 Effective communication | | X | X | X | X |
| | 5.3 Creating and maintaining a safe workplace | | X | X | X | X |
| | 5.4 Introduction to other legislative responsibilities relating to the behaviour of councillors | | X | X | X | X |
| 6. Land use planning | 6.1 The role of Council in land use planning | X | | | | |
| | 6.2 Victoria's planning system | | X | X | X | X |
| | 6.3 Council policies and procedures in relation to statutory planning | | X | X | X | X |

Further details of content available in LGV [Guidance on the mandatory training for mayors, deputy Mayors and Councillors](#) (external link)

APPENDIX B – EXISTING RESOURCES AND TRAINING

Note that the links provided below are to external sites and may be subject to change. Please visit the home page of the organisation listed if you cannot access the page via the link below. Check the Councillor Hub for additional resources.

Mayoral Training

| PREScribed MATTERS | EXISTING RESOURCES AND TRAINING |
|--|--|
| Roles and responsibilities Knowledge about the roles and responsibilities of the mayor and deputy mayor and support for the roles | Local Government Victoria <ul style="list-style-type: none"> The Local Government Candidate Training (External link) |
| Chairing meetings Knowledge and skills related to the mayor's role as the Chair of council meetings | Municipal Association of Victoria (MAV) <ul style="list-style-type: none"> Mayoral Welcome and Induction (External link) |
| Engagement and advocacy Knowledge and skills related to the role as the principal spokesperson for the council and the leader of civic and ceremonial duties | Victorian Local Governance Association (VLGA) <ul style="list-style-type: none"> VLGA Mayoral Leadership Program (External Link) VLGA Connect Live Forums (External link) |
| Leadership Knowledge and skills related to the mayor's role as the leader of the elected body of councillors | Australian Local Government Women's Association (ALGWA) <ul style="list-style-type: none"> Online forums and events (External link) Local Government Professionals (LGPro) <ul style="list-style-type: none"> LGPro Effective Language for Challenging Conversations course (External link) Other useful resources <ul style="list-style-type: none"> VLGA Good Governance Guide (External link) The Australian Institute of Company Directors (AICD) courses and programs (External link) The Institute of Community Directors Australia (ICDA) training and resources (External link) |

Councillor Induction and Professional Development Training

| PREScribed MATTER | EXISTING RESOURCES AND TRAINING |
|---|---|
| Working together in a Council Activities collectively determined by the councillor group to build relationships, connection and trust between councillors to support working as a cohesive group and holding each other to account. Knowledge and skills to support councillors to understand | Local Government Victoria <ul style="list-style-type: none"> The Local Government Candidate Training (External link) Municipal Association of Victoria (MAV) <ul style="list-style-type: none"> The MAV's Councillor Development Program and Councillor development weekend (External link) |

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| <p>and differentiate between the roles of the Council, Councillor and council staff.</p> | <p>Victorian Local Governance Association (VLGA)</p> <ul style="list-style-type: none"> • VLGA Councillor Readiness Program (External Link) <p>Local Government Professionals (LGPro)</p> <ul style="list-style-type: none"> • LGPro's Introduction to Local Government course (External link) <p>Other useful resources</p> <ul style="list-style-type: none"> • VLGA Good Governance Guide (External link) • The Victorian Independent Remuneration Tribunal's Determination on allowances payable to Mayors, Deputy Mayors and Councillors (External link) • The Australian Institute of Company Directors (AICD) courses and programs (External link) • The Institute of Community Directors Australia tools, including the Board effectiveness self-review (External link) <p>Council-specific resources (Councillor Hub)</p> <ul style="list-style-type: none"> • Councillor Internal Resolution Procedure – GOV026 • Council organisational structure • Council plan • Councillor and Staff Interactions Policy – GOV010 • Council Expense Policy – GOV014 |
| <p>Decision-making, integrity and accountability Knowledge and skills to support councillors to understand good governance, how Councils make decisions, how Council meetings work and to support ethical and lawful decision-making by Councillors.</p> | <p>Local Government Victoria</p> <ul style="list-style-type: none"> • The Local Government Candidate Training (External link) • Ensuring Unbiased Democratic Council Decision-Making (PDF) • In the Public Interest: A conflict of interest guide for councillors, delegated committee members and council staff (External link) • Various final reports from municipal monitors appointed to councils (External link) <p>Municipal Association of Victoria (MAV)</p> <ul style="list-style-type: none"> • The MAV's Councillor Development Program and Councillor development weekend (External link) <p>Victorian Local Governance Association (VLGA)</p> <ul style="list-style-type: none"> • VLGA Councillor Readiness Program (External Link) • VLGA Connect Live Forums (External link) |

| | |
|--|--|
| | <p>Local Government Professionals (LGPro)</p> <ul style="list-style-type: none"> • Governance in Action (External link) <p>Independent Broad-based Anti-corruption Commission (IBAC)</p> <ul style="list-style-type: none"> • IBAC webinars and events, including Why good governance matters: best practice for public entity boards (External link) • IBAC reports, including Unauthorized access and disclosure of information held by local government (External link) • IBAC guidance, resources and materials including Understanding conflicts of interest (External link), Conflicts of interest: Myths, misconceptions and management (External link), Behaviours that mask corruption in the public sector (External link), the Australian Standard on Fraud and Corruption Control (External link) and webinars and training on corruption risks, such as the Corruption risks for interface councils (External link) webinar and other webinars such as Building a speak-up culture (External link) <p>Other useful resources</p> <ul style="list-style-type: none"> • VLGA Good Governance Guide (External link) • Victorian Ombudsman training courses, such as Good Decision Making (External link) • Local Government Inspectorate (LGI) resources for councils (External link), such as Case studies: Investigation (External link) • Office for the Information Commissioner (OVIC) guidance, such as Framework for releasing Council information proactively and informally (External link) and Privacy considerations for local government (External link) • The Institute of Community Directors Australia (ICDA) (External link) training and resources <p>Council-specific resources (Councillor Hub)</p> <ul style="list-style-type: none"> • Governance Rules – GOV022 • Media Policy – GOV003 • Social Media Policy – GOV017 |
| <p>Community representation Knowledge and skills to support councillors to understand and represent their municipality.</p> | <p>Local Government Victoria</p> <ul style="list-style-type: none"> • Ministerial Good Practice Guideline and General Guidance for Councils Engaging with Aboriginal Victorians (External link) |

| | |
|--|---|
| | <ul style="list-style-type: none"> • The Local Government Candidate Training (External link) • Ensuring Unbiased Democratic Council Decision-Making (External link) • Various final reports from municipal monitors appointed to councils <p>Municipal Association of Victoria (MAV)</p> <ul style="list-style-type: none"> • The MAV's Councillor Development Program and Councillor development weekend (External link) <p>Victorian Local Governance Association (VLGA)</p> <ul style="list-style-type: none"> • VLGA Councillor Readiness Program (External Link) • VLGA Connect Live Forums (External link) <p>Local Government Professionals (LGPro)</p> <ul style="list-style-type: none"> • LGPro Effective Language for Challenging Conversations course (External link) <p>Victorian Ombudsman</p> <ul style="list-style-type: none"> • Victorian Ombudsman Good Practice Guides (External link) • Victorian Ombudsman training courses, such as Dealing with complex behaviour (External link) <p>VicHealth</p> <ul style="list-style-type: none"> • Councillors' role in leading healthy communities (External link) <p>Other useful resources</p> <ul style="list-style-type: none"> • VLGA Good Governance Guide (External link) • The Institute of Community Directors Australia (ICDA) training and resources (External link) |
| <p>Strategic planning and financial management</p> <p>Knowledge and skills to support councillors to understand their role in setting the strategic direction for the Council and ensuring its long-term financial sustainability</p> | <p>Local Government Victoria</p> <ul style="list-style-type: none"> • Local Government Victoria's Planning and Reporting Guides and Templates (External link) <p>Municipal Association of Victoria (MAV)</p> <ul style="list-style-type: none"> • The MAV's Councillor Development Program and Councillor development weekend (External link) <p>Local Government Professionals (LGPro)</p> <ul style="list-style-type: none"> • LGPro's Strategic Planning and Decision-Making - Foundation course (External link) |

| | |
|---|---|
| | <ul style="list-style-type: none"> • Strategic Planning and Decision-Making – Applied course (External link) • Core Financial Skills (External link) workshop • Risk Management Fundamentals (External link) course <p>VicHealth</p> <ul style="list-style-type: none"> • Councillors' role in leading healthy communities (External link) <p>Other useful resources</p> <ul style="list-style-type: none"> • The Australian Institute of Company Directors (AICD) courses and programs (External link) • The Institute of Community Directors Australia (ICDA) training and resources (External link) |
| <p>Conduct</p> <p>Knowledge and skills to support councillors to understand the conduct expected of them when performing the role of councillor.</p> | <p>Local Government Victoria</p> <ul style="list-style-type: none"> • Resources on the Councillor Conduct Framework (External link) under the Local Government Act 2020 • The MAV's Councillor Development Workshops (External link) <p>Municipal Association of Victoria (MAV)</p> <ul style="list-style-type: none"> • The MAV's Councillor Development Program and Councillor development weekend (External link) <p>Victorian Local Governance Association (VLGA)</p> <ul style="list-style-type: none"> • VLGA Councillor Readiness Program (External Link) <p>Other useful resources</p> <ul style="list-style-type: none"> • Resources from the Victorian Equal Opportunity and Human Rights Commission (VEOHRC), including online training modules (External link) and course on workplace equality (External link) • WorkSafe resources, including the WorkWell Toolkit (External link), mental health resources (External link) and guidance on general duties relating to health and safety: Occupational Health and Safety Act 2004 (External link) • The Institute of Community Directors Australia (ICDA) training and resources (External link) <p>Council-specific resources (Councillor Hub)</p> <ul style="list-style-type: none"> • Occupational Health and Safety Policy – OHS901 |

| | |
|--|--|
| | <ul style="list-style-type: none"> • Councillor and Staff Interactions Policy – GOV010 • Model Councillor Code of Conduct – GOV026 |
| Land use planning Knowledge and skills to support a councillor to understand and perform the role of a councillor in Victoria's Planning System. | <ul style="list-style-type: none"> • Resources produced by the Department of Transport and Planning (External link), including the guidance on Making planning decisions in local government (External link) • Planning and building resources prepared by the Municipal Association of Victoria (MAV) (External link) • VLGA Good Governance Guide (External link) |

APPENDIX C – COUNCILLOR SELF-ASSESSMENT TOOL

For professional development training, Council should consider the existing skills and experience of Councillors to determine what activities to deliver to support them to build knowledge and skills for each training matter.

Local Government Victoria has developed a confidence self-assessment tool aligned to the content checklist for Councillor induction and professional development training.

PART A: SELF RATING

- 1 Not confident at all
- 2 Slightly confident
- 3 Somewhat confident
- 4 Fairly confident
- 5 Completely confident

1. WORKING TOGETHER IN A COUNCIL

| How confident do you feel to: | Rating |
|---|--------|
| 1.1 Participate in discussions about the Councillor group vision and values | |
| 1.2 Establish effective working relationships (including with the CEO and senior staff) | |
| 1.3 Manage alternative viewpoints and resolving disputes between councillors | |
| 1.4 Review and measure councillor group performance | |
| 1.5 Follow council policies and processes to communicate council decisions to the community | |
| 1.6 Contribute to a positive culture for the whole organisation | |
| 1.7 Assess where improved interactions are needed | |
| 1.8 Welcome and support a new councillor (i.e., elected to fill an extraordinary vacancy during the Council term) | |
| 1.9 Review and undertake a self-assessment of past performance | |
| 1.10 Explain the role and legislative context of the Council (including the electoral structure) | |
| 1.11 Explain how councils are funded | |
| 1.12 Explain the role of a councillor | |
| 1.13 Explain the roles of the mayor and deputy mayor | |
| 1.14 Support the role of the mayor | |
| 1.15 Demonstrate leadership and emotional intelligence | |
| 1.16 Chair Delegated or Community Advisory Committee meetings | |
| 1.17 Manage your interests as a ratepayer while in the role of councillor | |
| 1.18 Keep updated knowledge of any legislative or regulatory amendments | |
| 1.19 Explain the role of the CEO and council staff | |
| 1.20 Understand and respect the difference between the role of CEO and councillor | |
| 1.21 Explain and abide by the legislative prohibition on directing council staff | |
| 1.22 Appropriately manage councillor and staff interactions | |
| 1.23 Explain the CEO Employment and Remuneration Policy | |
| 1.24 Undertake effective performance management of the CEO | |

TOTAL CONFIDENCE SCORE

0

2. DECISION MAKING, INTEGRITY AND ACCOUNTABILITY

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| How confident do you feel to: | | Rating |
|-------------------------------|--|--------|
| 2.1 | Explain how councils make decisions (including Council meetings and delegations) | |
| 2.2 | Explain, apply and participate in council policies and processes to support decision-making | |
| 2.3 | Explain good governance, including the overarching governance principles and supporting principles | |
| 2.4 | Explain the importance of managing conflicts of interest and the need to keep an open mind | |
| 2.5 | Explain how council meetings work | |
| 2.6 | Read and analyse council meeting papers | |
| 2.7 | Appoint the Chairs of Council delegated committees | |
| 2.8 | Explain the need to ensure unbiased democratic council decision-making | |
| 2.9 | Delegate decision-making (to council officers or delegated committees) | |
| 2.10 | Explain the election period policy, ensure the appropriate use of Council resources and maintain councillor integrity during the election period | |
| 2.11 | Prepare for Council meetings | |
| 2.12 | Read and understand council meeting papers | |
| 2.13 | Understand and apply the Governance Rules | |
| 2.14 | Engage in effective and respectful debate, influencing and negotiating | |
| 2.15 | Describe how meetings should be chaired | |
| 2.16 | Explain and abide by the requirements in relation to personal interests | |
| 2.17 | Explain and abide by the requirements in relation to conflicts of interest | |
| 2.18 | Explain and abide by the requirements in relation to managing confidential information | |
| 2.19 | Explain and abide by the requirements in relation to managing council information (other than confidential information) | |
| 2.20 | Explain and abide by the requirements in relation to expenses, gifts and donations | |
| 2.21 | Describe and abide by any council policies to support good governance | |
| 2.22 | Report breaches of integrity and accountability requirements | |
| 2.23 | Describe the roles of key integrity and accountability bodies for local government | |
| 2.24 | Describe the role and powers of the Minister for Local Government | |
| 2.25 | Explain and abide by the transparency and reporting requirements | |
| 2.26 | Explain Victoria's fraud and corruption framework | |
| 2.27 | Identify and report fraud and corruption (including during high risk activities such as lobbying) | |
| 2.28 | Explain and abide by council policies and processes to prevent fraud and corruption | |

TOTAL CONFIDENCE SCORE**0****3. COMMUNITY REPRESENTATION**

| How confident do you feel to: | | Rating |
|-------------------------------|---|--------|
| 3.1 | Describe the community's demographic profile | |
| 3.2 | Describe the key social, environmental and economic concerns facing the community | |
| 3.3 | Outline the key community organisations, sectors and communities of interest for the municipality | |

| | | |
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- 3.4 Explain the Council's Community Engagement Policy and legislative obligation to consult the community
- 3.5 Describe and abide by council systems and protocols for managing community interactions, requests and complaints
- 3.6 Explain and participate in community and deliberative engagement activities
- 3.7 Support gender equality, diversity (including cultural and linguistic diversity) and inclusiveness (including addressing unconscious bias)
- 3.8 Describing and participating in activities to ensure engagement and reconciliation with the traditional owners of land in the municipal district of the Council
- 3.9 Engaging in effective leadership and advocacy
- 3.10 Engaging in respectful interactions and dealing with difficult behaviours
- 3.11 Engage appropriately and effectively with diverse, marginalised and / or disadvantaged communities (including Aboriginal and Torres Strait Islander communities, women, people with a disability, culturally and linguistically diverse communities, the LGBTIQ+ community and other disadvantaged groups)
- 3.12 Describe and make decisions in relation to key issues affecting the community and the Council's obligations (such as public health and wellbeing, domestic, family and gendered violence, climate change, child safety and wellbeing, etc.)

TOTAL CONFIDENCE SCORE**0****4. STRATEGIC PLANNING AND FINANCIAL MANAGEMENT****How confident do you feel to:****Rating**

- 4.1 Describe the integrated strategic planning framework
- 4.2 Participate in the development of the Community Vision and Council Plan
- 4.3 Understand and analyse financial planning, budgets and reports (including capital expenditure)
- 4.4 Describe the role of the Audit and Risk Committee and undertake basic risk management principles
- 4.5 Describe the requirements of and participate in revenue and rating activities (including the Revenue and Rating Plan)
- 4.6 Adopt a Financial Plan, Asset Plan, Revenue and Rating Plan and Annual Budget
- 4.7 Set and measure outcomes
- 4.8 Participate in service planning, innovation and continuous improvement
- 4.9 Collaborate with other agencies (such as joint priorities with other councils, governments and statutory bodies and regional, state and national plans and policies)
- 4.10 Describe and participate in the development of the municipal public health and wellbeing plan
- 4.11 Describe and participate in activities in relation to asset management
- 4.12 Participate in activities to set rates for the municipality

TOTAL CONFIDENCE SCORE**0****5. CONDUCT****How confident do you feel to:****Rating**

- 5.1 Explain misconduct, serious misconduct and gross misconduct and related processes
- 5.2 Explain and abide by the requirements of the Model Councillor Code of Conduct, including standards of conduct
- 5.3 Explain and participate in the Internal Resolution Procedure

- 5.4 Define and not engage in improper conduct (misuse of position, directing staff and confidential information)
- 5.5 Explain the requirements of and abide by council policies and processes relating to councillor behaviour
- 5.6 Appropriately use social media
- 5.7 Engage in public speaking
- 5.8 Engage with the media (including abiding by council policies and processes)
- 5.9 Engage in influencing and negotiation
- 5.10 Describe and minimise risks to occupational health and safety and psychosocial hazards
- 5.11 Promote diversity and inclusion
- 5.12 Manage conflict and disputes (including by engaging in processes under the councillor conduct framework)
- 5.13 Describe and abide by council and councillor obligations under the *Occupational Health and Safety Act 2004*
- 5.14 Describe and abide by council and councillor obligations under the *Equal Opportunity Act 2010*
- 5.15 Describe and abide by council and councillor obligations under the *Racial and Religious Tolerance Act 2001*
- 5.16 Describe and abide by council and councillor obligations under the *Gender Equality Act 2020*
- 5.17 Describe and abide by council and councillor obligations under the *Victorian Charter of Human Rights and Responsibilities Act 2006*
- 5.18 Describe and abide by council and councillor obligations under the *Child Wellbeing and Safety Act 2005*

TOTAL CONFIDENCE SCORE**0****6. LAND USE PLANNING****How confident do you feel to:****Rating**

- 6.1 Describe and participate in the role of the Council in land use planning
- 6.2 Describe and undertake the roles of a councillor in planning matters
- 6.3 Explain land and development use, planning controls and relevant processes
- 6.4 Explain apprehension bias, integrity and scope of discretion in planning matters
- 6.5 Engage appropriately in interactions with planning applicants and objectors
- 6.6 Explain planning schemes
- 6.7 Explain planning amendments
- 6.8 Explain planning permit processes
- 6.9 Explain planning reviews and the role of VCAT
- 6.10 Explain the Role of the Planning Minister and other bodies such as Planning Panels Victoria
- 6.11 Explain the Council's Planning Scheme
- 6.12 Explain the council's delegated planning committee/s
- 6.13 Explain the council's planning delegations to Council officers
- 6.14 Explain the processes to trigger the determination of planning applications by the Council
- 6.15 Explain the policies and processes related to interactions with developers, planning applicants and their representatives and objectors

TOTAL CONFIDENCE SCORE**0**

PART B – SCORE ANALYSIS (use your total scores for each training matter in Part A)

| | Strong focus for professional development t | Moderate focus for professional development t | Light focus for professional development t |
|--|---|---|--|
| TRAINING MATTER | TOTAL CONFIDENCE SCORE | | |
| 1. Working together in a council | 24-71 | 72-96 | >96 |
| 2. Decision making, integrity and accountability | 28-77 | 78-104 | >104 |
| 3. Community representation | 12-32 | 33-44 | >44 |
| 4. Strategic planning and financial management | 12-35 | 36-48 | >48 |
| 5. Conduct | 18-50 | 51-68 | >68 |
| 6. Land use planning | 15-35 | 36-48 | >48 |

APPENDIX D – DECLARATION TEMPLATE

COMPLETION OF COUNCILLOR ANNUAL PROFESSIONAL DEVELOPMENT TRAINING

In accordance with section 33A (4) of the *Local Government Act 2020*, I, Cr [First name Last name], hereby declare that I have completed the mandatory annual professional development training by 31 December 20xx.

Attached is a record of training completed this calendar year.

| | |
|-------------------------|--|
| Signature of councillor | |
| Name of Councillor | |
| Date | |

I, [Chief Executive Officer First name Last name], Chief Executive Officer of [xx Council], confirm that I have witnessed the making of this declaration.

| | |
|------------------|--|
| Signature of CEO | |
| Name of CEO | |
| Date | |

Note: In an election year, training must be completed and the declaration signed by 1 September.

2.4 Councillor and Staff Interactions Policy

Directorate: Corporate Services
File Number: S16.25P.02
Purpose: For Decision

Council Plan Strategy Addressed

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations.
Objective 6.1: Deliver accessible, responsive and inclusive customer and community engagement.

6.1.2 Deliver consistent, culturally safe and inclusive customer service.

Current Strategic Documents

Governance Rules

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 Councillor and Staff Interactions Policy has been reviewed as part of Councils regular review cycle.

The Councillor and Staff Interactions Policy encourages courteous and respectful behaviors, and manages and supports arrangements for interactions between Councillors and members of Council staff.

Discussion

Section 46(3)(c) of the *Local Government Act 2020* (the Act) requires the CEO to develop and implement policies, procedures and protocols to manage and support arrangements for interactions between members of Council staff and Councillors.

Since the policy was last reviewed in 2021, there has been some key legislative changes. A new Model Councillor Code of Conduct was introduced in October 2024, with the standards of conduct detailed in the Local Government (Governance and Integrity) Regulations 2020, changes to the *Fair Work Act 2009* (Cth) to provide an employee with the workplace right to disconnect; and new Occupational Health and Safety (Psychological Health) Regulations 2025, which require employers to proactively identify, assess, and control psychosocial hazards in the workplace.

Consultation

The proposed changes to the document have been reviewed by the Executive Leadership Team, and the Councillors were briefed on the draft document.

Financial Implications

Nil.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

Appropriate management of Councillor Interactions with members of Council staff may reduce the risk of improper conduct and contribute to the effective and efficient management of the day-to-day operations of the Council.

Attachments: 1. Councillor and Staff Interactions Policy V2.0 Dec 2025 [2.4.1 - 10 pages]

Options

1. Endorse and approve the Councillor and Staff Interactions Policy
2. Endorse and approve the Councillor and Staff Interactions Policy, once any requested amendments have been confirmed as completed by the Chief Executive Officer.
3. Not endorse or approve the Councillor and Staff Interactions Policy
4. Note the Councillor and Staff Interactions Procedure

Recommendation/s**That Council:**

1. **Endorse and approve the Councillor and Staff Interactions Policy**
2. **Note the Councillor and Staff Interactions Procedure**

Date adopted
Last review
Next review
Responsible Officer

June 2018
December 2025
December 2029
Organisational Development Manager

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



POLICY TITLE COUNCILLOR AND STAFF INTERACTIONS POLICY

POLICY NUMBER CPOL/GOV010

ENABLING AUTHORITY:

Section 46(3)(c) of the *Local Government Act 2020* (the Act) requires the Chief Executive Officer (CEO) to develop and implement policies, procedures and protocols to manage and support arrangements for interactions between members of Council staff and Councillors.

1. SCOPE

This policy applies to the CEO, members of Council staff, and a person who is, or has been, a Councillor or member of a delegated committee.

2. PURPOSE

To encourage courteous and respectful behaviors that supports arrangements for interactions between Councillors and members of Council staff.

3. INTERACTIONS

The Model Councillor Code of Conduct requires a Councillor to:

- treat others, including members of Council staff, with dignity, fairness, objectivity, courtesy and respect
- act in accordance with any policies, practices and protocols developed and implemented by the CEO under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

A Councillor and Staff Interactions Procedure has been developed to support this policy.

4. SUPPORTING DOCUMENTS

PRO/GOV010 Councillor and Staff Interactions Procedure
CPOL/GOV02) Model Councillor Code of Conduct
Local Government (Governance and Integrity) Regulations 2020

5. DOCUMENT HISTORY

| Version Number | Issue Date | Description of Change |
|----------------|---------------|---------------------------------------|
| 1.0 | June 2018 | Initial release |
| 1.1 | November 2020 | Review |
| 1.2 | August 2021 | Review |
| 2.0 | December 2025 | New Model Councillor Code of Conduct. |

Signed: _____ **Mayor** **Date:** _____

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| Councillor and Staff Interactions Policy CPOL/GOV010 | | |
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Date adopted
Last review
Next review
Responsible Officer

June 2018
December 2025
December 2029

Organisational Development Manager

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



DOCUMENT TITLE COUNCILLOR AND STAFF INTERACTIONS PROCEDURE

DOCUMENT NUMBER PRO/GOV010

ENABLING POLICY

CPOL/GOV010 Councillor and Staff Interactions Policy

ENABLING LEGISLATION

Section 46(3)(c) of the *Local Government Act 2020* (the Act)
Local Government (Governance and Integrity) Regulations 2020

1. PURPOSE

To develop and implement a Councillor and Staff Interactions Procedure that supports both staff and Councillors to act in accordance with their respective Code of Conduct.

2. SCOPE

This procedure applies to the CEO, members of Council staff, and a person who is, or has been, a Councillor or member of a delegated committee.

3. OTHER LEGISLATIVE CONSIDERATIONS

Section 46(3)(c) of the *Local Government Act 2020* (the Act) requires the CEO to develop and implement policies, procedures and protocols to manage and support arrangements for interactions between members of Council staff and Councillors.

In the development of this procedure, the following workplace legislation was considered.

3.1. Occupational health and safety

Section 20 of the *Occupational Health and Safety Act 2004*, imposes a duty on Council to ensure health and safety by —

- eliminating risks to health and safety so far as is reasonably practicable; and
- if it is not reasonably practicable to eliminate risks to health and safety, to reduce those risks so far as is reasonably practicable.

Under the Occupational Health and Safety (Psychological Health) Regulations 2025, this includes risks associated with a psychosocial hazard.

Psychosocial hazards include high job demands, bullying and poor support which may result in illness, stress and fatigue. Psychosocial hazards may arise in the working environment and cause a staff member to experience one or more psychological responses that create a risk to their health or safety. Contributing factors include work design, systems of work, management and carrying out of work and personal or work-related interactions.

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3.2. Right to disconnect

In 2024, the *Fair Work Act 2009* (Cth) was amended to provide employees (staff) with the workplace right to disconnect. The right to disconnect enables staff to refuse to monitor, read or respond to contact or attempted contact from their employer or another person if the contact or attempted contact is work-related.

The right to disconnect is balanced with the need for reasonableness. It is unreasonable for a staff member to refuse contact or attempted contact if the law requires the contact or attempted contact to be made. If the contact is not required by law, certain matters must be considered when deciding whether the staff members refusal is unreasonable, including:

- the reason for the contact (or attempted contact)
- how the contact (or attempted contact) is made and how much it disrupts the employee
- any pay or other compensation the employee receives to be available when the contact (or attempted contact) is made, or to work outside their ordinary hours
- the employee's role and level of responsibility, and
- the employee's personal circumstances, including family or caring responsibilities.

To establish boundaries of reasonable contact, and assist Councillors and employees to understand and meet these requirements, the CEO has permitted Councillors to have direct contact with nominated staff members detailed in the table below, on the specific subject matters outlined.

Contact or attempted contact by Councillors outside these boundaries may be deemed unreasonable and create a risk to the health and safety of staff members.

4. INTERACTION PRINCIPLES

To maintain accountability and promote cooperative relationships that support transparency and good governance, Councillor and staff interactions are underpinned by the overarching principle that all formal advice to Council and to Councillors should be provided through the CEO or Directors.

The following principles guide interactions between Councillors and Council staff:

- A Councillors first point of contact with Council Officers (Staff) is through the CEO.
- The CEO approves interactions between Councillors and members of Council Staff.
- A Councillor seeking information or wishing to raise an issue or make comment on a specific matter should communicate in the first instance with the CEO, or with the relevant Director.
- Unless permitted by the CEO or the relevant Director, Councillors must not directly approach Council staff.
- Councillors have been granted access to the Council Office to use the Councillor Office, meet with permitted council staff members and attend any scheduled meetings. Councillor access to operational areas or work locations will only occur with the consent of the CEO.
- Staff receiving electronic communications from Councillors must make sure that the CEO Office and the relevant Director are copied into any response.
- Where the CEO has permitted Councillors to directly contact nominated Council staff, as detailed in the Approved Staff Contact table below, the contact is subject to the conditions specified below:
 - Although a Councillor may approach the relevant member of staff directly for an enquiry about a routine operational matter, advice that a Councillor intends to rely on

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should first undergo an appropriate verification process involving approval by a Director or the CEO. Speaking to lower-level staff may result in a Councillor not being fully informed about relevant background or context or receiving advice that has not been formally endorsed by the administration.

- If a member of staff below Manager level is approached directly by a Councillor, the relevant Director or Manager should be advised of the approach, and of the response that has been provided. If the staff member feels uncomfortable about the nature of the Councillor enquiry, they will refer the Councillor to their Director or Manager.
- A Councillor may request that a staff member attend a meeting with a member (or members) of the public to provide professional advice and support. Such a request must be made through the CEO or relevant Director.
- The relevant Director and Manager must be copied in or otherwise formally advised of all communication between members of their staff and a Councillor.
- A member of staff must inform their Manager and Director of any contact made directly with them by a Councillor. If the member of staff believes that the contact is inconsistent with this procedure, the Manager and Director should be advised accordingly.
- Council staff will provide information and advice to Councillors in a timely manner, and in accordance with this policy and relevant legislative obligations (e.g. privacy). As a general rule, information that is provided to a Councillor should be made available to all Councillors.

Failing to abide by these conditions may result in the CEO removing contact permissions.

5. PERMITTED INTERACTIONS IN THE WORKPLACE

The table below sets out the Council Staff the CEO has permitted Councillors to have direct contact with. The permitted contact is limited to the specified roles and subject matters.

| Approved staff contact | CEO Office - Councillor Support | Chief Executive Officer | Relevant Director | Organisational Development Manager | Finance Manager | Community Engagement and Communications Coordinator | IT Manager | Committee member |
|----------------------------|---------------------------------|-------------------------|-------------------|------------------------------------|-----------------|---|------------|------------------|
| Subject Matter | | | | | | | | |
| Policy and strategy | | ✓ | ✓ | ✓ | ✓ | | | |
| Media and Communications | | ✓ | ✓ | ✓ | | ✓ | | |
| IT assistance | ✓ | ✓ | ✓ | | | | ✓ | |
| Compliance and enforcement | | ✓ | ✓ | | | | | |
| Statutory planning | ✓ | ✓ | ✓ | | | | | |
| Service delivery | ✓ | ✓ | ✓ | ✓ | | | | |
| Administrative support | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ |
| Governance matter | | ✓ | ✓ | ✓ | | | | |

For ease and convenience, regular interactions should be scheduled to enable the member of staff to allocate sufficient time and resources to provide Councillors with appropriate assistance.

5.1. Policy and strategy

All enquiries or comments about Council policy (e.g. direction, gaps or ambiguities in a policy and consideration of alternatives), budget proposals, strategic Council planning and direction, must be directed to the CEO or relevant Director.

If the enquiry relates to a financial matter, Councillors are permitted to contact the Finance Manager. This may include a query about Councillor allowances or reimbursements.

5.2. Media and Communications

Simple routine media and communications enquiries, which involve Councillors seeking clarification about work that is being undertaken, should be directed to the Community Engagement and Communications Coordinator or the Organizational Development Manager.

Examples of routine media and communications enquiries include:

- confirmation of media content
- provision of draft material for newspaper columns; and
- logistics for previously approved media opportunities
- Approved complex media and communication activities.

Complex media and communications enquiries, which involve discussion about strategic issues and requests which are likely to divert officers from their programmed tasks, must be discussed initially with the CEO, relevant Director or Organisational Development Manager.

Examples of complex media and communications enquiries include:

- requests for meetings
- requests for particular work to be done
- discussion regarding key messages, communications strategies and plans
- discussion about planning of launches and media coverage, including requests to promote community events
- speech requests
- requests for photo opportunities; and
- service complaints.

5.3. IT assistance

All enquiries regarding service delivery timing or equipment failure can be directed to the CEO Office Executive Support Team or a service request can be made by Councillors through the Councillor Hub.

Simple service requests associated with computers and mobile devices can also be made directly to the IT Manager or as a request via the Councillor Hub.

Complex issues, including service complaints and requests for new or replacement technology, must be discussed with CEO or relevant Director.

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5.4. Compliance and enforcement

Council and the CEO make formal delegations, and the CEO authorises appropriately qualified staff, to monitor compliance and perform Council's functions under numerous pieces of legislation, including Council's Local Laws.

Delegated and authorised officers must be able to perform their investigations, determine appropriate responses, and manage any resulting infringements and prosecutions, within Council's established policies and practices, free from improper direction or influence.

Councillors must avoid involvement in all stages of the investigation and enforcement of matters, or risk committing an offence against the prohibition on improper direction as set out in section 158 of the *Local Government Act 2020*.

Councillors may only contact the CEO or relevant Director with requests for information regarding such matters.

5.5. Service delivery

If a Councillor is approached by a resident regarding a service delivery issue (eg. scheduling of works, project delivery or a perceived service failure), Councillors should first ensure that the resident is aware of the primary mechanisms for contacting Council's administration; through the "Report an issue to Council" functions on Council's website, or through a member of Council's customer service team. Use of these mechanisms ensures that the request or complaint is properly recorded and can be monitored for compliance with Council's customer service standards.

Where a Councillor becomes aware of an issue that requires attention by Council's administration or needs to seek information in relation to a service delivery matter that may require further investigation outside the primary mechanisms described above, this should be facilitated through the CEO Office Executive Support Team.

If a Councillor is concerned about the outcome of a Councillor or Customer request, the matter should be raised with the CEO or relevant Director.

5.6. Administrative support

The CEO Office – Councillor Support team is responsible for providing direct support and administrative assistance to the Mayor and Councillors. Requests for documents to be printed, stationery orders, expense claims and diary management enquiries should be directed to the CEO Office – Councillor Support team.

Formal Councillor requests and routine general enquiries can also be directed to the Executive Support Team in the first instance and will be referred to the relevant Director who will nominate a member of staff to prepare a response.

If a Councillor is a member of a committee that includes members who are Council staff, the Councillor is permitted to contact any Council staff member on the committee regarding committee business matters, for which they have authority to discuss.

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6. INTERACTIONS OUTSIDE THE WORKPLACE

Councillors and Council staff are members of the community in which they live, work and play, and may share interests outside the working environment that bring them together in social environments. Being active members of the community is encouraged and supported; however, when in social environments, both parties are to refrain from discussing any matters which may be or are being brought before council for decision making,

6.1. Private Interests

Section 127 of the Act states that a relevant person (which includes Councillors and members of Council Staff) has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty

Councillors are encouraged to make sure that any interactions with staff of a business, legal or financial nature are conducted at arm's length. Councillors should avoid entering into any private arrangements with Council Staff that may pose a risk to the integrity of Council. This includes arrangements of a business, legal or financial nature which may impose an obligation or duty on the parties and result in a potential conflict of interest, or breach of the improper conduct provisions in the Act. Failure to abide by the provisions of the Act may result in an indictable offence, a fine or disciplinary action.

6.1.1. Declaration of Interests

Councillors and Council staff have an obligation to declare any personal interests. Councillors declare any conflicts of interests prior to performing their decision-making duties, and are required to complete biannual Personal Interest Returns, which includes recording any relevant personal or private interests.

Where a Councillor and a member of staff interact as members of a governing body of a sporting or community related organisation, it is expected that Councillors would declare the shared interest in their Personal Interest Return under 'Other private Interests'.

To ensure that any private interests are declared and transparent, Council staff will be required to declare any private interests with Councillors or other Council staff in their annual compliance declaration, where that interest imposes a legal obligation or duty on the parties. Council staff will also be required to declare any interests they hold as a member of the governing body of a sporting or community-related organisation, where a Councillor is also a member of the governing body, and/or the role may result in a potential conflict of interest.

Where interactions between Councillors and Council Staff result in the potential for a conflict of interest to impact Council decision-making, it is expected that the relevant parties will follow the requirements for declaring a Conflict of Interest as detailed in Councils Governance Rules.

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7. ROLES AND RESPONSIBILITIES

The **Mayor** is responsible for educating Councillors about the procedure, and for supporting policy/procedure compliance by Councillors.

The Mayor will work with the CEO to foster a culture which supports the application of this procedure.

The **CEO** is responsible for managing interactions between Council staff and Councillors through the development and implementation of appropriate policies, practices and protocols.

The CEO will work with the Mayor to foster a culture which supports the application of this procedure and is responsible for ensuring that the policy is incorporated into relevant administrative procedures and processes.

The CEO will manage this procedure by:

- making sure that this procedure is accessible to staff and Councillors
- briefing Councillors on the policy and procedure
- raising any concerns about the improper conduct of Councillors with the Mayor
- making sure Directors are monitoring staff compliance with this procedure
- overseeing the management of any complaint or concern raised in relation to compliance with this procedure.

Directors are responsible for supporting the CEO to ensure the effective management of interactions between members of Council staff and Councillors, and educating staff about the policy

Directors will report any identified risks to the health and safety of members of Council staff promptly to the CEO for action.

Managers, Coordinators and Team Leaders are responsible for monitoring the health and safety of their team members, reporting any improper conduct to the Director or CEO, and educating their staff about the policy and these procedures.

Council staff are responsible for ensuring that they understand and comply with this procedure and promptly reporting any improper conduct by Councillors.

1. When interacting with Councillors, Council staff will:
 - treat Councillors with the respect due to the Office. This includes, in all formal settings, addressing Councillors as 'Councillor (last name)' and the Mayor as 'Mayor',
 - seek the advice and approval of their Manager and Director, prior to responding to a direct request from a Councillor,
 - raise any concerns with the Director or the CEO if the staff member believes that a Councillor/s is requesting information or advice that relates to a function or area of responsibility of the CEO
 - be responsive to approved requests from a Councillor for professional advice related to the performance of the Councillor's role
 - be responsive to approved requests from a Councillor for information connected to the performance of the Councillor's role, in a manner that complies with Council's privacy obligations
 - ensure that information provided to a Councillor is current, factually correct, complete, impartial and relevant prior to releasing the information
 - be responsive to reasonable requests from the Director or CEO to respond to a Councillor in a timely manner

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- not approach Councillors directly. Any approaches are to be directed to the CEO Office or Director
- not make any comment or criticism regarding Councillors and Council decisions (consistent with the obligations set out in the Employee Code of Conduct)
- not email or contact Councillors unless the contact is permitted by the CEO or relevant Director. The CEO Office and Director must be copied into the response
- report improper conduct to the Director or CEO.

Councillors are responsible for ensuring that they understand and comply with this procedure.

1. When interacting with members of Council staff, Councillors will:
 - be courteous and respectful of the professional opinion, skill or expertise of Council staff
 - follow the required processes when seeking information
 - accept that staff are required to adhere to formal processes when making decisions and providing information, services and assistance
 - respect the normal business timeframes associated with the making of a decision or the taking of an action
 - recognise and allow staff to make decisions under delegated authority within the formal reporting and decision-making processes.
 - communicate in a courteous and respectful manner
 - refrain from making comments or allegations about members of Council staff in any public forum (including at Council meetings).
2. Section 124 of the Act states that a Councillor must not intentionally direct or seek to direct a member of Council staff. Doing so is an alleged breach of Sections 123 (misuse of Power) and 124 of the Act and may be dealt with according to the Internal Resolution Procedure CPRO/GOV026.
3. The role of a Councillor does not include the performance of any responsibilities or functions of the CEO. The CEO is responsible for ensuring the effective and efficient management of the day-to-day operations of the Council. Among other things, this includes being responsible for all staffing matters, the implementation of Council policies and decisions, service delivery and providing professional advice to Councillors. This means that Councillors are not responsible for implementing Council decisions and have no authority to give directions to Council staff.

8. COMPLAINTS

If a person believes that there may have been non-compliance with this procedure (including improper conduct), the matter should first be raised with the relevant Director or the CEO.

An alleged breach of this procedure by a Councillor will be dealt with in accordance with the Model Councillor Code of Conduct and Internal Resolution Procedure.

An alleged breach of this procedure by a member of Council staff will be dealt with in accordance with the Employee Code of Conduct and the Disciplinary Policy.

Nothing in this procedure prohibits a matter being referred directly to the relevant integrity body.

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9. SUPPORTING DOCUMENTS*Occupational Health and Safety Act 2004*

Occupational Health and Safety (Psychological Health) Regulations 2025

*Fair work Act 2009 (Cth)**Equal Opportunity Act 2010*

CPOL/GOV026 Model Councillor Code of Conduct

CPRO/GOV026 Internal Resolution Procedure

POL/STAFF127 Employee Code of Conduct

POL/STAFF104 Discipline Policy

10. DOCUMENT HISTORY

| Version Number | Issue Date | Description of Change |
|----------------|---------------|---|
| 1.0 | June 2018 | Initial release |
| 1.1 | November 2020 | Review |
| 1.2 | August 2021 | Review |
| 2.0 | December 2025 | Major Review – inclusion of recent workplace legislative obligations, and the new Model Councillor Code of Conduct regulatory requirements. |

Signed: _____ **CEO** **Date:** _____

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2.5 Intention to sell Council Land – 103 Curlewis St – Outcome of community engagement process

Directorate: Corporate Services
File Number: **AST-PR-48007-02**
Purpose: For Decision

Council Plan Strategy Addressed

5. Infrastructure – Investing in roads, facilities and public spaces that meet community needs and support growth into the future. Objective 5.2: Make the best use of Council assets to meet local needs and support long-term sustainability.

5.2.1 Use Council's Strategic Asset Management Plan to guide investment, maintenance and utilisation.

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations. Objective 6.2: Strengthen Council's internal capability, resources, systems and financial sustainability.

6.2.4 Maintain long-term financial sustainability.

Current Strategic Documents

Council Plan
Asset Management Plans

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 presents the outcomes of community engagement regarding the proposed sale of Council-owned land at 103 Curlewis Street, Swan Hill. The engagement period closed on 28 November 2025, with five submissions received and considered.

Council must now decide whether to proceed with the proposed sale by way of an Expression of Interest process, having considered the five submissions received during the statutory consultation period alongside strategic objectives and financial sustainability obligations.

Discussion

Council owns the land and all improvements located at 103 Curlewis Street Swan Hill, Vic 3585 (Volume 12251 Folio 296). The property was acquired from GrainCorp in December 2021 as part of a dual acquisition, which also included 42 Monash Drive, Swan Hill VIC 3585. This strategic acquisition of 42 Monash Drive was made to support Council's long-term vision to revitalise the riverfront precinct, with the 103 Curlewis Street property included in the sale at GrainCorp's request.

The site comprises former grain silos and associated infrastructure. Since acquisition, the land has remained under Council ownership without a defined strategic purpose.

At the Council meeting on 21 October 2025 Council resolved to commence the statutory process under Section 114 of the Local Government Act 2020 for the proposed sale of Council-owned land located at 103 Curlewis Street, Swan Hill VIC 3585 (Volume 12251 Folio 296), including:

- Publishing public notice of Council's intention to sell the land;
- Undertaking community engagement in accordance with Council's Community Engagement Policy; and
- Considering any submissions received prior to making a final decision.

This report follows the community engagement process undertaken from the 31 October 2025 to 28 November 2025, during which five submissions were received. The five submissions, along with Council's comments, are detailed below.

Submission 1:

"This land should be retained by council for the following reasons;

- *It is in a prime location with proximity to the CBD and the river especially the old historic wharf area.*
- *This whole area has great potential once developed properly.*
- *It has immense community value now and more importantly into the future due to its location.*
- *It has potential for silo art which unfortunately, is sadly missing in this town. For a small cost this artwork attracts thousands of visitors to areas in this municipality and receives huge publicity. This would bring immense value to the town for a very small outlay and result in more overnight stays.*
- *These are the last complete silos in town and need to be preserved as an historical reminder of an industry that played a major part in establishing Swan Hill in the early years.*
- *It has a surrounding area which can be accessed by caravan owners. There are very few areas where these people can park due to poor planning in the past.*
- *The Swan Hill Comfort facilities (showers etc) could be relocated to this area and updated for use by locals and tourists. This is sadly lacking in Swan Hill.*

The current location and condition of these facilities is deplorable in our "modern" town.

- Future use of the silos could be as static exhibits that could exhibit the history and current state of our rural industries such as the grain industry, horticultural industry and grazing industries. These industries sustain Swan Hill and are currently not given the recognition they deserve.*
- I wonder whether this sale is required to cover cost blowouts at the art gallery or tourist information as council are unwilling or unable to give a final cost of the art gallery although our mayor states that he has "a focus on financial management" or has someone told council they want to purchase the site?"*

Officers' response:

Council acknowledges the points raised regarding the strategic location of the land, its potential for silo art, caravan parking and improved comfort facilities.

These proposals will require significant investment and ongoing maintenance, which are not currently funded or included in the Strategic Asset Management Plan or long-term financial plan. While cultural and tourism benefits are recognised, Council must balance these aspirations with its commitment to maintain long-term financial sustainability and deliver priorities identified in the Council Plan.

Submission 2:

"Swan Hill Sustainability Group is concerned about the potential sale of public river frontage land. We believe this land could be of strategic importance for future community use. We are aware of the cultural significance of this area, as mentioned in the Swan Hill Riverfront Masterplan CHMP 2015. We believe this land should be used for public purposes, for example a new library, municipal offices, public parkland/recreation etc."

Officers' response:

Council acknowledges concerns about the sale of public riverfront land and suggestions for civic uses such as a library, municipal offices and parkland. Council notes that there are no current plans or budget allocations for these uses. Retaining the land would preserve flexibility for future development, Council must consider these views alongside its obligations to maintain financial sustainability and deliver projects identified in adopted strategies.

Submission 3:

"Swan hill needs to progress and developing that prime area into a mix of retail and entertainment spaces will support tourism and locals. It's a chance to capitalise on the park and marvellous stretch of river."

Officers' response:

Council acknowledges the submission advocating for mixed retail and entertainment development to activate the riverfront and support tourism. This aligns with Council's objectives to strengthen the visitor economy and attract investment. Such development could deliver economic benefits and enhance the vibrancy of the precinct, consistent with community feedback about making the riverfront more vibrant.

Council notes, however, that these outcomes would require private sector investment and planning scheme compliance. If the land is retained for public use, Council's role would be limited to facilitation rather than direct delivery. The potential benefits are recognised but contingent on external investment, and Council must weigh these against its strategic priorities and financial obligations.

Submission 4:

"Clearly should be for silo art."

Officers' response:

Council acknowledges the strong support for silo art as a primary use of the site. Silo art aligns with supporting cultural tourism and enhancing local identity. It reflects community aspirations for arts and creative initiatives, as outlined in the Council Plan's objective to celebrate and grow diverse arts, culture and creative events.

Council notes that implementing silo art would require funding and ongoing maintenance and is not currently identified in the Council Plan or Council's long-term financial plan. While the cultural value is clear, Council must consider whether this option aligns with its strategic priorities and financial sustainability commitments.

Submission 5:

"Please do not sell the land, a much-needed carpark is a priority, for all events held at riverside park, thank you."

Officers' response:

Council acknowledges the request to retain the land for car parking to support events at Riverside Park. Additional parking could improve accessibility and address shortages during major events.

Council notes that converting the site to a car park would require capital investment and ongoing maintenance. This option is not currently included in the Strategic Asset Management Plan or long-term planning. Council must weigh this suggestion against broader priorities for asset management and financial sustainability.

Council must now determine whether to proceed with the proposed sale of 103 Curlewis Street, having considered the five submissions received during the statutory consultation period. These submissions have been assessed alongside Council's strategic objectives and financial sustainability obligations.

Consultation

In accordance with Section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy, public notice of Council's intention to sell the land at 103 Curlewis Street, Swan Hill was provided for a period of four weeks. The notice was published on Council's website, Council's Let's Talk page and in the *Swan Hill Guardian*, inviting written submissions from the community.

The engagement period concluded on 28 November 2025, with five submissions received. All submissions have been considered and summarised within this report.

Financial Implications

Should Council resolve to proceed with the sale, a financial return will be realised and allocated to Council's Land Acquisition and Development Reserve in accordance with Council policy. Conversely, if Council decides to retain the land, ongoing maintenance and liability costs will remain, and any future development proposals would require separate budget consideration.

Social Implications

The community engagement has identified community interest in cultural heritage and public amenity improvements.

Economic Implications

Potential economic benefits exist if the land is sold or developed for tourism or commercial purposes.

Environmental Implications

Nil.

Risk Management Implications

Reputational risk exists if community expectations are not managed effectively.

Attachments: Nil

Options

1. Proceed with the sale of 103 Curlewis Street - Council resolves to sell the land in accordance with Section 114 of the *Local Government Act 2020* and Council policy.
2. Retain the land for future community use - Council resolves not to sell the land and retains ownership for potential future development.
3. Defer decision pending further investigation - Council resolves to defer the decision to allow further feasibility studies or community consultation on alternative uses.

Recommendation/s**That Council:**

1. **Proceed with the sale of the land located at 103 Curlewis Street, Swan Hill VIC 3585 (Volume 12251 Folio 296) by way of an Expression of Interest process, in accordance with Section 114 of the Local Government Act 2020 and Council policy.**
2. **Receive a report on the outcome of the Expression of Interest process prior to entering a contract of sale for the land.**

2.6 Flying of the Australian Flag on Clocktower

Directorate: Infrastructure
File Number: AST-BU-36784
Purpose: For Decision

Council Plan Strategy Addressed

2. Community and Liveability – Creating inclusive, connected communities with opportunities for everyone to learn, participate and feel proud of where they live.

Objective 2.3: Foster a welcoming, inclusive, and connected community.

2.3.1 Strengthen community participation and connection.

Current Strategic Documents

No strategic documents applicable.

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 flying of the Australian flag on the clocktower in Swan Hill has been recently raised as an issue that the community would like to see re-instated. This report summarises the various issues pertaining to the flying of the Australian flag for consideration.

Discussion

There are many reasons to fly the Australian flag. Some of the main reasons include national identity and pride in being Australian, to celebrate the country's heritage and history and to honor military service.

For a long period of time, the Australian flag had been flown on top of the clocktower in Swan Hill. Several years ago, the flag was in poor condition and was not replaced, primarily due to a range of occupational health and safety reasons associated with the raising and lowering of the flag by Council staff.

Council officers accessed the flag from inside the clock tower for many years. The process requires climbing a 12 metre vertical steel ladder in a narrow confine to a small landing, while harnessed. To access the roof, officers then transition the landing around the clock to reconnect to another anchor point before opening the roof hatch. To then lower or raise the flag, officers must lean across the roof to the flagpole.

A range of safety controls are to be implemented with this process. These controls include working at heights training, the development of safe working method statements, use of harnesses and the certification of the anchors and cabling. These matters have now been addressed. Council officers are also exploring other mechanical and/or remote means for the raising and lowering of the flag, which would reduce the need to access the flag, for the purposes of changing over the flag only.

There are also a range of protocols that are required when the Australian flag is flown. These include, but are not limited to the following:

- the flag must be illuminated if flown at night. It is noted that the setup on the clocktower does comply with this requirement;
- the Australian flag takes precedence over all other flags and should be flown in the position of honour;
- only one flag should be flown on a single flagpole;
- the flag should not be flown if it is faded or damaged; and
- when lowered, it should never touch the ground as a sign of respect.

The flag is also required to be flown at half-mast as a sign of mourning or remembrance at certain events, such as Anzac Day.

Consultation

This matter has been discussed with all the relevant teams of Council, including the building team and the occupational health and safety team.

Council officers also recently had conversations with the RSL, where Council was advised that the RSL preference for Remembrance Day was on the lowering and raising of the flag at the cenotaph as part of their service.

Financial Implications

The process for the raising and lowering of the Australian flag takes two staff (one as a safety spotter). The certification process has cost approximately \$1,000 and the purchase of the flag costs approximately \$500 per year. All these associated costs will be absorbed into existing Council budgets.

Council staff are also investigating alternate mechanical/remote means for the lowering and raising of the flag. As no system has been identified, these costs are currently unknown and may not be required.

Social Implications

As the flying of the Australian flag is primarily around national pride, it is believed that the reinstatement of the flag onto the clock tower would be a positive outcome for community.

Economic Implications

There are no economic implications with the flying of the Australian flag.

Environmental Implications

There are no environmental implications with the flying of the Australian flag.

Risk Management Implications

There are several risk implications with the raising and lowering of the Australian flag. These risks, predominantly around working at heights, have been assessed by Council staff and safe work method statements have been implemented.

Attachments: Nil

Options

1. The Council does not display the Australian flag
2. That Council re-commences the flying of the Australian flag on top of the clocktower in Swan Hill.

Recommendation/s

That Council re-commences the flying of the Australian flag on top of the clocktower in Swan Hill.

2.7 Proposed Kerbside Waste Service - Glass

Directorate: Infrastructure
File Number: S33-04-12
Purpose: For Discussion

Council Plan Strategy Addressed

4. Environmental Sustainability – Protecting local land and resources while supporting communities to adapt and thrive in a changing climate. Objective 4.2: Reduce waste and support a circular economy.

4.2.1 Improve waste and resource recovery systems to support circular economy goals.

4.2.2 Enable innovation and investment in circular economy infrastructure.

Current Strategic Documents

Council Plan
Waste Management Strategy 2015 - 2020

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 Victorian Government has mandated a glass service which is to be in operation by 1 July 2027.

Thirty-four Councils (Group of Councils) are contesting the justification for this new service and the possible regulations for implementation and operation of the proposed glass service. This report is to consider this campaign and potentially delay the introduction of the glass service until there is more clarity surrounding the implementation process

The decisions around the frequency of servicing and associated costs of the service, will be provided in more detail in a future report.

Discussion

Victorian councils are mandated under the Victorian Circular Economy (Waste Reduction and Recycling) Act 2021 to implement a glass-only kerbside recycling service by 1 July 2027. Independent modelling and advocacy highlight significant financial, operational, and environmental concerns.

The Group of Councils is advocating for increased flexibility in relation to implementation of the glass service, extension of timelines, and consideration of alternatives such as expanding the Container Deposit Scheme (CDS).

The Group of Councils has engaged with the Victorian Department of Energy, Environment and Climate Action (DEECA), the Minister for Environment, and various advocacy bodies such as the Waste Management and Resource Recovery Association (WMRRA). Multiple letters, meetings, and joint media releases have been issued. Despite this, little feedback has been received, and frustration is increasing as implementation approaches.

Background information on the Group's advocacy position is in Attachment 1 (Legislative Requirements and Advocacy Position). Independent research also contradicts the Government's claimed financial benefits. Legal advice is provided in Attachment 2 (Victorian Government Kerbside Reforms – Legal Fact Sheet).

The Group is collectively seeking to influence final service standards and timelines. Key concerns are:

- Lack of a transparent business case. Government justification for separating glass from co-mingled recycling is unsubstantiated. Independent modelling contradicts claimed benefits.
- No clear environmental benefit from a standalone glass-only service.
- Duplication of existing services, including fortnightly co-mingled recycling and the highly successful CDS.
- Expanding CDS to include wine and spirit bottles would achieve similar outcomes. A recent Swan Hill Rural City Council audit shows only 120 tonnes of glass would be recovered annually via the proposed service if CDS were expanded.
- Household Waste & Recycling Service Standards—which set mandatory requirements—have been repeatedly delayed and are still not released (originally due December 2024).
- Without these standards, councils cannot plan services or budget limited resources, for implementation by 1 July 2027, with any level of certainty.
- Councils will soon begin developing their 2026/2027 budgets, but service requirements remain unknown. This affects bin procurement, capital budgets, and logistics. There are long lead times for bin supply, compounded by state-wide demand.
- Limited space for a four-bin system at many properties.
- Inefficient proposed collection frequency (monthly/4-weekly). For Swan Hill's projected recovery (120 t/year), low presentation rates could justify two-monthly or even annual collection. Some rural councils are considering bi-annual or annual services.
- Inefficient service performance. Councils with existing glass services report 20–30% presentation rates, and bins are on average 30% full, requiring trucks to service all households regardless of need.
- Risk of premature implementation without confirmed service standards.
- Inequitable cost burden. Capital and operating costs fall on councils and ratepayers, while recyclers capture the financial and material benefits.
- Commercial and industrial premises are not required to separate glass, meaning residential “no-glass” co-mingled waste will be mixed with commercial “glass-in” waste at recovery centres.

- Increased community costs during a cost-of-living crisis, with unclear benefits. Rising operational costs, waste levy increases, Emergency Service and Volunteers Levy increases and other cost-shifting measures add pressure. Councils must also implement FOGO at the same time.
- State-wide rollout requires 2.7 million bins (16,200 tonnes of plastic) and 158 trucks, adding 354 tonnes CO₂-e per collection cycle—an environmentally counter-productive outcome compared with an expanded CDS.
- Limited community consultation on affordability and need risks poor uptake and dissatisfaction.

The above concerns are all well-grounded, particularly when Councils are required to implement a service without knowing what the “rules” are.

While many of the above concerns are also valid for our Council, we also have different challenges due to a largely dispersed population, with a projected low glass recovery rate. This will inevitably mean that collection costs per tonne of glass recovered will be relatively high and therefore the benefit/cost for providing the service is low.

To date, the Group of Councils has taken a respectful and targeted advocacy approach, but a more robust campaign is now proposed..

Given the uncertainty and significant risks, Council should consider delaying further progression of the glass-only service until greater clarity and resolution are achieved.

Consultation

No consultation has taken place with the community. As this is a service mandated by the Victorian Government, there is limited opportunity to provide the community with input to the process. However, consultation may be possible in relation to seeking opinion from the community on servicing interval.

There will be a media campaign to advise the residents of the proposed implementation and the benefits of the service from an environmental and circular economy perspective, once the service regulations and standards have been finalised.

Financial Implications

Introduction of the new glass service will come with a cost to the resident as part of the existing annual Waste Management Charge.

Social Implications

There are a range of social implications that are impacted with the introduction of this service, including but not limited to the cost burden on the community, practical challenges with physical bin locations and community acceptance.

Economic Implications

The cost of providing the service may not be the best value for money for residents and to Council.

Environmental Implications

Introduction of the glass kerbside service is aligned with the Victorian Government's Circular Economy philosophy. Along with the CDS, the glass service helps reduce "waste to landfill", combat general littering, reduce the dependency on raw materials to manufacture new glass containers and encourage reuse.

Risk Management Implications

Risks associated with implementing a dedicated glass service include, but not limited to:

- finding a suitable and best-value receiver for the salvaged glass;
- determining the most appropriate service period for collecting the glass bins to ensure that the community receives the best cost/benefit return on the service;
- making a decision to implement or not to implement the glass service before regulations have been finalised.

- Attachments:**
1. Legislative Requirements and Advocacy Position [2.7.1 - 6 pages]
 2. Victorian Government Kerbside Reforms - Legal Fact Sheet [2.7.2 - 5 pages]
 3. Fact Sheet - Glass Advocacy [2.7.3 - 2 pages]
 4. Background and Timeline [2.7.4 - 1 page]

Options

That Council;

1. Implement a glass service taking into consideration the frequency and type of service (urban/rural) given our particular circumstances.
2. Delay progressing the introduction of the glass service until there is more clarity surrounding the implementation process.
3. Support the actions of the thirty-four Councils seeking changes to the proposed glass service by proposing flexibility, extension of timelines, and consideration of alternatives such as expanding the Container Deposit Scheme (CDS).

Recommendation/s

That Council:

1. Delay progressing the introduction of the glass service; and
2. Support the actions of the thirty-four Councils seeking changes to the proposed glass service.

CEO Briefing: Kerbside Reform Glass Recycling

Advocacy Position Rationale, Legislative Requirements, and Risk



Executive Summary

This briefing pack presents the rationale for advocating a review of the mandate for Victorian Local Governments to implement a glass only household collection service.

The issues raised are based on a robust research and modelling project, financial modelling, operational data analysis, regulatory analysis, and cross-council advocacy including 34 councils with the support of our national waste advocacy body, Waste Management and Resource Recovery Association (WMMR).

Please see attached documents:

- Fact Sheet - summarises the key issues and facts regarding the impacts to Councils in succinct dot point format for ease of reference and inclusion in advocacy communication activities.
- Legal advice summary – provides a summary of legal advice provided by Russell Kennedy Lawyers and Maddocks Lawyers.
- Draft *Household Waste & Recycling Service Standards (the Standards)* and *Regulatory Impact Statement (RIS)* - this service standards are a subordinate regulation under the *Circular Economy (Waste Reduction and Recycling) Act 2021* and will dictate exactly how Councils must provide waste services to households.
- *Recycling Victoria Policy 2020* - this is the Victorian Government's overarching policy setting the requirements for the kerbside reforms.
- Tonkin & Taylor research and modelling summary report - summarises the key financial impacts of the glass service and presents the financial case for expanding the Container Deposit Scheme (CDS).

A household glass only service is currently required to be implemented by July 2027 in most LGAs under the Victorian Government's *Circular Economy (Waste Reduction and Recycling) (Mandatory Service Provision and Other Matters) Regulations 2024* (the Regulations) and draft *Household Waste & Recycling Service Standards* (the Standards).

While councils support improved glass recovery, the cost-benefit imbalance, absence of a formal business case, and lack of demonstrated environmental outcomes make the cost impact of the new service difficult to justify.

Councils participating in the advocacy group have engaged in discussions with the Department of Energy, Environment and Climate Action (DEECA) to seek clarity around the implementation of the proposed service and sought flexibility to adopt solutions that best meet environmental goals while meeting the requirements of the Act and minimising unnecessary financial burden on residents.



Glass Kerbside Reform: CEO Briefing Document

Prepared for: CEO Advocacy Meeting

Date: 19 November 2025

Purpose

As the timeline to implement the glass service is eroding quickly, Councils need to act swiftly in order to influence the final Standards.

To progress the advocacy agenda further consensus is sought at an executive level to engage the Minister for Environment to review the requirements of the Standards, particularly regarding:

- Mandatory implementation requirements and the conditions under which flexibility can be granted.
- Extension of implementation deadlines to allow time for a review of the need of the service, with consideration given to an expanded CDS or other glass recycling solutions that align with local needs.

Ensuring the Standards are structured to allow Councils the flexibility to deliver the services to meet the needs of their community will best ensure compliance with the Act (reducing risk) as well as outcomes that best support a circular economy at scale, reducing emissions from additional collection vehicles, and avoiding significant cost and amenity impacts to residents.

Priority should also be given to disposal options for higher-risk waste streams (batteries, e-waste, chemicals).

Background

- The *Circular Economy (Waste Reduction and Recycling) Act 2021 (VIC)* (the Act) requires councils to provide a municipal glass recycling service to residential land (Section 60 (1) (c)), and the Regulations prescribe an implementation deadline of 1 July 2027. Underpinning this, the draft Standards indicate how services must be delivered unless deemed to be not reasonably practicable. The parameters around what is reasonably practicable are yet to be defined.
- The requirement aims to improve recycling quality by removing glass from the mixed recycling stream, reducing contamination, and supporting glass remanufacturing.
- The State Government has committed minimal funding for implementation, placing the burden on councils (residents) to fund the infrastructure, collection, and processing.
- Since the legislation was announced, significant industry and regulatory changes have occurred:
 - Container Deposit Scheme (CDS) is reducing glass in kerbside bins.
 - Increased operational costs due to CPI, fuel, and landfill levy increases.
- The advocacy group have sought flexibility on the Standards and have engaged with DEECA, and the Minister's Office (MO), as well as seeking independent modelling and legal advice.
- The group have issued a joint media release and multiple letters to the MO.

Key Considerations Driving Advocacy

Viability of Glass Recycling Service

- Average cost per household for a glass service is significant, with ongoing collection costs regardless of presentation rates.
- Independent modelling failed to replicate the costs provided in the Regulatory Impact Statement (RIS) and demonstrated a significantly higher upfront and ongoing cost to roll out glass bins.
- Current glass bin presentation in some councils is as low as 20%, resulting in bins being serviced as little as 2.4 times per year in monthly collection models.
- Glass volumes in kerbside mixed recycling bins have been declining for 10 years, this decline has been further accelerated due to CDS. Costs to collect and process glass will continue to increase as less and less glass packaging is presented for recycling.



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- Alternative solutions (such as CDS) are already providing high-quality glass recovery at lower cost and emissions. The CDS model of producer-pays is a much fairer approach, ensuring that businesses who place packaging into the market contribute to the cost of it's recovery, rather than socialising these costs to communities.
- If the final Standards list glass as a contaminant in mixed recycling bins, contamination charges to councils (and therefore residents) will increase. These charges are calculated by weight, so if glass is removed (making bins lighter), the per-tonne contamination cost will rise.
- Victoria is a national outlier, preventing the national alignment of CDSs due to their commitment to a glass only recycling service instead of expanding CDS to include wine and spirit bottles. Victoria and Tasmania are now the only states or territories that haven't committed to expanding and aligning their CDSs. Including wine and spirit bottles has the potential to recover an additional 362 million glass containers per annum via the CDS.
- Current glass recycling services are experiencing contamination between glass only, and mixed recycling, making the requirement for residents to sort glass at the kerbside and provision of the additional bin redundant as the desired outcome is still not being achieved.
- State funding is inadequate, and will only cover a small portion of CAPEX costs. Ongoing service delivery costs will need to be fully absorbed by Councils.
- Regional councils face additional, more complex challenges: long collection distances, higher emissions, increased road wear, and processing relationships with interstate Councils and Material Recovery Facilities that do not offer glass-out services.

Community Impact

- Service costs will be borne by the community during a cost-of-living crisis, with unclear benefits of the proposed service (environmental or otherwise).
- Residents may resist or underutilise the service, particularly where CDS provides alternative glass recovery options.
- Additional bins may create storage and presentation issues for residents, particularly in MUDs where kerbside space is already at capacity.
- The community wasn't consulted on the need, want or affordability of a new glass recycling service.

Proposed Next Steps

- Continue collective advocacy: maintain and strengthen cross-council position firmly advocating for a delay in the implementation date and increased flexibility rather than a mandatory kerbside glass bin service.
- Engage with the State Government:
 - Advocate for recognition of CDS effectiveness and the clear benefits that expansion to wine and spirit bottles would have.
 - Seek a review of regulatory requirements given changes to glass volumes and market conditions.
 - Advocate for investment into Material Recovery Facility (MRF) infrastructure and glass processing capacity (including advanced sorting technology) allowing glass recovery without placing the burden on residents.
 - Explore alternatives - supported drop-off models, regional opt-out provisions.
- Develop contingency planning:
 - Identify 'reasonable excuse' documentation and timelines for councils unable to implement a kerbside glass service by 2027.



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- Assess options for community-specific solutions - opt-in/opt-out provisions, shared drop-off points.
 - Investigate group procurement collection and processing models which may reduce costs to Councils.
- Monitor and document:
 - Track CDS uptake and glass packaging market trends.
 - Collect evidence of operational inefficiencies and cost impacts for future submissions.

Call to Action

- Consensus on the proposed approach for continued advocacy (including consideration of escalating advocacy actions and/or position if required).
- Confirmation of participation in the proposed joint media statement.



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Risk Assessment - non-compliance with the proposed standards

Below is a summary to help understand the legal risks, potential penalties, and likelihood of enforcement if Councils do not comply with the Regulations by the prescribed date of 1 July 2027.

In general, legal advice sought by members of the advocacy group has indicated:

- Non-compliance is not a criminal offence but may trigger enforcement actions from Recycling Victoria (RV), starting with an Improvement Notice.
- Continued failure to comply with an Improvement Notice can lead to civil penalties of ~\$95,000-\$250,000, however the principles of the Act do not prioritise regulation and compliance by enforcement, but via facilitated 'whole-of-government' outcomes.
- Councils may defend non-compliance if they can demonstrate a reasonable excuse (e.g., cost recovery barriers, infrastructure disruption, low presentation rates, access to glass recycling facilities, lack of space for bins in MUDs etc.), however, the parameters around what is a reasonable excuse are not clear in the draft Standards. The Standards also indicate that volume and presentation rates may be used to discontinue a service but not to avoid implementing it.
- Reasonable excuse could also include being unable to deliver the service on time due to the delay in release of the service standards, as Councils are unable to design and implement a service where the rules of the service are unknown.

Should Councils opt to not comply with the current requirements under the Act and subordinate documents they will be exposed to a level of risk. A summary of the potential risk profile and mitigation measures for Council opting for non-compliance with the services required under the Regulations is provided below:

| Category | Risk | Impact | Likelihood | Mitigation Strategy |
|--------------------------------|---|--------|------------|---|
| Financial / Operational | Risk of penalties in the region of \$95,000-\$250,000 for non-compliance. | Low | Possible | <p>Penalties are significantly lower than the cost of rolling out the service to the community.</p> <p>Until the Regulations are finalised, the requirement of a council to deliver a municipal recycling service for glass is uncertain and any liability is unknown.</p> <p>Recycling Victoria is also likely to exhaust all other avenues before applying for civil penalties. The principles of the Act do not prioritise regulation and compliance by enforcement, but via facilitated 'whole-of-government' outcomes.</p> |
| Reputational | Community dissatisfaction and negative perception if it | Medium | Possible | Ensure messaging to the community is clear that council supports glass recycling but that the rollout of glass bins does not provide the best environmental or financial outcome for the community and other alternatives are being explored. |



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| Category | Risk | Impact | Likelihood | Mitigation Strategy |
|---------------------------------|---|--------|------------|---|
| | appears council is not supporting glass recycling or government policy. | | | Reputational risk is significantly lower than proceeding with glass bin rollout due to the prohibitive cost and lack of benefits to the community. |
| Financial / Reputational | Risk of being overlooked for future State funding. | High | Unlikely | Grants and funding should be provided ethically and transparently and not related to previous council-level decisions. Given the substantial number of councils engaged in glass advocacy, it is also unlikely that any one council would be singled out. |
| Environmental | Missed opportunity to reduce glass contamination in recycling stream. | Low | Possible | CDS is already recovering significant glass. Minimal environmental benefit would be gained by installing glass bins and in fact would result in additional emissions and road wear due to more trucks on the road travelling longer distances in some cases. Continue to advocate for expansion of the CDS to include wine and spirit bottles and increased investment in recycling capacity across the state. |
| | | | | |



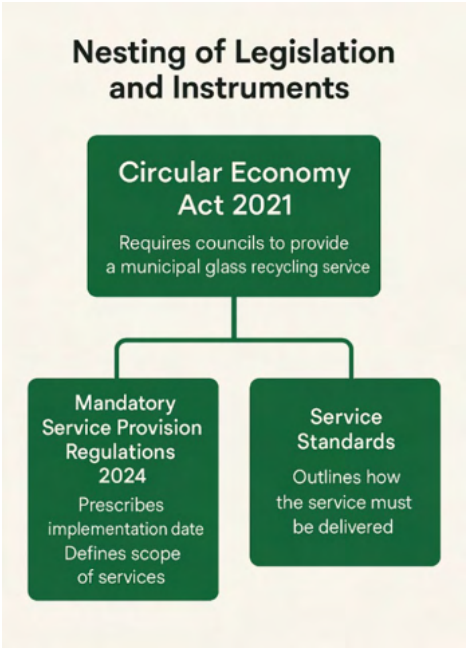
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Legal Fact Sheet



Background

The information provided below is extracted from the Russel Kennedy advice provided to Wyndham City Council and Manningham City Council. The information is provided to assist Councils participating in the multi-Council glass advocacy in understanding their legal risks from not complying with the Circular Economy (Waste Reduction and Recycling) Act 2021 and the subordinate regulations. Please note, there will be uncertainty regarding the legal advice until the Service Standards and Regulation are finalised.

Legislation Summary

There is opportunity to influence the implementation date, and the inclusion of glass recycling in the reforms. Whilst appealing an Act of Parliament is quite lengthy, a regulation can be revoked through Executive Action. This involves consideration of the need for revocation, problem analysis as to whether the regulation is addressing the problem it was designed to fix, stakeholder consultation, then a recommendation and decision is presented by the relevant Minister to Cabinet for discussion. The final decision to revoke the regulation rests with the Governor in Council, decision is usually formalised through the signing of an Order in Council. Public notification of the revocation is then made in the Victoria Government Gazette. In contrast, to repeal the Act, the Parliamentary process is much more involved. Another Act of Parliament needs to be made, a Bill would then need to pass both houses which would then be given Royal Assent.



| Question | Response |
|---|---|
| <p>What is council's overall liability:</p> <ul style="list-style-type: none"> <i>If it does not provide a glass only collection service to households by 1 July 2027?</i> <i>If it waits until the service standards are finalised, then seeks to implement the service, but it will be implemented after the 1 July 2027?</i> <i>If it implements a glass on bin service, but fails to meet the service standard for the service?</i> | <ul style="list-style-type: none"> The liability of a council to deliver a municipal recycling service for glass to land within its municipal district for a household used for residential purposes does not arise until regulations are made. While a council is required to provide a municipal recycling service for glass to land, failure to do so, is not of itself an offence. Until regulations are made by the Governor in Council the requirement on a council to deliver a municipal recycling service for glass is uncertain and any liability is unknown. Head, Recycling Victoria may, at its discretion exercise its statutory power and issue an improvement notice. An improvement notice may require a council to take action that Head, Recycling Victoria thinks fit to remedy the contravention within a particular time. Council may be exposed to a potential maximum financial civil penalty of 1200 penalty units per day, subject to the matters detailed in this advice. A penalty unit is \$197.59, and will ordinarily increase by indexation annually. This equates to a potential financial civil penalty in the order of \$250,000. In our opinion, it would not be possible to bring an application for each day that the service is not delivered. This is consistent with the Draft Regulations and Draft Standards that provide for a review period every 3 years. An officer of the Council, including the Chief Executive Officer, is not potentially liable to any financial civil penalty where the Council contravenes the legislation. Section 69 is a civil penalty provision. A person who contravenes the provision is liable to a financial civil penalty not exceeding 1200 penalty units. However, this applies to corporations, and not government. In our opinion, Head, Recycling Victoria is likely to exhaust all other avenues before applying for a civil penalty order against a municipal council that has planned to provide the municipal recycling service for glass by means of Drop Off centres rather than a kerbside collection service, particularly if this is a decision made at a Council meeting. Head, Recycling Victoria must comply with its paramount duty and overarching obligations under the <i>Civil Procedure Act 2010</i> (Vic) in initiating and conducting civil proceedings against a council under the Act. Amongst other matters, this requires Head, Recycling Victoria: <ul style="list-style-type: none"> to establish a proper basis on factual and legal material to initiate the proceeding; and |

| Question | Response |
|---|--|
| | <ul style="list-style-type: none"> to use reasonable endeavours to resolve a dispute by agreement, including by appropriate dispute resolution, unless it is not in the interests of justice to do so, or the dispute is of such a nature that only judicial determination is appropriate (e.g. appeal on question of law). Courts and tribunals consistently articulate the preference for government actors to engage to identify a whole of government solution rather than compelling the judiciary or tribunal to determine the allegation or application, as the case may be. The purpose, objective and principles of the Act do not prioritise regulation and compliance by enforcement but rather facilitated outcomes. The principle of shared responsibility identifies that it is the responsibility of all levels of government to implement, which at present imposes the significant cost of implementation solely with local government, a matter expressly acknowledges in the Impact Statement. It is likely that a 'whole of government' solution would be determined. |
| <i>What penalties could Council face if it provides a 'Drop off service' in place of a 'kerbside service'?</i> | <ul style="list-style-type: none"> See first response regarding penalties and financial liabilities. As currently drafted, the Draft Standard will allow Council to determine reasonable practicability in how the kerbside collection service is provided to a household or class of households. Where the Council makes this determination that it is not reasonably practicable to provide a kerbside collection service, it must provide a Drop off service. Where such a determination is made, the Council must publish the assessment on which the determination is based, allowing community access to the assessment, and must complete an assessment at least once every 3 years until the kerbside collection service is provided. |
| <i>What determines 'reasonable excuse' for not delivering the glass service?</i> | <ul style="list-style-type: none"> It is an offence to breach an improvement notice, 'without reasonable excuse'. Without reasonable excuse, is not qualified or restricted and will be given a broad interpretation. What is a reasonable excuse is a matter of fact to be determined in circumstances of each case. The cost of providing the municipal recycling service and ability to apply charges to cover the cost of the service may be considered a reasonable excuse. The time between any regulations being made and the commencement date will be a relevant consideration in assessing any reasonable excuse and assessing the reasonable practicability. In the absence of a service rate or service charge, funding to provide a municipal recycling service for glass to land would be a critical consideration in determining if a reasonable excuse applies to a council. The absence of any detailed information concerning the cost of implementation appears to be a significant gap in the Impact Statement. We anticipate that the cost of providing waste services will have increased from the undisclosed |

| Question | Response |
|---|---|
| | <p>data source referenced in the case study and that the case study will not be universally applicable across all municipalities given the significant variability in factors across Victoria.</p> <ul style="list-style-type: none"> • The factual and statutory context overall feed into the assessment of the reasonableness of the excuse measured from a rational perspective. • It is for the above reasons that, subject to the particular facts, in our opinion it is not likely Head, Recycling Victoria will initiate civil proceedings against a council in the first few years of the municipal recycling service for glass to land coming into force. • We anticipate a community's expectation of service delivery is a more influential factor on a council's decision-making rather than the threat of civil proceedings being initiated by the Head, Recycling Victoria. |
| <i>What happens if Council has implemented a service (either drop off and/or kerbside, but it does not meet the service standards due to their delayed release?</i> | <ul style="list-style-type: none"> • These would be relevant facts to determine a reasonable excuse for not complying with a service standard once made. • Having regard to the paramount duty and overarching obligations, Head, Recycling Victoria would properly seek to engage and work with the council to achieve an agreed 'whole of government' solution. |
| <i>What is a council's overall liability if they have engaged a contractor but have not commenced the rollout of bins by July 2027?</i> | <ul style="list-style-type: none"> • It is likely there would be no liability, and the Victorian Government would work with the council to achieve a whole of government resolution for the municipality. |
| <i>For those Councils that are experiencing major disruption due to NEL link and are struggling to deliver current waste services, would this be considered a valid reason to delay the introduction of the service?</i> | <ul style="list-style-type: none"> • Yes. As discussed above and in consideration of the Supreme Court of Victoria decision cited, the factual and statutory context will inform an assessment of the reasonableness of the excuse measured from a rational perspective. |



| Question | Response |
|--|---|
| <i>Does the penalty apply to commercial, community groups and council facilities which have access to kerbside service?</i> | <ul style="list-style-type: none"> No. Until the Draft Regulations are made this remains unknown, however if the Draft Regulations are made in the form disclosed then the municipal recycling service for glass to land is not required to be provided to non-residential properties. |
| <i>Whether a council can deem the glass service to not be reasonably practicable due to low volume and/or presentation rates?</i> | <ul style="list-style-type: none"> We consider volume/weight and presentation to be criteria relevant to performance and effectiveness of a municipal recycling service for glass to land once provided, rather than a reasonable excuse not to provide the service at all. Volume/weight and presentation in relation to performance may be relevant criteria to discontinue a service on the periodic 3 yearly review contemplated by the Draft Regulations and Draft Standard, where the continued provision of the service cannot be sustained on the service rate or service charge. |



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Prepared for: CEO Advocacy Meeting

Date: 19 November 2025

CEO Briefing: Kerbside Reform Glass Recycling

Fact Sheet



Executive Summary

This document outlines the key impacts of the Victorian Government proposed glass only service reform for Victorian councils. It provides evidence-based points under major themes which highlight the most pressing issues. References are provided for further detail.

Summary Table: Glass Kerbside Reform Impacts

| Theme | Key Points (with References) |
|---|--|
| Financial Burden to Communities | <ul style="list-style-type: none"> High upfront implementation cost: \$56 per household (\$4M per typical council)¹. Ongoing annual collection cost: \$29 per household (\$1.4M per council)¹ Cost to recycle glass increases from \$0.036/kg to \$0.64/kg (1,670% increase)² Diverts funding from higher-risk waste streams (e.g. batteries, chemical, e-waste) Government funding covers <10% of implementation; most costs paid by ratepayers rather than packaging producers |
| Operational Risks and Inefficiencies | <ul style="list-style-type: none"> Glass tonnages declining by 3% per year^{2,5} Low bin presentation: bins filled every ~40 weeks, presented ~2.5 times/year² Trucks must service all households regardless of bin usage² Drop-off points face staffing, illegal dumping and access challenges² |
| Environmental and Social Impact | <ul style="list-style-type: none"> 2.7M bins will be needed to roll out bins across Victoria = 16,200 tonnes of plastic² 158 new trucks needed to collect glass bins across Victoria = 354 tonnes CO₂-e per 4 weekly collection cycle^{1,2} Glass bin contamination up to 8%; 10% glass remains in mixed recycling. Not achieving desired outcome. Could be fined under current legislation² Little improvement in recycling outcomes for councils already remanufacturing glass into bottles and jars² |
| Legal and Regulatory Ambiguity | <ul style="list-style-type: none"> Glass to be banned from mixed recycling, risking contamination penalties¹ Container Deposit Scheme (CDS) harmonisation blocked by Victoria's position⁴ Complex requirements and unclear service flexibility (kerbside vs drop-off)¹ Mandated service by July 2027 under Circular Economy Act¹, however subordinate regulations and service standards are still not released. The delay in service standards will make it challenging to implement a service by the proposed 1 July 2027. 53 Councils will need to order and deliver glass bins and purchase trucks, putting unrealistic pressure on bin and truck suppliers. |



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| Theme | Key Points (with References) |
|---|---|
| Lack of Transparent Business Case | <ul style="list-style-type: none"> Independent modelling contradicts claimed financial benefits¹ Councils unable to justify cost without clear benefits No clarity on why Victoria diverges from other states Oversupply of clean glass via CDS already exists⁴ No data exists that defines the issue glass separation is going to 'fix', there is therefore no way to measure the impact of the reform. |
| External Economic Factors | <ul style="list-style-type: none"> Rising cost of living combined with cost shifting; including the Emergency Services Volunteer Fund, and 30% waste levy increase in 2025/26, putting increased financial pressure on Councils and their communities. |
| Material Recovery Facility (MRF) Processing Challenges | <ul style="list-style-type: none"> MRFs have not highlighted glass embedment is an issue preventing the resale of recycle. MRFs will still accept mixed recycling with glass from businesses.² Victorian state border Councils will send materials to MRFs that accept municipal recycling from NSW Councils with glass included. Until glass is separated by businesses and state border Councils, glass-only streams risk contamination when mixed loads enter MRFs. |
| Better Alternatives Exist | <ul style="list-style-type: none"> CDS expansion including wine/spirit bottles will achieve similar circularity benefits as a glass only service¹ CDS saw 1B containers returned in first year; 647 refund points by May 2025⁴, resulting in a 10% reduction in municipal mixed recyclables collection. Glass diversion to the CDS will continually increase as Zone Operators must increase refund point access over time and maximise container returns, which are performance targets Zone Operators must report against. Other states are harmonising CDS nationally and expanding to include wine and spirit bottles⁴ Mixed recycling already achieving bottle/jar remanufacture in some Councils. |

References

1. *Kerbside Glass Recycling Research Report*, Tonkin & Taylor, November 2024
2. *Glass advocacy member Council survey*, Maroondah Council, April 2025
3. [Victorian local government waste data dashboard](#), Recycling Victoria, 2023-24 financial year data
4. *The Victorian Container Deposit Scheme 12-month Report*, Total Environment Centre, Apr 2025
5. *Australian Packaging Consumption Recovery Data 2022-23*, Australian Packaging Covenant, December 2024



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Glass Service - Advocacy Timeline



Background

In December 2021, the Victorian Parliament passed the Circular Economy (Waste Reduction and Recycling) Act, establishing Recycling Victoria and mandating a statewide, four-stream household waste and recycling system. This summary outlines key advocacy actions taken by councils following the July 2024 [Regulatory Impact Statement consultation](#), with a focus on the glass only bin.

| Action | Date | Outcome |
|--|--------------------------|---|
| Department of Energy, Environment and Climate Action (DEECA) undertook public consultation on the regulations, service standard and RIS to standardise household waste and recycling services. | 18 June – 14 August 2024 | <ul style="list-style-type: none"> Following public consultation, council officers formed a working group to investigate the cost model to for statewide implementation of a fourth bin for glass. |
| 22 Councils agree to fund Tonkin and Taylor to deliver a research report looking at Options for Kerbside glass collection services | August – November 2024 | <ul style="list-style-type: none"> Report finalised and shared in November 2024. Used data from 22 councils to establish an average cost model for provision of a glass only bin service. Tonkin & Taylors modelling could not replicate the findings in the RIS and identified significant costing anomalies. |
| Legal advice sought and provided from Russell Kennedy and Maddocks | March 2025 | <ul style="list-style-type: none"> Legal advice indicates it is unlikely Recycling Victoria will undertake civil penalties for failure to comply. The potential financial penalty could be up to \$250,000 in total; potential future penalties would likely be included in a 3-year regulation review. All advice is dependent on the outcome of the release of the final Service Standard and Regulations. |
| Engagement with Minister for Environment | December 2024 - present. | <ul style="list-style-type: none"> Multiple engagements (i.e. letters and face to face meetings) with Minister and Ministers office. 2 July 2025 – Maroondah CEO, CFO met with Minister to discuss solutions. |
| Local Government Mayoral Advisory Panel | 11 June | <ul style="list-style-type: none"> Panel met with Minister discussions included glass only bin, awaiting confirmation of Minister's response. |
| Engagement with DEECA | July 2025 - On-going | <ul style="list-style-type: none"> DEECA provided updated cost model to support implementing glass, Maroondah officers met with DEECA to discuss cost differences. Maroondah officers have provided DEECA and the Minister with a summary of the key cost discrepancies and are awaiting a response. |
| Engagement with Waste Management and Resource Recovery Association (WMRRA) CEO Gayle Sloan | 28 July 2025 | <ul style="list-style-type: none"> Supportive of council advocacy against glass only bin. Supportive of request to expand CDS and national harmonisation of items eligible for refund. |



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Date: 19 November 2025

2.8 Robinvale Fenced Off-Leash Dog Park

Directorate: Development and Planning
File Number: S01-24-01
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

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

Current Strategic Documents

Council Plan
10 Year Major Projects Plan 2023/24 to 2032/33

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

Council has been successful in obtaining State Government funding from the Department of Energy, Environment and Climate Action (DEECA) for a fenced, off-leash dog park located provisionally, for the purpose of the funding application, in Centenary Park in Robinvale.

This report provides the results of the community engagement, to determine the community's location preference for the off-leash dog park.

Feedback supported Option 2 – Centenary Park as the location of the dog park.

Background

Joint funding from the State Government and Council has been secured to establish an off leash, fenced dog park in Robinvale.

This aligns with Council's former Domestic Animal Management Plan (DAMP) that identified the need for dog off-leash areas to be investigated. It also matched previous work on trialling off-leash dog parks in 2019/20 within the municipality and the associated community consultation.

This work resulted in the development of a fenced off-leash dog park in Swan Hill and a similar project for Robinvale was incorporated in the 10 Year Major Projects Plan for future delivery.

Community Engagement

Community engagement for this project took place from mid-September to early October 2025, with submissions closing on 3 October. The process included both in-person and online opportunities for the community to share their thoughts and ideas.

A community drop-in session was held on the lawns of the Robinvale Community Art Centre on 18 September 2025, providing an opportunity for residents to learn more about the project and ask questions directly. While attendance on the day was low, valuable feedback was received, and the session offered useful insights to help guide future engagement approaches.

The online survey generated a strong level of interest, with 354 people accessing/viewing the survey link throughout the engagement period, however only 25 community members completing the survey in full. The feedback received through these responses has helped build a clearer understanding of community priorities and preferences.

Other community engagement was undertaken recently through the review of the Domestic Animal Management Plan (DAMP). Results to the question of 'Do you think there should be more fenced off leash areas', 80 (55.17%) people answered, 'yes' with 65 (44.83%) people answering 'no'. Of all the respondents who answered yes, 12 people wanted a fenced area in Robinvale, with 4 of those respondents specifying Centenary Park as their preferred location. It is unclear how many people who live in Robinvale participated in the survey who voted yes and specified Centenary Park. Some degree of caution should be applied when considering the results.

Targeted engagement with First Nations groups was also undertaken, providing detailed information about the project, on potential locations and cultural considerations. Of those who responded, two people liked option 4 and 9 people preferred Option 2.

Additionally, a detailed written submission was received from a member of the community in Robinvale.

Let's Talk Survey Results

Of the 25 respondents, the survey results were clear and consistent. Option 2 – Centenary Park emerged as the most preferred location, primarily due to its proximity to the playground and other community facilities.

- Option 2 (Centenary Park) received 14 votes, representing 56% of all responses.
- Option 1 (Centenary Park – alternate site) received 4 votes.
- Option 5 (Do not build a dog park and return grant funding) received 3 votes. (See graphs and tables below for a detailed breakdown.)

The results of the Let's Talk survey have been published online on the Let's Talk page at the conclusion of the survey.

In addition to the public survey, First Nations engagement was conducted independently. Feedback from this consultation showed unanimous support for Option 2 – Centenary Park, with only two respondents suggesting an alternative site at the Trotting and Greyhound Complex.

Option 2 – Centenary Park reflects the original concept previously proposed to DEECA. The site sits adjacent to the new playground, enhancing the overall recreation area. It also benefits from existing approvals, including Cultural Heritage Management Plan (CHMP) clearance and soil and contaminant testing. See figure 1 below for location of Option 2.

Option 1 – Centenary Park (alternate location) would have required new CHMP approvals and further soil and contaminant testing, resulting in additional time and cost.

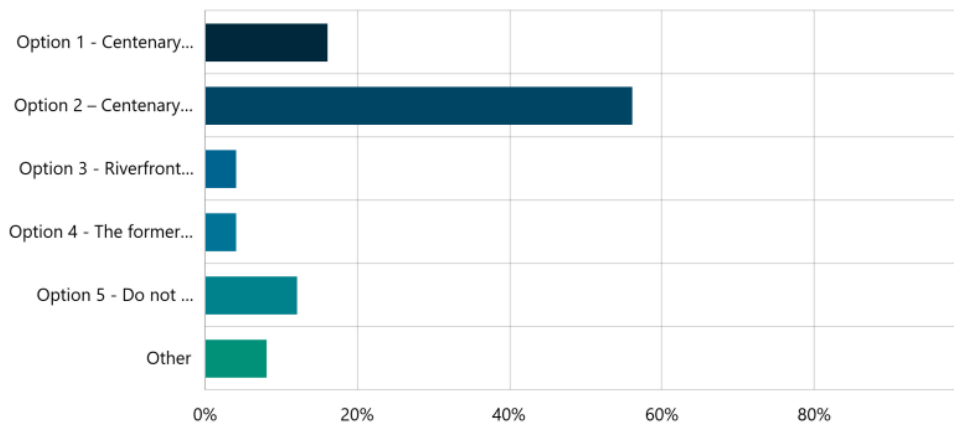
Option 5 – Do not build a dog park would mean returning the grant funding to the State Government, and no project would proceed.



Figure 1: Option 2 shown in red to the west of new playground within existing CHMP area

1. Which option do you prefer? Required

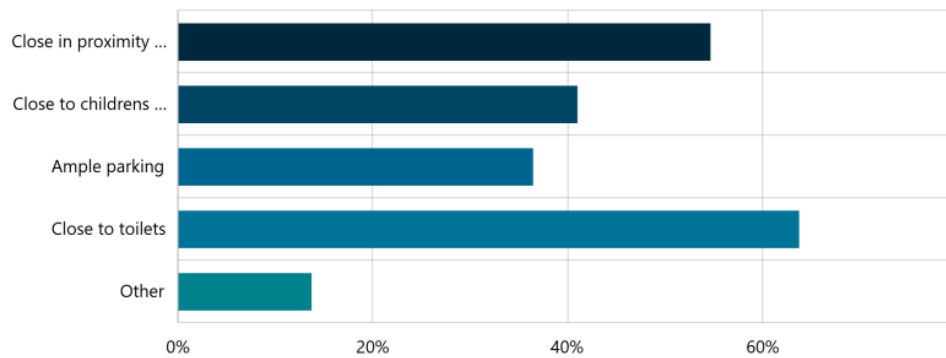
Select Box | Skipped: 0 | Answered: 25 (100%)



| Answer choices | Percent | Count |
|---|----------------|-----------|
| Option 1 - Centenary Park | 16.00% | 4 |
| Option 2 - Centenary Park | 56.00% | 14 |
| Option 3 - Riverfront East Reserve | 4.00% | 1 |
| Option 4 - The former Basketball Courts (behind the Leisure Centre) | 4.00% | 1 |
| Option 5 - Do not build a dog park and return grant funding to the State Government | 12.00% | 3 |
| Other | 8.00% | 2 |
| Total | 100.00% | 25 |

6. When selecting a suitable location for the dog park, what factors are important to you?

Multi Choice | Skipped: 3 | Answered: 22 (88%)



| Answer choices | Percent | Count |
|------------------------------|---------|-------|
| Close in proximity to CBD | 54.55% | 12 |
| Close to childrens play area | 40.91% | 9 |
| Ample parking | 36.36% | 8 |
| Close to toilets | 63.64% | 14 |
| Other | 13.64% | 3 |

Written Submission Summary

This summary outlines the key concerns raised in a community submission regarding the proposed development of an off-leash dog park in Robinvale. The submission identifies three primary issues: compatibility with the Swan Hill Rural City Council Planning Scheme, noise concerns, and value for money.

1. Compatibility with the Swan Hill Rural City Council Planning Scheme

The proposed site is zoned General Residential (GRZ), which prioritises residential amenity. The Planning Scheme likely prohibits uses such as animal training and domestic animal boarding, and by extension, may not support the development of an off-leash dog park at this location. The site's proximity to residential homes—fronting four properties—raises concerns about compatibility with surrounding land use and potential breaches of planning regulations.

Response: The preferred site (Option 2) is compatible with the Swan Hill Planning Scheme as it is not a prohibited activity in a Public Park & Recreation Zone (PPRZ). The dog park has been repositioned to avoid any zoning conflicts and provide a buffer to the General Residential Zone areas.

2. Noise

Locating the dog park adjacent to private homes could lead to increased noise, nuisance complaints, and safety concerns such as dog attacks. The submission questions why Council would choose a location that amplifies the risk of noise-related issues rather than mitigating them.

Response: The preferred site for the dog park is over 80m from the nearest residential areas. Whilst this is not as far from residential housing as the dog park in Swan Hill is, it is of sufficient distance that any sound will be no more noticeable than children playing in the playground. The design of the dog park will further address this issue by vegetation plantings to buffer any noise and the placement of the quiet dog area at the southern end of the proposed space.

3. Value for Money

The project's \$250,000 cost is seen as disproportionate given the limited number of survey responses (only 46 registered dog owners from Robinvale). Many local dogs are likely to reside on properties or use natural areas like the river, making the park unnecessary for a large portion of the community. Concerns were also raised about ongoing maintenance costs, lack of a user fee model, and whether performance indicators will be tracked as with other Council facilities.

Response: The investment in the dog park at this location will complement and enhance this public space including the new playground. The completion of the children's playground will be addressed by another project and funding stream. Council does not charge a user fee for publicly accessible recreation infrastructure. It is believed this project will reduce the impact of dogs using existing public sporting infrastructure.

Financial Implications

Council has allocated \$125,000 and combined with the successful funding application of \$225,000, a total budget of \$350,000 is available for the project.

Ongoing maintenance of the dog park is estimated to be up to \$28,000 per annum and is largely based on the cost of operational upkeep such as lawn and infrastructure maintenance. This may vary depending on the types of landscaping within the finalised plan.

The project needs to be completed by September 2026.

Social Implications

The Off Leash Dog Park will enhance Robinvale's reputation as a destination and is intended to improve the quality of life for residents.

Economic Implications

The park may increase the length of stay by visitors with pets. Potentially the dog park could be used to encourage further exploration of the town's attractions by visitors, which may have a positive impact on visitor spending.

Environmental Implications

Potential for increased volume of animal waste in the park areas. Dog bags and bins will be available within the dog park and signage erected within the surrounding area.

Risk Management Implications

Community consultation has been undertaken to select the most appropriate site for an off-leash dog park in Robinvale.

- Attachments:**
1. 2025-10-06 Form- Results- Summary- I D-193 Robinvale-Dog- Park- Project [2.8.1 - 9 pages]
 2. Budget submission 13 May 2025 - Off Leash Dog Park [2.8.2 - 5 pages]
 3. Robinvale Dog Park Options Overview Map [2.8.3 - 1 page]
 4. OPTION 2 - ROBINVALE FENCED OFF LEASH DOG DRAFT LAYOUT [2.8.4 - 1 page]

Options

1. That Council endorse Option 2 – Centenary Park as the location of the dog park and the project proceed immediately to the implementation phase on the basis that the funding agreement timelines are very short.
2. Do not deliver the dog park project and re-engage the community to explore options for an alternative project for future development

Recommendation

That Council adopt Option 2 Centenary Park, Robinvale as the location of the Fenced, Off Leash Dog Park.

Let's talk

Form Results Summary

Sep 04, 2025 - Sep 23, 2025

Project: Robinvale Dog Park Project

Form: Complete the short survey!

Tool Type: Form

Activity ID: 193

Exported: Oct 06, 2025, 12:43 PM

Exported By: rachel.bibby

Filter By: No filters applied.

Closed

Complete the short survey!
Robinvale Dog Park Project

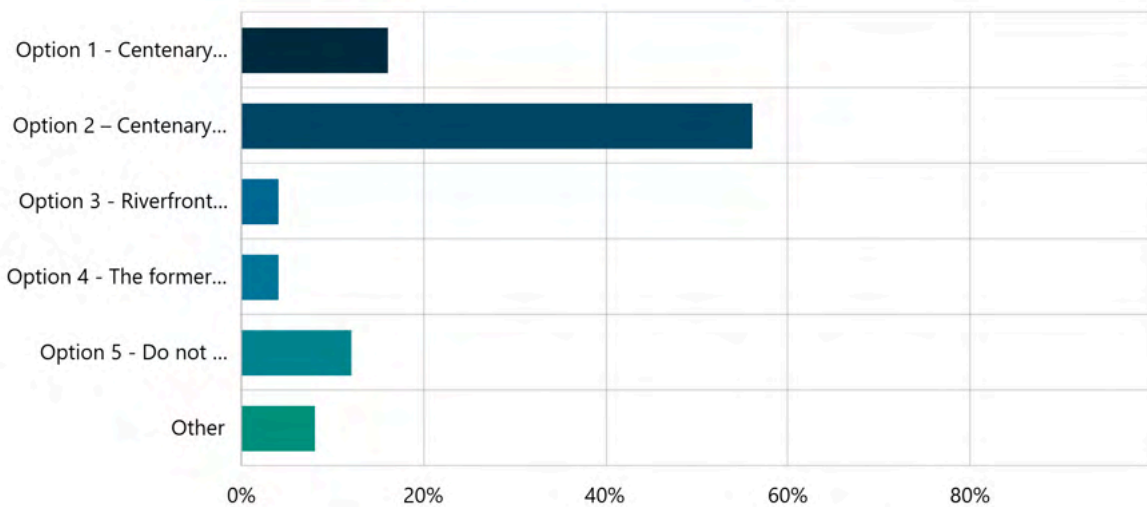
18
Contributors

25
Contributions

Contribution Summary

1. Which option do you prefer? Required

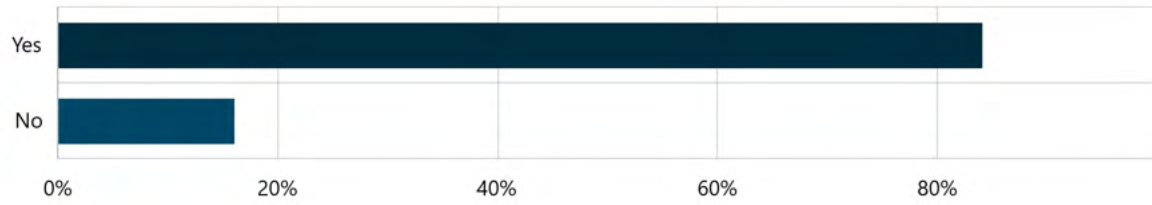
Select Box | Skipped: 0 | Answered: 25 (100%)



| Answer choices | Percent | Count |
|---|----------------|-----------|
| Option 1 - Centenary Park | 16.00% | 4 |
| Option 2 - Centenary Park | 56.00% | 14 |
| Option 3 - Riverfront East Reserve | 4.00% | 1 |
| Option 4 - The former Basketball Courts (behind the Leisure Centre) | 4.00% | 1 |
| Option 5 - Do not build a dog park and return grant funding to the State Government | 12.00% | 3 |
| Other | 8.00% | 2 |
| Total | 100.00% | 25 |

2. Do you own a dog?

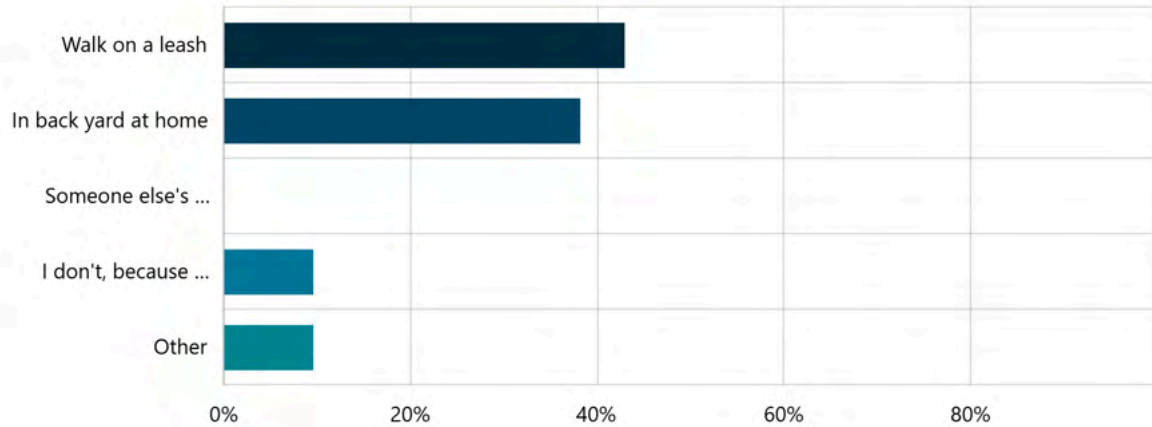
Select Box | Skipped: 0 | Answered: 25 (100%)



| Answer choices | Percent | Count |
|----------------|----------------|-----------|
| Yes | 84.00% | 21 |
| No | 16.00% | 4 |
| Total | 100.00% | 25 |

3. How are you exercising your dog at the moment?

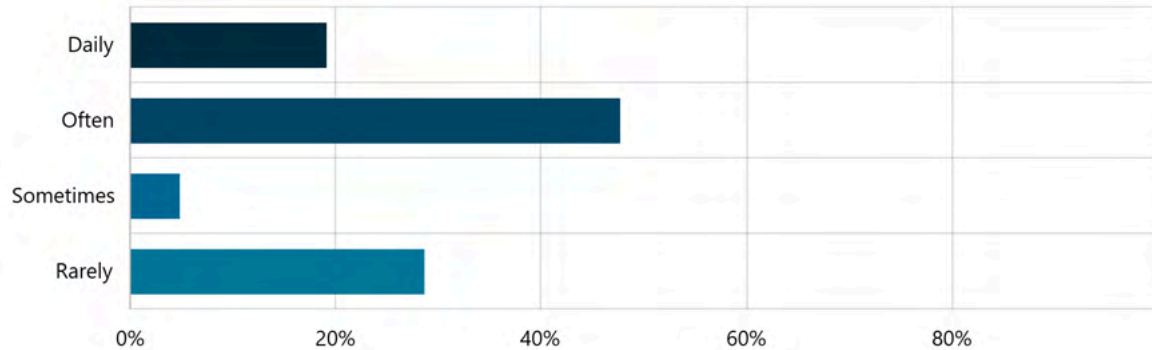
Select Box | Skipped: 4 | Answered: 21 (84%)



| Answer choices | Percent | Count |
|---|----------------|-----------|
| Walk on a leash | 42.86% | 9 |
| In back yard at home | 38.10% | 8 |
| Someone else's property | 0% | 0 |
| I don't, because there is nowhere to exercise my dog safely | 9.52% | 2 |
| Other | 9.52% | 2 |
| Total | 100.00% | 21 |

4. How often do you think you would visit the dog park?

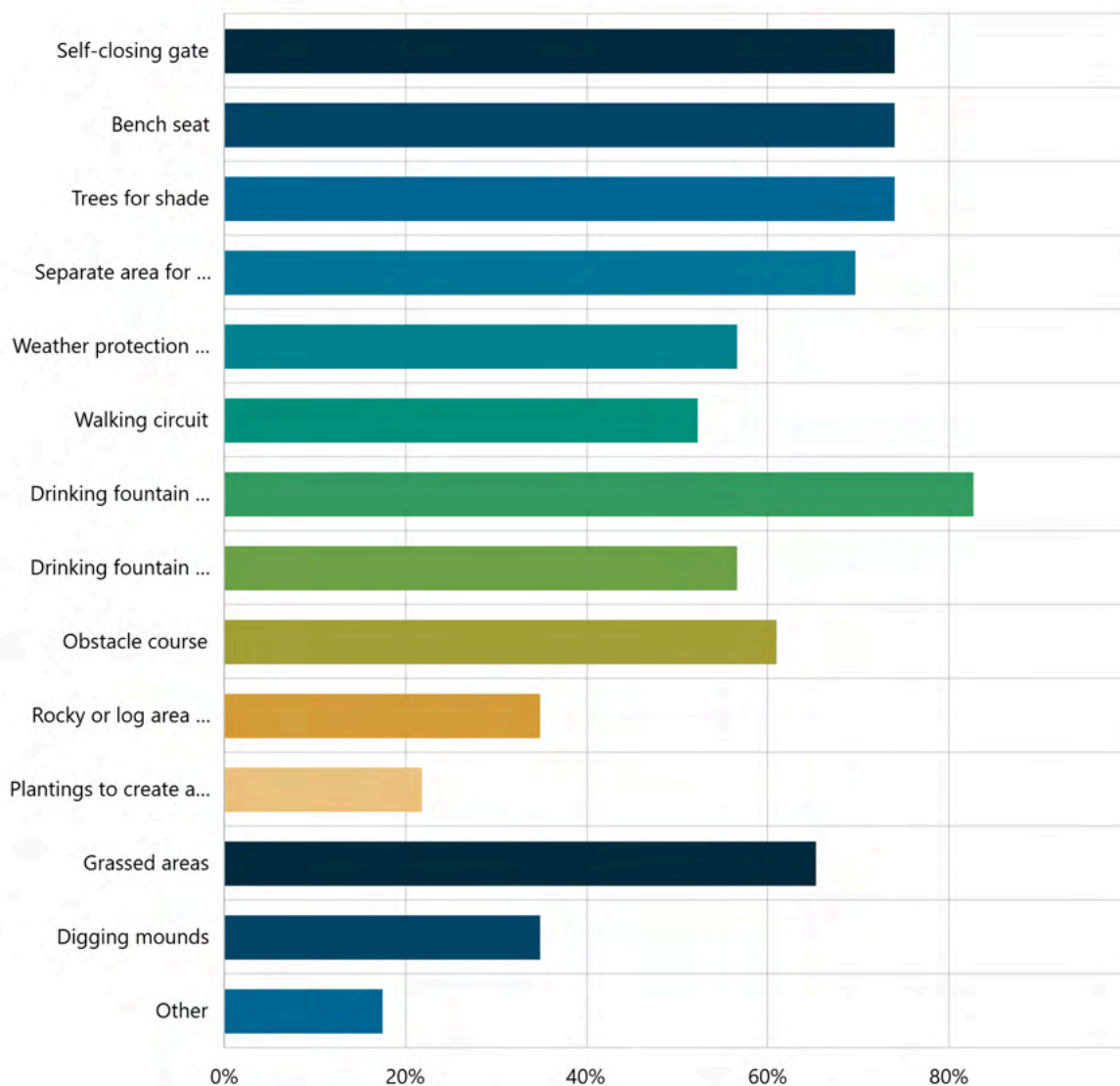
Select Box | Skipped: 4 | Answered: 21 (84%)



| Answer choices | Percent | Count |
|----------------|---------|-------|
| Daily | 19.05% | 4 |
| Often | 47.62% | 10 |
| Sometimes | 4.76% | 1 |
| Rarely | 28.57% | 6 |
| Total | 100.00% | 21 |

5. What things do you want in the dog park? Required

Multi Choice | Skipped: 2 | Answered: 23 (92%)

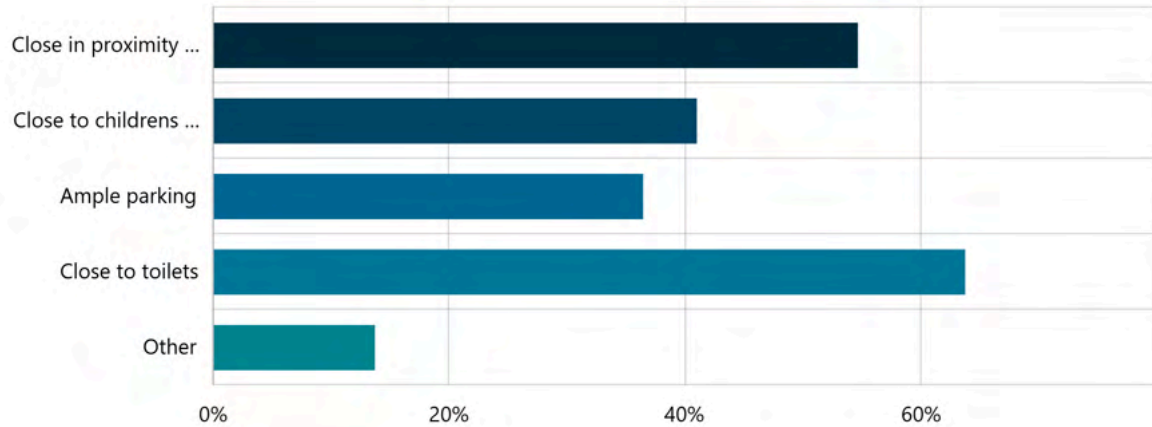


| Answer choices | Percent | Count |
|--------------------------------------|---------|-------|
| Self-closing gate | 73.91% | 17 |
| Bench seat | 73.91% | 17 |
| Trees for shade | 73.91% | 17 |
| Separate area for smaller/quiet dogs | 69.57% | 16 |
| Weather protection shelter | 56.52% | 13 |

| | | |
|--------------------------------|--------|----|
| Walking circuit | 52.17% | 12 |
| Drinking fountain for dogs | 82.61% | 19 |
| Drinking fountain for humans | 56.52% | 13 |
| Obstacle course | 60.87% | 14 |
| Rocky or log area for dog play | 34.78% | 8 |
| Plantings to create a screen | 21.74% | 5 |
| Grassed areas | 65.22% | 15 |
| Digging mounds | 34.78% | 8 |
| Other | 17.39% | 4 |

6. When selecting a suitable location for the dog park, what factors are important to you?

Multi Choice | Skipped: 3 | Answered: 22 (88%)



| Answer choices | Percent | Count |
|------------------------------|---------|-------|
| Close in proximity to CBD | 54.55% | 12 |
| Close to childrens play area | 40.91% | 9 |
| Ample parking | 36.36% | 8 |
| Close to toilets | 63.64% | 14 |
| Other | 13.64% | 3 |

7. Do you have any other comments or suggestions you'd like to share with us?

Short Text | Skipped: 15 | Answered: 10 (40%)

Sentiment

No sentiment data

Tags

No tag data

Featured Contributions

No featured contributions

Swan Hill Rural City Council - DRAFT Budget 2025/26

Submission – Robinvale Off Leash Dog Park

References:

- A. Swan Hill Rural City Council Draft Budget 2025/26
- B. Item B.19.83 Off Leash Dog Trial Area – Review as presented to Council on 20 August 2019 (including the Online Survey Results January 2019)
- C. DEECA webpage – New and upgraded dog parks – as at 31/3/25
- D. Robinvale Riverfront Masterplan Final Landscape Masterplan Report prepared by GroupGSA date 12/9/23
- E. Swan Hill Rural City Council Planning Scheme
- F. Swan Hill Rural City Council Domestic Animal Management Plan
- G. Environmental Protection Authority Victoria – Residential noise and the law

Purpose

The purpose of this submission is threefold; firstly, to identify issues with the proposal to develop an off leash dog park in Robinvale and secondly if it is decided to go ahead and construct such a park that it should not be located on the site recommended in the masterplan, Reference D. And lastly that if Council determines not to go ahead with the off leash dog park that the allocated Council Cash be reallocated to the benefit of Robinvale.

Report to Council Item B.19.83 Off Leash Dog Trial Area - Review

A survey throughout the municipality was conducted in January 2019. 103 responses were received. 12% of responders did not want a permanently fenced dog park to be established.

Centenary Park Robinvale was included as a trial area. 54 people who live in Robinvale responded. And with regard to those who had registered their dogs and assuming equal distribution of responses it is likely that 46 Robinvale respondents had registered their dogs. Of the respondents, 24 said they had used the Robinvale site. There were many negative comments about the trial which included identifying Centenary Park as 'Prickle Park'. The top location for Robinvale was identified as 'along the riverside'.

The report stated:

'It is recommended to consult further with community members to decide on the final locations for a permanent dog park, particularly in Robinvale as many responders did not identify a location and contained concerns only'.

The final recommendations were:

- 1. Consider the development of two off leash dog parks (Swan Hill and Robinvale) as part of the 20/21 budget and the review of the ten year major projects plan.
- 2. Continue the off leash dog area in Tower Hill Swan Hill.
- 3. Cease the trial in all other locations.

Cr McPhee amended the motion to include:

- 4. Investigate the opportunity of a timed off-leash dog park.

The motion was carried.

To date there has not been any further consultation with the Robinvale community since the release of Reference D which identifies two locations for Robinvale but recommends a site in Centenary Park.

Budget for the Off Leash Dog Park

The budget is listed as \$250,000.00 with \$125,000.00 sourced from Grants and \$125,000.00 sourced from Council Cash, 4.5.2 – 25/26 Budget page 47. Given a budget has been presented the following can be assumed: the site has been chosen, a cost estimate has been received, a request for tender has been drafted and a provisional start and end date identified.

At Reference C the funding awarded to Robinvale is \$225,000.00 and not \$125,000.00 as shown in the budget. The listing in Round 2 Projects also states that the location is Centenary Park. This gives rise to concerns. Why is only \$125,000.00 shown in the budget as Grants with the other \$125,000.00 to be sourced from Council Cash? What has happened to the other \$100,000.00? And if the site is not yet decided, as further consultation is required, why is it listed as Centenary Park?

Robinvale Riverfront Master Plan

GroupGSA are a global architecture, interior design, landscape architecture and urban design studio. Their studios are in Sydney, Melbourne, Brisbane and Ho Chi Minh City. The group completed the design for the Albury Riverside Precinct. I have visited this precinct. It is lush with vast expanses of lawn and many mature shade trees. It is an asset to the city. However, on reading the initial draft of their plan for the Robinvale waterfront it became obvious they did not appreciate or understand many fundamental aspects. The most obvious blunders were the inclusion of private land in the development, inclusion of land ie. Robinvale-Euston Memorial Park, that is managed under an MOU and therefore to be excluded, but is still in the plan and identified as Bill McGinty Park which is incorrect, the suggestion that 'ocean views' would be appreciated while walking along the boardwalks which suggested a cut and paste from another plan, and the inclusion of a pontoon protruding into The Cut that would effectively block any boats from traversing through The Cut.

The plan identifies two sites for an off leash dog park. The first is located on the southern boundary of Centenary Park and is tucked in behind the Senior Citizens Building. The second site is located in an area described as Riverfront East. The second site should be moved further south to the Vic Parks fence line away from the The Cut. The plan states that based on the analysis of the two locations, intended usage and existing conditions, Centenary Park is the more appropriate and recommended option.

The plan does not include any real analysis, does not address usage and nor does it discuss existing conditions. The plan does mention Pros and Cons for each site. It does not mention References B, E, F or G. The table below is as presented the plan. Comments made by this author are in red.

Dog Park Option 1: Centenary Park South:

| Pros | Cons |
|---|--|
| Large area of natural open space | As it is located adjacent to the neighbouring residential houses it may have certain impact to the resident (Fundamental and significant issue – a show stopper. The site extends across the frontage of four houses. Residents in areas zoned GRZ are entitled to the peaceful enjoyment of their home. The identified site is zoned GRZ and according to the Swan Hill Rural City Planning Scheme it is probable that an off leash dog park would be prohibited on this site.) |
| Close to the major amenities (Not relevant if you are exercising your dog) | (Situated very close to an unfenced playground and picnic area for all. Any dog not on a leash will be a concern for all. Dogs don't necessarily like each other, or people, and dog fights may eventuate in an area with toddlers and elderly being especially vulnerable.) |
| Easy access | |

Dog Park Option 2: Riverfront East

| Pros | Cons |
|--|---|
| Large area of natural open space | Location is far from the other amenities (If it your intent is to exercise your dog then other amenities are irrelevant) |
| Potential stimulator of other activities in the eastern side | The existing important flora and fauna could be affected by the dogs. (Dogs are walked off leash and swum in the area already and it will continue to be so. The area is surrounded by the natural environment. The same concerns could be associated with the intent to construct pontoons, paved areas board walks, terraces, and seating along McLennan Drive. The report notes that a docking station for commercial boats could also be considered.) |

| | |
|--|--|
| The area was once used by the Robinvale Pony Club so it can't be described as having special value. | |
| Easy Access | |
| According to the plan no earth features, shell middens or scarred trees have been identified on this site. | |

Swan Hill Rural City Council Planning Scheme

Off Leash Dog Park - Option 1. This option covers land that is zoned General Residential. While the scheme allows domestic animal husbandry with a maximum of two animals without a permit, it prohibits 'animal training', and 'domestic animal boarding', and it is suggested that by extension an off leash dog park would be prohibited. The scheme requires consideration as to whether the development is compatible with residential use. It is not.

Off Leash Dog Park - Option 2. This option covers land that is zoned Public Conservation and Resource. The site was previously used as a horse riding and horse training arena for the Robinvale Pony Club. A permit is not required for a boat launching facility, camping or caravan park, car park or informal outdoor recreation. These uses suggest that an off leash dog park would also be an appropriate use. Parks Victoria sheds and office are located within this zone as are boat ramps, toilets and a caravan park. The master plan also proposes viewing platforms, boardwalks, pontoons, picnic and seating clusters, and a range of riverfront interventions such as significant terracing in front of the Community Centre down to the river. The suggested off leash dog park aligns with the general requirements of the planning scheme for land zoned PC&R and within the scope of the development activities described throughout the plan.

Swan Hill Rural City Council Domestic Animal Management Plan

The plan identified that in 2016/17 there were 2,549 registered dogs in the municipality yet only 103 people responded to the survey. This demonstrates a lack of interest in the development of off leash dog parks as only 4% of people with registered dogs responded, assuming one registered dog per person.

The plan identified that the most common complaints received by council are roaming animals and barking dogs. Should the off leash dog park be situated adjacent to peoples' homes it is likely the number of complaints will increase. And Council is required to respond to the complaints.

Shouldn't Council's plans aim to reduce or mitigate the likelihood of noise complaints, of dogs being a nuisance and to minimise the risk of attacks by dogs on people and other animals? So why locate the off leash park on land zoned General Residential and which abuts private homes.

Environmental Protection Authority and the law

The Environment Protection Authority (EPA) focuses on noise pollution, including that from dogs, under the Domestic Animals Act 1994. If dog barking persistently or continuously disturbs a neighbour, it can be considered a nuisance, and the owner can be issued a notice or fine by their local council. If the recommended option is agreed and as the Swan Hill Rural City Council determined the location of the dog park, and if the dogs created a nuisance through noise, this could give rise to an absurd outcome. Council as the responsible authority would be required to issue a notice against itself and prosecute itself. A common sense approach would dictate that an off leash dog park should not be developed on land zoned General Residential or contiguous to land zoned General residential. And that a reasonable distance between the dog park and houses, such as that provided for the off leash dog park in Tower Hill, be defined.

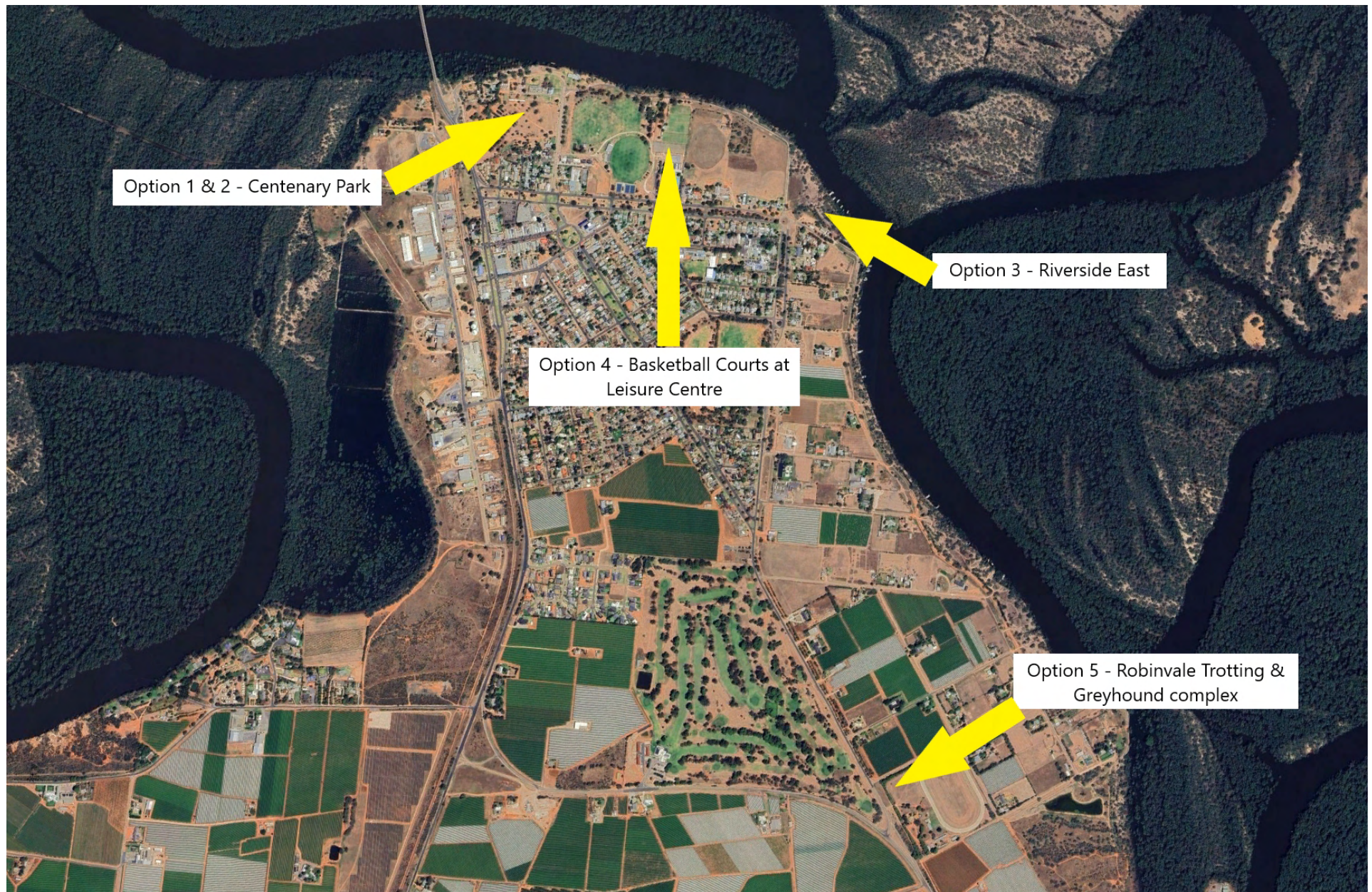
Value for Money

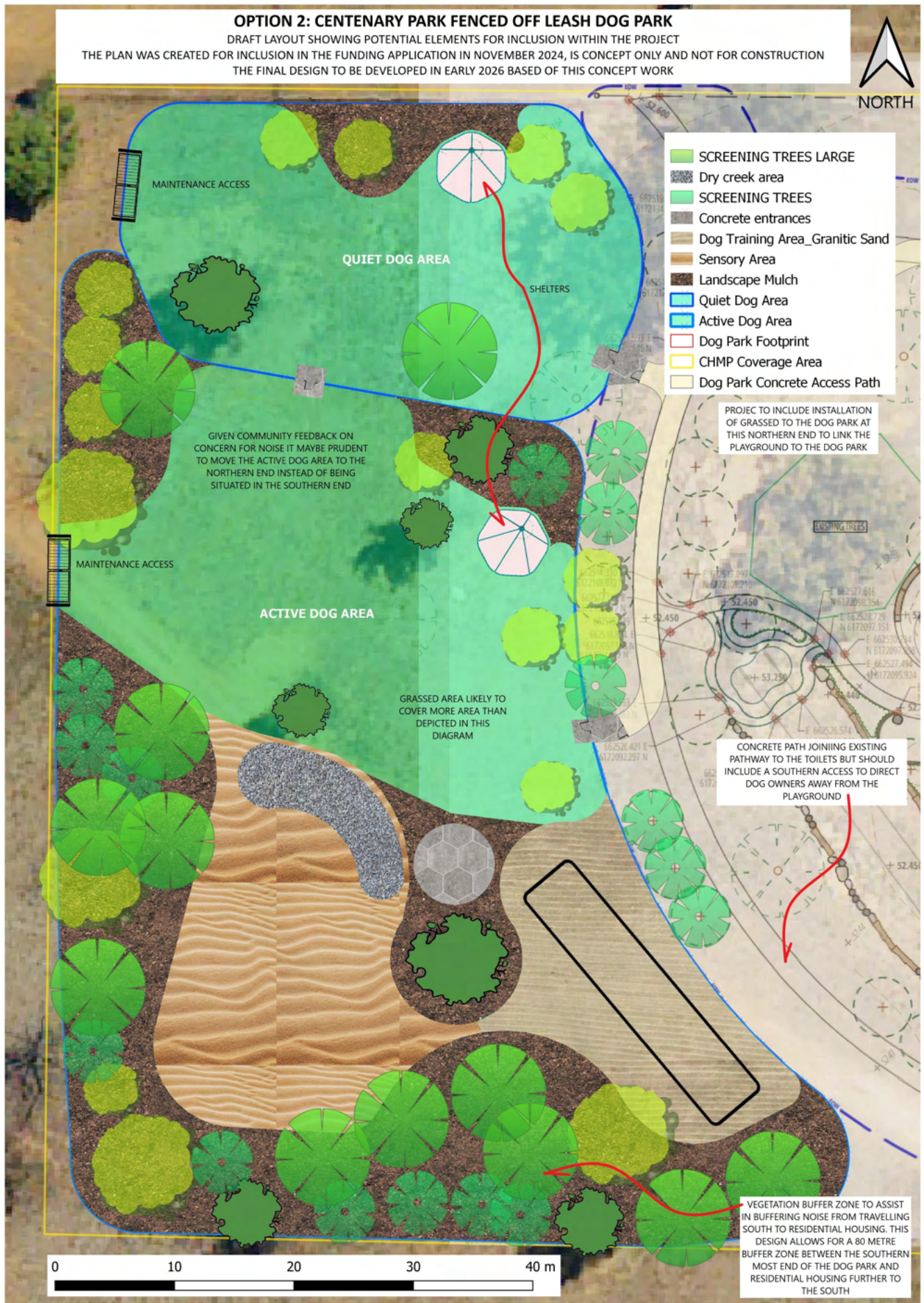
The proposal does not represent value for money for the community. It is a fair assumption that many dogs would reside 'out of town' and would never require or use an off leash dog park. 'Their' dog park is their property and the river and its surrounds. And given only 46 people with registered dogs from Robinvale responded to the survey, a \$250,000.00 capital expenditure for an off leash dog park is an extraordinarily expensive project.

The survey discovered that users did not wish to pay a fee to use the dog park as they considered their registration costs and rates should cover capital and ongoing costs. Yet for instance, those people who use the Lesisure Centre, a Council owned and maintained facility, a user fee is paid. Council also sets and reports against KPIs for use of the facility. Would Council do the same for the off leash dog park? Has Council included the costs of maintaining the off leash dog park in their operational budget?

Conclusion

Many factors surrounding the proposal do not appear to have been well considered. Is it worth spending \$125,000.00 of rate payers' money for the benefit of a few? It is requested Council reviews the decision to develop an off leash dog park in either location with a view to reallocation of \$125,000.00 of Council Cash to other higher priority works in Robinvale such as beautification of Perrin Street or to enable elements of Stage 2 of the playground, such as the flying fox and BBQ areas to be developed as soon as possible. Robinvale has been waiting since 1974 for Centenary Park to be appropriately developed in to a park suitable for the enjoyment of the entire community.





2.9 Swan Hill Regional Community Sports Hub Design Approval Report

Directorate: Development and Planning

File Number: S11-27-13

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.

1.3 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

Swan Hill Showgrounds Sport and Recreation Precinct Master 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 detailed design process for the Swan Hill Regional Community Sports Hub is progressing, with the proposed building design, located to the south of the existing grandstand at the Showgrounds site, now reaching the next phase of development.

The layout for the facility has been finalised following consultation with key stakeholders. Council endorsement of the concept is now sought to enable the architect to proceed with the detailed design and progress the development to a construction-ready phase.

Discussion

In July 2025, Council engaged Mantric Architects to carry out the detailed design of the Swan Hill Regional Community Sports Hub.

Council was briefed in August 2025 and comfortable to deviate from the original two storey concept positioned on the north end of the grandstand and focus on the development of a single storey, with under croft design positioned to the south of the grandstand. This option offered a range of advantages including access equality,

generous storage provision and connectivity to potential future netball courts in the southwest corner of the precinct.

This design aims to maximise delivery potential outcomes based on cost, functional benefits, orientation and operational performance.

The Hub is a catalyst project for the Showgrounds Masterplan and is an exciting launch into the next phase of development for the Showgrounds, Sport and Recreation Precinct.

Consultation

A range of workshops have been carried out with the primary stakeholders and all Swan Hill Showgrounds; Sport and Recreation Precinct Advisory Committee representatives were invited to provide input and assess initial concepts.

The primary stakeholders are;

1. The Swan Hill Football Netball Club
2. The Swan Hill and District Agricultural and Pastoral Society Inc
3. Swan Hill Cricket Club
4. Central Rivers Football League (AFL Central Victoria)
5. Swan Hill Showgrounds, Sport and Recreation Precinct Advisory Committee;
and
6. Council

The layout has also been shared with representatives from Sport and Recreation Victoria, Central Murray Football Netball League, AFL Central Victoria, AFL Victoria, the Victorian Netball Association and discussed and shared with Regional Development Victoria.

A series of queries have been raised, which can both be addressed either in the short term or during the later stages of design development, and include the following;

1. Capital costs associated with the vaulted roof versus a skillion roof;
 - The architect's response identifies benefits associated with ongoing operational climatic outcomes and the balance of materials versus fabrication costs. The vaulted ceiling for example, provides for less volume, which has a positive ripple effect in terms of climatic control and the use of fewer materials (ie: shorter walls). Lowering energy demand also reduces pressure on the mechanical system and minimises running costs.
2. All abilities change in the administration zone along with the two other all abilities toilets;
 - This is an NCC (National Construction Code) compliance response. For every bank of changerooms there must be an accessible changeroom.

The availability of the facility (rather than it being tucked into one of the changerooms) assists with spectator servicing and provides operational flexibility.

3. Integration of staff carparking as part of the project rather than future works. --
 - Will become part of the next phase of the design.
4. Environmentally Sustainable Design (ESD) inclusions will be factored into the detailed design.
5. Demolition of the existing Swan Hill Football Netball pavilion will form part of the detailed design package and include a “make good” scope of works.
6. A space for corporate functions can be considered within the existing footprint or can form part of a more significant, future project associated with an upgrade to the existing grandstand structure.
7. The decking material as shown in the artistic impressions are likely to be exposed aggregate concrete rather than a timber/engineered timber product.

It is proposed that the layout and artistic impressions are released to the public after Council adoption, highlighting the key attributes and varied uses the building will offer.

Financial Implications

An active funding application is currently underway, seeking \$6,828,000 from the Federal Government’s Regional Precincts and Partnerships Program. Councils’ contribution to this grant is the allocation of \$1,135,000 from its major projects plan, 2025/26.

The building design costs have been supported by a \$40,000 contribution from Sport and Recreation Victoria through the Planning Stream of the Local Sports Infrastructure Fund and is also co-funded through the Regional Precinct and Partnership’s ‘Transforming the heart of Swan Hill Central Precinct’ program.

Social Implications

A space in which people can gather in an equitable and inclusive manner strengthens the fabric of our community and provides a means by which people can connect for various programs and activities.

The design provides a new space for events and activities that were previously unable to be accommodated in the precinct. These are supported by better access to amenities and administration facilities. The building enhances the ability to run several activities at once and will benefit Show Day, CMFNL Grand final day and be key to attracting further regional events.

The design features vantage points to the east and to the southwest of the precinct, enhancing the sites flexibility and creating opportunities for future development.

Economic Implications

The economic contribution potential for the Regional Community Sports Hub has been proposed at \$480,180 per annum generating two full time equivalent roles and 3-4 part time jobs.

Environmental Implications

An efficient building footprint leads to a smaller environmental footprint and contributes to a reduction in overall maintenance and energy expenditure. Innovation around building running costs and waste continue to be developed in a building design Sustainability Report.

The design intent incorporates a range of energy saving features and focuses on passive energy efficiency, dual use of plant and equipment, and sustainable building practices to

Risk Management Implications

Sourcing funding - there is a risk that the project may take a prolonged period of time in which to attract sufficient funding to deliver the project.

Cost escalations – the longer it takes to secure funding, the greater the risk of cost increases, which could compromise the projects' buildability.

Attachment: Swan Hill Regional Community Hub Design December 2025

Options:

1. Adopt the proposed concept design to allow progression to the detailed design phase.
2. Does not adopt the proposed concept design and requires revisions before progressing to the detailed design phase.

Recommendation/s

That Council adopt the proposed concept design for the Swan Hill Regional Community Sports Hub to allow progression to the detailed design phase.



M A N T R I X
A R C H I
T E C T U R E

Swan Hill Regional Community Sports Pavilion

ELT – Project Up-date

**Schematic Design – Work in
Progress (95%)**

1st December, 2025

Mantric Architecture would like to acknowledge the Traditional Custodians of the land on which we meet and work, The Wurundjeri Woi Wurrung of the Kulin Nation, and pay our respects to elders past, present and emerging.

Pavilion Location: Alternative



Alternate Location (rotated) – South of the Grandstand

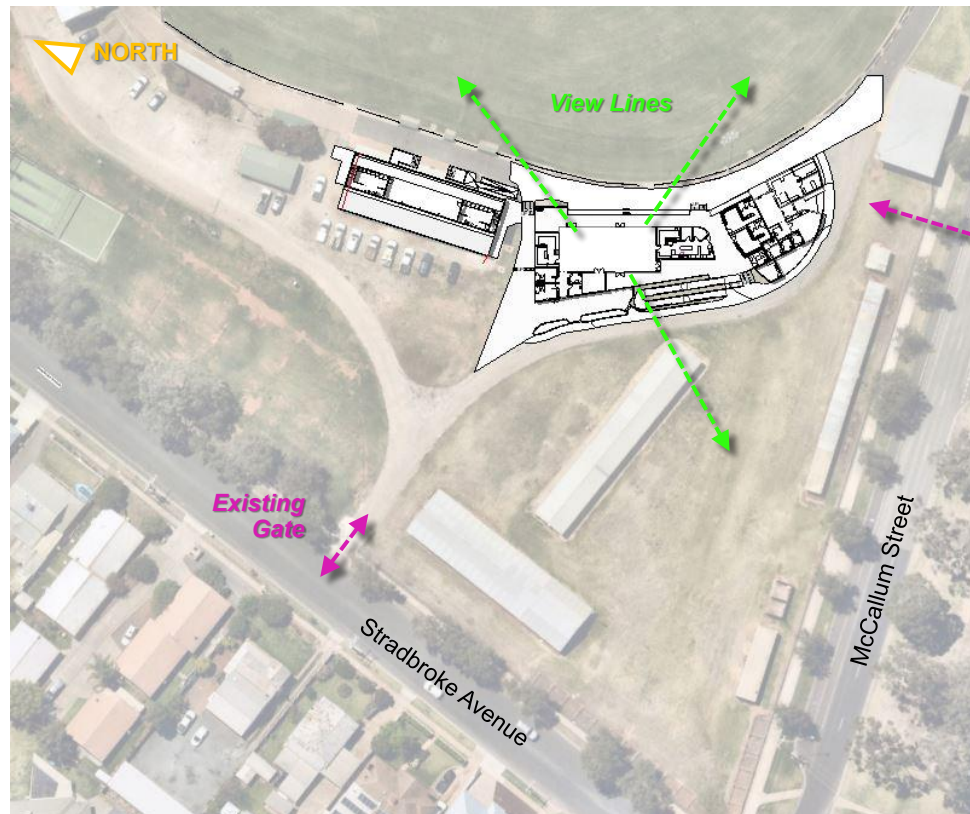


AERIAL PHOTO – Existing Conditions (2025)



Swan Hill Regional Community Sports Hub

Aerial Plan – Future Opportunities



- › New Entry off McCallum Street
- › Remove Access at Stradbroke Ave
- › Pedestrianise Precinct
- › Remove/Relocate Stables
- › Demolish Redundant Structures
- › Improve Natural Shading (Trees)
- › Consolidate Uses & Up-date Master Plan

Ground Floor Plan



Floor Plan – Administration ‘POD’

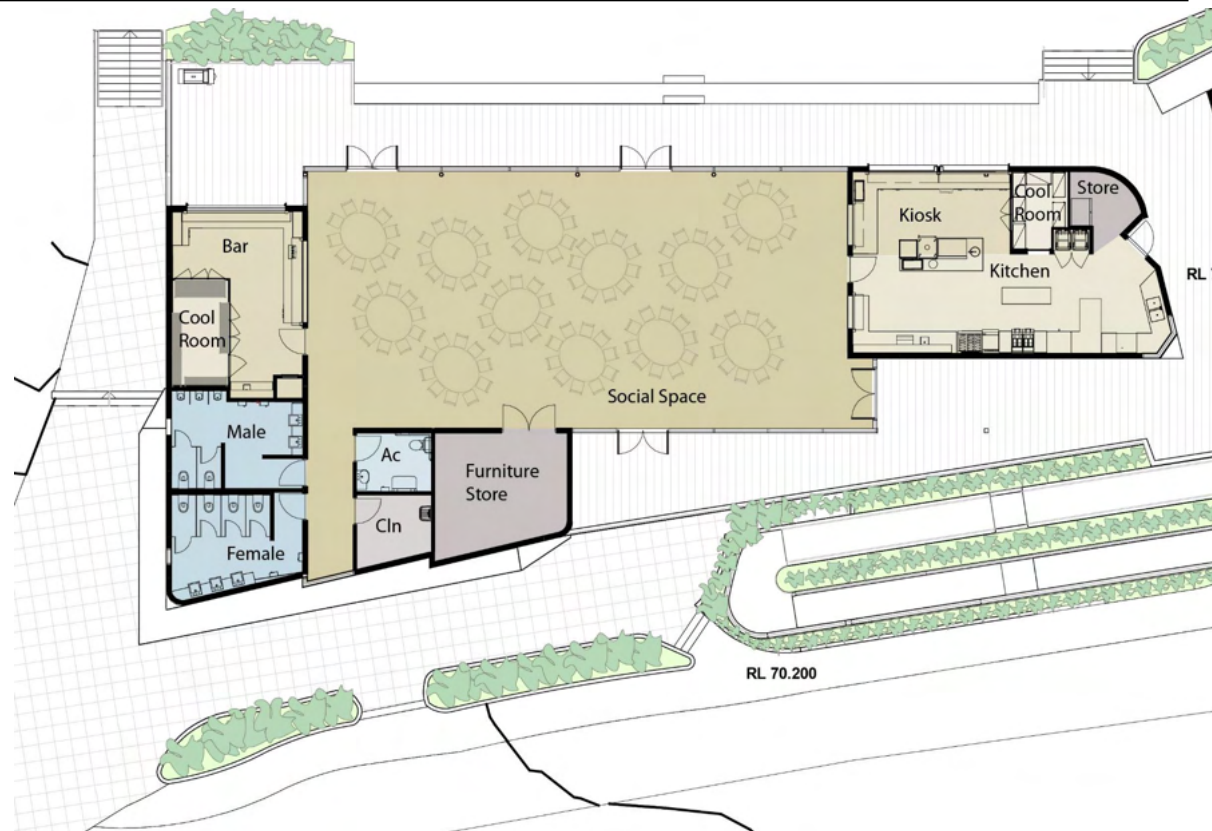


-  Social Space
-  Admin Zone
-  Amenities Zone
-  Storage Zone
-  Multi-Purpose Change



Swan Hill Regional Community Sports Hub

Floor Plan – Social Pavilion



Occupancy Scenario

Function (No Dance Floor):

› 120 to 140 patrons

Function (With Dance Floor):

› 70 to 80 patrons

Social/Canapes (Standing):

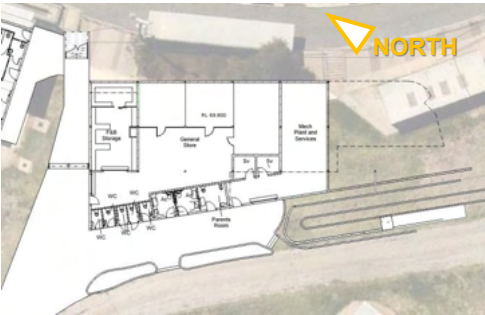
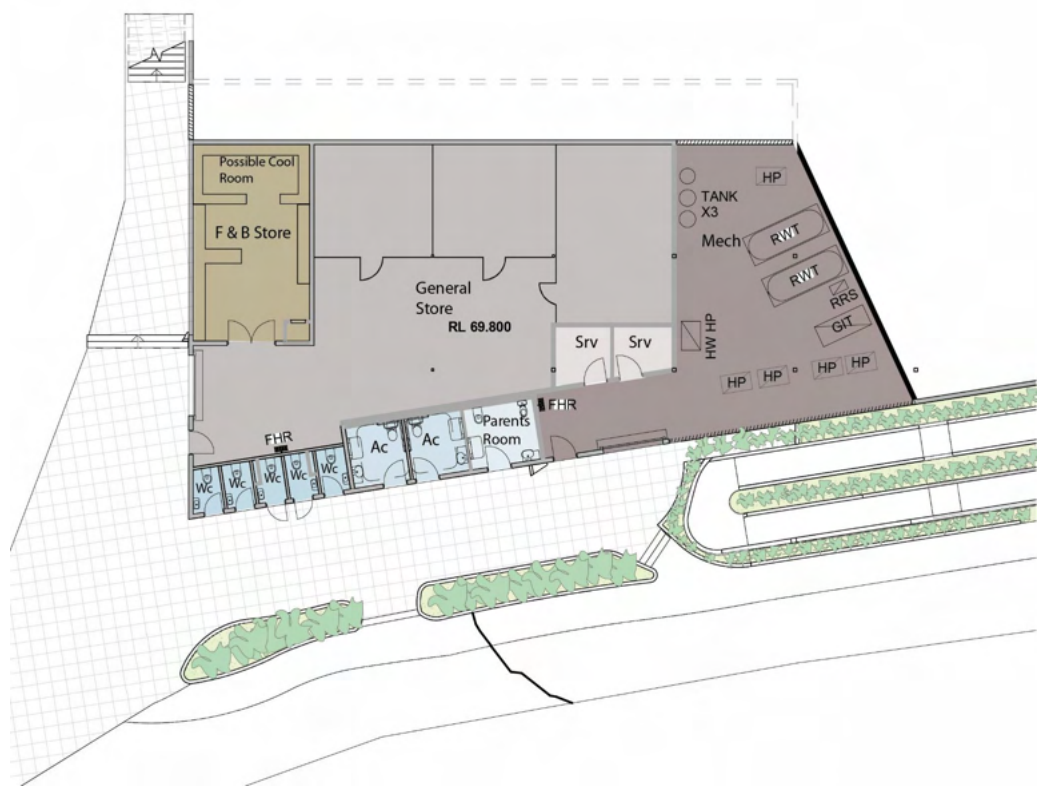
› 170 to 200 patrons

Social/Fundraiser (Trestles):

› 150 to 170 patrons

- Social Space
- Admin Zone
- Amenities Zone
- Storage Zone
- Multi-Purpose Change

Undercroft Plan



- Social Space
- Admin Zone
- Amenities Zone
- Storage Zone
- Multi-Purpose Change



Swan Hill Regional Community Sports Hub

Reference Images – Sense of Place & Identity



Swan Hill Regional Community Sports Hub

Preliminary 3d Views – Oval / East



MATERIAL PALETTE – ‘REFINED RURAL’

1. Gal/Zinc Corrugated Iron
2. Cement Rendered Masonry
3. Galvanised Steel (Exposed)
4. Timber
5. Glass



Swan Hill Regional Community Sports Hub

Preliminary 3d Views – Administration Pod – South Entry



Corrugate Iron (Galvanised)



Cement Render (Natural)



Sealed Timber (Type TBA)



Swan Hill Regional Community Sports Hub

Preliminary 3d Views - West



Swan Hill Regional Community Sports Hub

Preliminary 3d Views – Social Pavilion – South West



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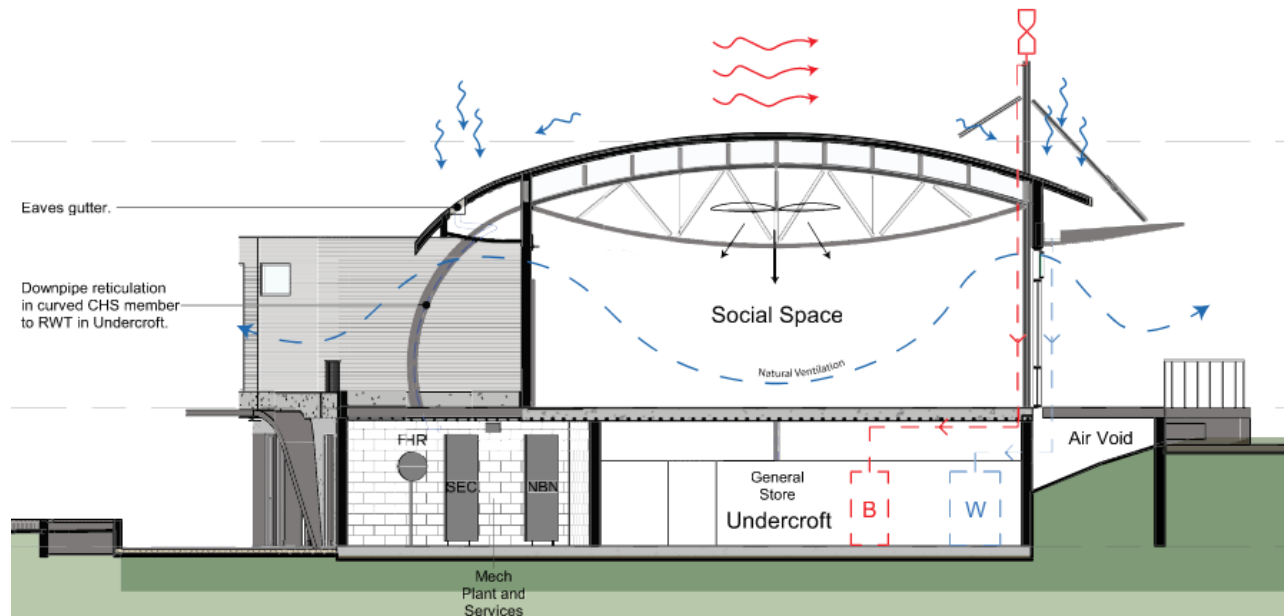
Swan Hill Regional Community Sports Hub

Preliminary 3d Views – Social Pavilion, Spectator Terrace



Swan Hill Regional Community Sports Hub

Section Study – Passive ESD Initiatives



- › Enhanced Roof Insulation
- › Motorised Awning Windows
- › Double Glazing (Low-E)
- › Rain Water Reuse (WC's)
- › Future Proofing (Micro-Wind)

Social Room – Interior View From Entry Doors



Ripple Sound – Aluminium



Ripple Sound – Perforations



Sealed Timber (Type TBA)



Swan Hill Regional Community Sports Hub

Social Room – Interior View towards the Kiosk (South)

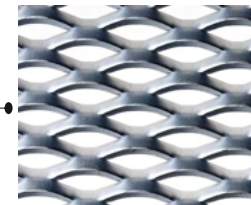


Galvanised Steel Trusses:
Equal Angles – cleats
connections



Ripple Sound – Aluminium

Social Room – Interior close-up view - Bar

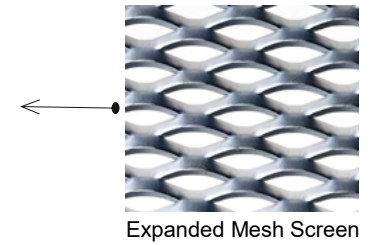


Expanded Mesh Screen



Sealed Timber (Type TBA)

Social Room – Interior close-up view – Bar Greyed Timber



2.10 Intention to Declare a Special Rate for the Swan Hill Region

Directorate: Development and Planning
File Number: S 29-08-01
Purpose: For Decision

Council Plan Strategy Addressed

1. Growth and Development – Building a resilient local economy, supporting businesses and attracting investment for a thriving future. Objective 1.2: Strengthen the visitor economy by showcasing the municipality's unique places, culture, and experiences.

1.2.1 Grow the visitor economy.

1.2.2 Support a range of accommodation options to attract and retain overnight visitors.

1. Growth and Development – Building a resilient local economy, supporting businesses and attracting investment for a thriving future. Objective 1.3: Grow local businesses and attract new investment into the municipality.

1.3.1 Be a business-friendly destination.

1.3.5 Support businesses to build a strong local workforce that meets industry needs.

Current Strategic Documents

Council Plan
Swan Hill Region Economic Development Strategy

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

Swan Hill Incorporated (SH INC) has written to Council requesting the continuation of the special rate for the marketing and development of the Swan Hill Region on rateable commercial, industrial and tourism properties for a further ten-year period commencing 1 July 2026.

The purpose of this report is to provide details of the current special rate, the proposed special rate as per SH INC's request, the legislative requirements and options available for Council.

Discussion

SH INC has written to Council requesting they declare a new special rate for the Swan Hill Region, effective from 1 July 2026.

The special rate was first introduced in July 2002, and SH INC has used the funds raised over that period to market and develop the Swan Hill Region.

SH INC wish to continue to undertake the activities they have been involved in and are also requesting that the rate period be for a ten-year period which gives greater certainty for its programs and allows for the development of longer-term strategies.

The current special rate is due to expire on 30 June 2026. It applies to 696 properties and will raise in the 2025/26 financial year \$400,677.

SH INC has over the period of the current special rate expended the funds collected in accordance with the special rate Declaration and in accordance with the agreement it has with the Council has provided on an annual basis, its Marketing Plans, Budgets and Audited Statements.

This has allowed Council to consider the documents and raise questions with the SH INC Board prior to formally endorsing the documents which is a requirement of the agreement before funds can be collected and provided to SH INC.

SH INC has indicated that they wish to continue their activities in marketing and development which compliments the work of Council in promoting our region whilst also promoting Swan Hill as a key service centre on the Murray River.

Process for the implementation of a Special Rate

The legislative requirements for the special rate are under the Local Government Act 1989 relating to the renewal of a special rate and are the same as those applying when the special rate was last renewed in 2019.

Key requirements require specification of the:

- type of properties and geographical areas to be covered by the special rate;
- function to be formed or the power to be exercised by the special rate.
- total cost of the performance of the function;
- total amount of the special rate to be levied; and
- period in which the special rate will be in force.

Council cannot declare a special rate unless it has given public notice of its intention to declare the special rate, allow for submissions to be made and provide the opportunity for submitters to be heard.

It is requirement of the legislation that Council must send a copy of the public notice to each person who will be part of the special rate.

Council's costs consist of levying the special rate, collecting contributions from property owners or businesses and forwarding the relevant amounts to Swan Hill Inc.

In 2019 these costs were estimated to be approximately \$6,000 however this amount has not increased over the life of the current special rate. It is suggested that Council's costs are now expected to be in the vicinity of \$8,000 and that this will be the amount to be charged in the first year of the special rate, if approved, and that this amount will be adjusted by CPI for the remaining period that the special rate is in place.

Council also needs to specify the methodology it will use in determining how the payment of the special rate is to be apportioned amongst the benefiting properties.

The current methodology incorporates a split between Commercial, Tourism/Hospitality and Industrial properties. The ratio has not changed in the time that special rate has been in place.

If the special rate is to continue it is proposed that the total amount to be raised in the first year be \$400,677. Each subsequent year CPI will be applied. It is anticipated that there will be minor variation each year of the maximum amounts to be paid however there is no increase in the proposed current minimum amounts.

It also proposed that properties continue to pay different amounts depending on the type of property (tourism/hospitality, commercial or industrial) and their Capital Improved Value (CIV) valuation. Different rates in the dollar of the CIV are to be specified for each of the categories as is the current practice.

It is proposed that Tourism/Hospitality properties will continue to pay a higher rate in the dollar than commercial properties that in turn will pay a higher rate than industrial properties

These different rates reflect the benefits each category of properties is likely to obtain from the various activities.

Issues Council may wish to consider:

The split of rates raised for each of the following industry types:

- Tourism and Hospitality currently have 35 properties and raises 24% of the rate.
- Commercial currently has 395 properties and raises 64% of the rate
- Industrial currently has 266 properties and raises 12% of the rate

Each category is based on the CIV of the property and there is a minimum/maximum amount to be paid for each category which are as follows:

- Tourism and Hospitality minimum \$50.00 and maximum \$8,298.32
- Commercial minimum \$50.00 and maximum \$8,298.32
- Industrial minimum \$50.00 and maximum \$414.90

Council or SH INC has not requested changes to the ratios or to the geographic areas to which the special rate would be applied.

It is suggested that there be no change to the minimum and maximum amounts in the first year of the special rate if adopted and adjusted by CPI in subsequent years.

Further it is suggested that the amount raised (\$400,677 during the 25/26 Financial Year) not be increased in the first year of the special rate commencing 1 July 2026.

The special rate area currently applies predominately to Swan Hill and Lake Boga districts.

If the special rate does continue to be applied post 30 June 2026, all the previous reporting and accountability requirements around annual budgets, marketing plans, strategic plans and reporting to Council would apply.

Council needs to consider, whether it will:

- Continue or discontinue the special rate
- Vary any of the conditions applicable to the special rate
- Maintain or amend the current boundaries applicable to the special rate
- Alter the ratios for the various groups that pay the special rate

It is suggested that Council commence the process to renew the SH Inc special rate without change to the districts covered (Swan Hill and Lake Boga) and that there be no change to the ratios applied to the groups that pay the special rate.

Consultation

Council has held discussions with the SH Inc with regards to the process required to be undertaken to allow for the special rate to continue beyond the 30 June 2026.

SH Inc have over the life of the current special rate continued to make presentations to Council about their activities and presented their budgets and strategic plans for endorsement and adoption by Council.

Council meet on a regular basis with SH Inc to discuss progress on activities and look to identify joint opportunities to work collaboratively together.

These discussions have led to the request for a longer period of ten years for the special rate to apply commencing on the 1 July 2026.

SH Inc will need to undertake their own consultation with its members about the proposal to continue the special rate.

Financial Implications

In the event the special rate is adopted and continues commencing the 1 July 2026, it will raise in the first year \$400,677 and will be subsequently adjusted by CPI which is different to the existing agreement which has a maximum cap of 2% or lower if CPI falls below 2%.

If the special rate does not continue post 30 June 2026, any future marketing and support for local businesses would have to be considered by Council and an allowance made within the budget.

Social Implications

If the special rate is discontinued there could be negative impacts, not only on those that pay the rate, but the general community with the potential for loss of events and a decrease in visitors to the region.

Economic Implications

A key component of economic development and business support is regional marketing activities to attract increased investment, employees, residents, shoppers and visitors. It is recognised that there are new trends such as online shopping that the local business community must compete with and therefore the proposed special rate is important to allow for the coordinated approach to marketing and the development of partnerships to attract more people to the region.

Environmental Implications

Nil.

Risk Management Implications

The removal of the special rate risks undoing all the excellent work undertaken since the introduction of the special rate. Without certainty around financial resources the SH Inc may not be able to undertake marketing activities. A regional advantage would be lost.

- Attachments:**
1. SH Inc Declared Area Map [2.10.1 - 1 page]
 2. Attachment 1 Intent to declare a Special Rates Nov [2.10.2 - 3 pages]

Options

1. Council does not give notice of its intention to declare a special rate for the Swan Hill Region and let it expire.
2. Council gives notice of its intention to declare a special rate for the Swan Hill Region for a ten-year period commencing the 1 July 2026 within the existing geographic boundaries.
3. Council gives notice of its intention to declare a special rate and make changes to the boundaries and the ratios applicable to the various groups who pay the rate.

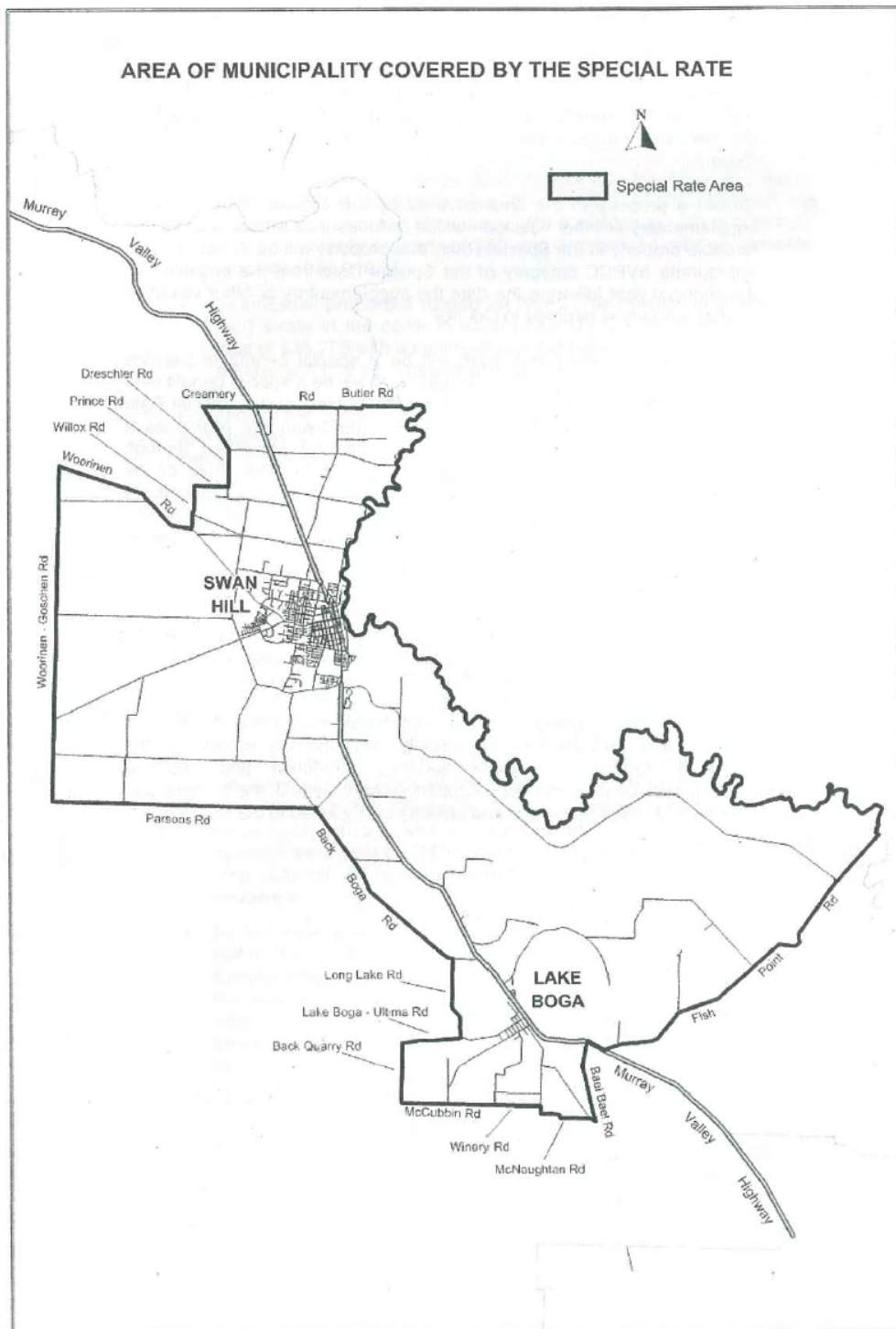
Recommendation/s

That Council:

1. **Under Section 163(1A) of the Local Government Act 1989 give notice of its intention to declare a special rate on 1 July 2026 for a ten-year period for the purpose of offset expenses in undertaking marketing, promotion and business development programs associated with Swan Hill Inc.**
2. **Under Section 163 (1B) of the Local Government Act 1989, place a public notice in the Swan Hill Guardian Newspaper of the proposed declaration and the right of a person to make a submission under section 223 of the**

Local Government Act 2020 to be considered by Council in accordance with section 223 (1) and to make an objection under section 163 (B) and 163 (C) of the Local Government Act 1989.

- 3. Under Section 163 (C) of the Local Government Act 1989, send a notice of the proposed declaration to each person who will be levied for the proposed special rate within three days of the publication of the notice in the Swan Hill Guardian Newspaper.**



Declaration of a Special Rate for the Swan Hill Region

Under Section 163 of the Local Government Act 1989 (the "Act") Swan Hill Rural City Council (the "Council") hereby declares a Special Rate for marketing and business development of the Swan Hill region ("region").

Council specifies:

- (a) The purpose of the Special Rate is to defray the expenses in relation to the performance of functions within the Swan Hill region, which Council considers are necessary and appropriate for the encouragement of business development and commerce through the promotion and development of the region as a place to live, work, invest, shop and visit.
- (b) The area for which the Special Rate is declared is all the rateable properties used for commercial, industrial and tourism and hospitality purposes within the following parishes and localities within the Swan Hill Rural City (as detailed on Map in Attachment One):
- (c) Council considers that the performance of the functions, as outlined in paragraph (a), will assist it in fulfilling the following facilitating objectives of Council which are set out in Section 3C (2) of the Local Government Act:
 - to promote the social, economic and environmental viability and sustainability of the municipal district.
 - to promote appropriate business and employment opportunities.
- (d) The total cost of the performance of the functions is:
 - (i) for the first year of the Special Rate –be \$400,677.00 this figure is inclusive of the Consumer Price Index (CPI*) at June 2026. Council's administrative costs of \$8,000 have been factored into this figure);
 - (ii) for each of the subsequent nine years the Special Rate remains in force - the previous year's total amount of the Special Rate plus CPI*.
- (e) The total amount of the Special Rate to be levied is:
 - (i) for the first year of the Special Rate - \$400,677.00
 - (ii) for each of the subsequent nine years the Special Rate remains in force - the previous year's total amount of the Special Rate plus CPI*.
- (f) The land in relation to which the Special Rate is declared is all the rateable properties used for commercial, industrial and tourism and hospitality purposes in the parishes and localities within the Swan Hill Rural City listed in (b) above.
- (g) The manner in which the Special Rate is assessed (that is, the criteria to be used as the basis for levying the Special Rate) is:

For the first year of the Special Rate:

- for tourism and hospitality properties (based on Australian Valuation Property Classification Codes [AVPCC] as detailed in Attachment Two) a rate in the dollar of each property's Capital Improved Value (CIV), to raise a total of \$96,680.00 with a minimum rate per rateable property of \$50 and a maximum rate per rateable property of \$8,298.32
- for commercial properties (based on AVPCC as detailed in attachment

two) a rate in the dollar of each property's CIV, in order to raise \$260,053.00 after inclusion of providing a 50% write-off for properties in common occupancy with a residence, with a minimum rate per rateable property of \$50 and a maximum rate per rateable property of \$8,298.32

- for industrial properties (based on AVPCC as detailed in attachment two) a rate in the dollar of each property's CIV, to raise a total of \$43,944.00 with a minimum rate per rateable property of \$50 and a maximum rate per rateable property of \$414.90

For each of the subsequent nine years the Special Rate remains in force, the rates in the dollar will be adjusted to be in accordance with the previous year's total amount of the Special Rate plus CPI* apportioned over the sectors as follows:

- for tourism and hospitality properties (based on assigned AVPCC) a rate in the dollar of each property's CIV, in order to raise the proportion of the Special Rate raised from the sector in the previous year adjusted for the relative movements in the proportion of the sector's CIV of the total CIV within the Special Rate area. A minimum rate per rateable property of \$50p.a. and a maximum rate per rateable property to increase each year by CPI from the maximum set for the prior year.
- for commercial properties (based on assigned AVPCC) a rate in the dollar of each property's CIV, in order to raise the proportion of the Special Rate raised from the sector in the previous year adjusted for the relative movements in the proportion of the sector's CIV of the total CIV within the Special Rate area. A minimum rate per rateable property of \$50 p.a. and a maximum rate per rateable property to increase each year by CPI from the maximum set for the prior year. A 50% write-off will apply to properties in common occupancy with a residence.
- for industrial properties (based on assigned AVPCC) a rate in the dollar of each property's CIV, in order to raise the proportion of the Special Rate raised from the sector in the previous year adjusted for the relative movements in the proportion of the sector's CIV of the total CIV within the Special Rate area. A minimum rate per rateable property of \$50 p.a. and a maximum rate per rateable property to increase each year by CPI from the maximum set for the prior year.

- (h) The Special Rate is levied by sending a notice in each year the Special Rate remains in force, to the persons liable to pay it, requiring that the Special Rate for that year be paid in four separate instalments, or by all four instalments together, by the dates which are specified in each respective notice.
- (i) The Special Rate commences on 1 July 2026 and remains in force for a period of seven years from that date, until 30 June 2036.
- (j) Should a property included in the Special Rate receive a supplementary valuation that changes its AVPCC to residential land or primary production that property will cease to be included in the Special Rate from the date the supplementary valuation for that property is returned to Council.
- (k) Should a property in the area covered by the Special Rate receive a supplementary or other valuation which includes it as a new or amended rateable property in the Special Rate, that property will be included in the appropriate AVPCC category of the Special Rate from the beginning of the financial year following the date the supplementary or other valuation for

that property is returned to Council.

- ① The Council considers that there will be a special benefit to persons required to pay the Special Rate in that there will be a special benefit over and above that available to persons not the subject of the Special Rate and directly and indirectly, the viability of the Swan Hill region as a commercial, industrial and tourism region will be enhanced through increased commerce and economic activity. Further, the value of the properties included in the scheme, their desirability as letting propositions (where applicable) and their general image and stature, both separately and severally in the context of the area generally, will be maintained or enhanced.
- (m) Council further considers, and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act, that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the proposed Special Rate are marketing, promotion and business development related and will accordingly only benefit the owners and occupiers of those properties and businesses included in the scheme.

Scott Barber
Chief Executive Officer
Swan Hill Rural City Council

*Based upon the movement in the March quarter annual weighted average of the eight capital cities index as published by the Australian Bureau of Statistics

2.11 Planning Application - 73 Damour Road Robinvale - Use and Development of a Second Dwelling in the Farming Zone

Directorate: Development and Planning
File Number: PLN2025039
Purpose: For Discussion

EXECUTIVE SUMMARY

| | |
|----------------------------------|--|
| Application Number: | PLN2025039 |
| Proposal: | Use and Development of a Second Dwelling in the Farming Zone |
| Applicant's Name: | Roy Costa Planning & Development |
| Address: | 73 Damour Road ROBINVALE VIC 3549 |
| Land Size: | 1.792 ha |
| Site Features: | The land has 214.27m frontage to 73 Damour Road and is irregular in shape |
| Zoning: | Farming Zone |
| Overlays: | NIL |
| Referral Authorities: | Internal (Health, Engineering) |
| Why is a Permit Required? | <ul style="list-style-type: none"> • Clause 35.07-1 Use of land for a second dwelling • Clause 35.07-4 Building and works associated with a Section 2 use. |
| Lodgement date: | 6 June 2025 |
| Relevant VCAT Decisions: | <ul style="list-style-type: none"> • Milan v Macedon Ranges SC [2014] VCAT 717 (16 June 2014) • Xerri v Strathbogie SC [2023] VCAT 673 • Strachan v Latrobe CC [2022] VCAT 35 (14 January 2022) |

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 Council with an overview of an application for planning permit for the use and development of a second dwelling in the Farming Zone at 73 Damour Road, Robinvale, formally known as Lot 1 on Plan of Subdivision 819379F.

The land has an area of 1.792 hectares and contains an existing dwelling, numerous outbuildings, disused glasshouses and small open paddocks. Access exists from Damour Road, with a 214.27m frontage to Damour Road.

The land is located approximately 5.0km southeast of the Robinvale town centre and surrounding the land are horticultural (grapes) properties to the south, east and north. To the northeast and northwest are small rural residential allotments containing single dwellings also located in the Farming Zone. To the east are dwellings on allotments that do not appear to have any associated rural use. The allotments to the east are a similar size and slightly larger than the subject land.

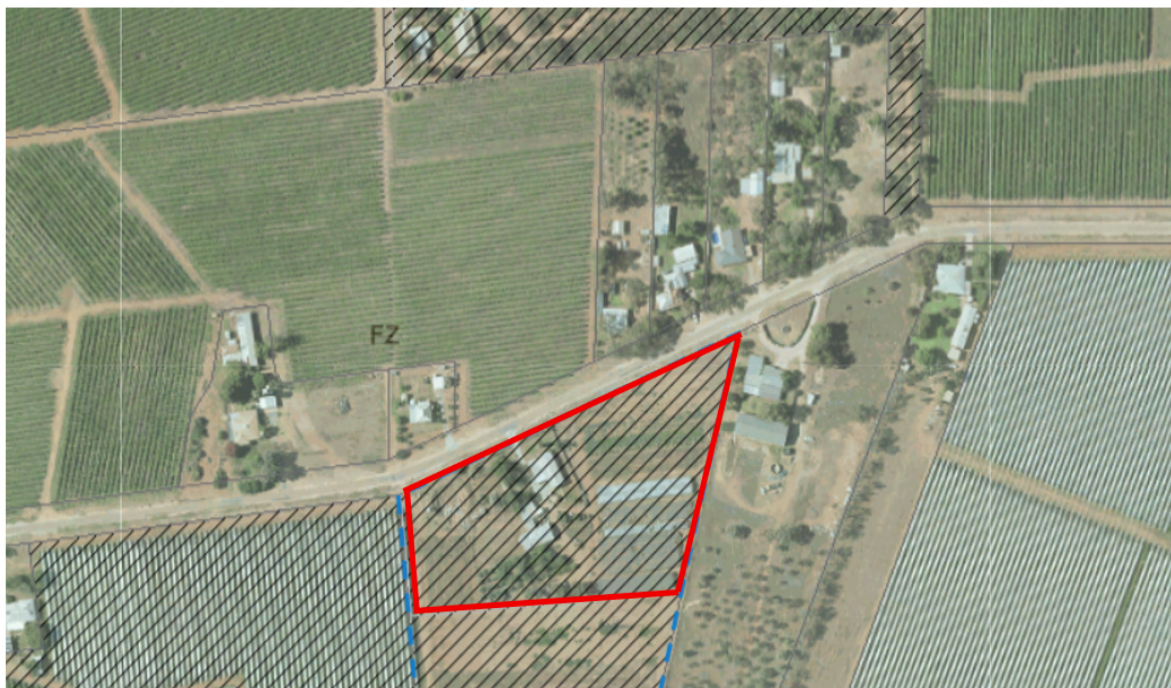


Figure 1: Aerial view of subject and surrounding land

The application was advertised, and no objections were received.

The application was referred to:

- Council's Engineering Department
- Council's Environmental Health team.

No objections were received from the Engineering Department. Standard septic tank and wastewater conditions to be applied should a permit issue was the advice from the Environmental Health department.

The assessment of the proposal against the planning scheme provisions has concluded that the proposal is contrary to the Farming Zone and the Planning Policy Framework. It is considered an inappropriate outcome and will be recommended for refusal.

Key Points / Issues:

The application proposes a second dwelling on the small 1.792-hectare Farming Zone allotment. The lot was created by a realignment of boundary subdivision where a planning permit was issued under delegation in 2018

The written submission stated the application proposes the following:

'The proposal is as follows:

Construct a Second Dwelling upon the site for the owner's daughter and family to reside.

The dwelling will be a three-bedroom dwelling and be of brick-veneer construction.

The dwelling will be setback 20 metres from the front boundary (Damour Road) and 45 metres from the closest side boundary.

The end result of this proposal is for the daughter and her family to build a dwelling upon the property for them to live in; and in turn be able to assist in the care of her parents that live within the existing dwelling upon the site.

Therefore, it should be noted that the dwelling is for family members and not for rental purposes.'

The applicant provided a basic hand-drawn sketch site plan of the proposal and dwelling plans (floor and elevation plans) as detailed below:

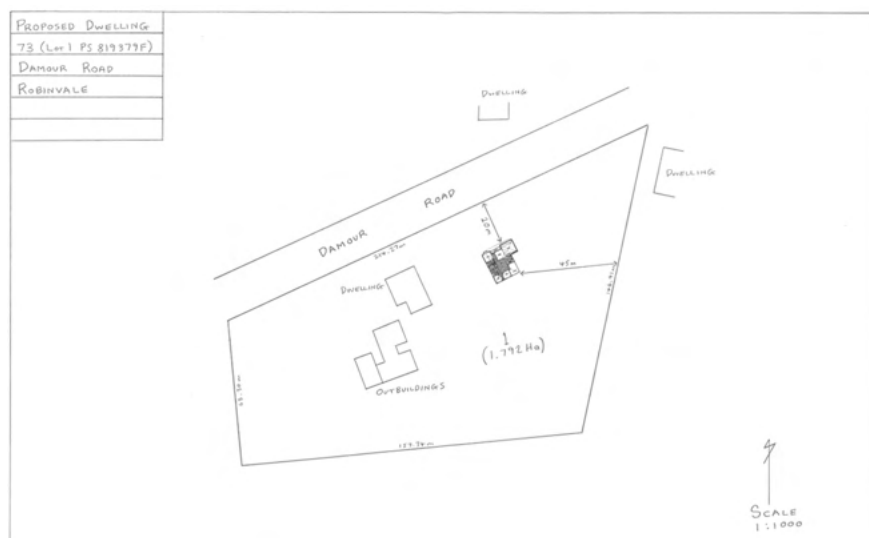


Figure 2: Proposed site plan

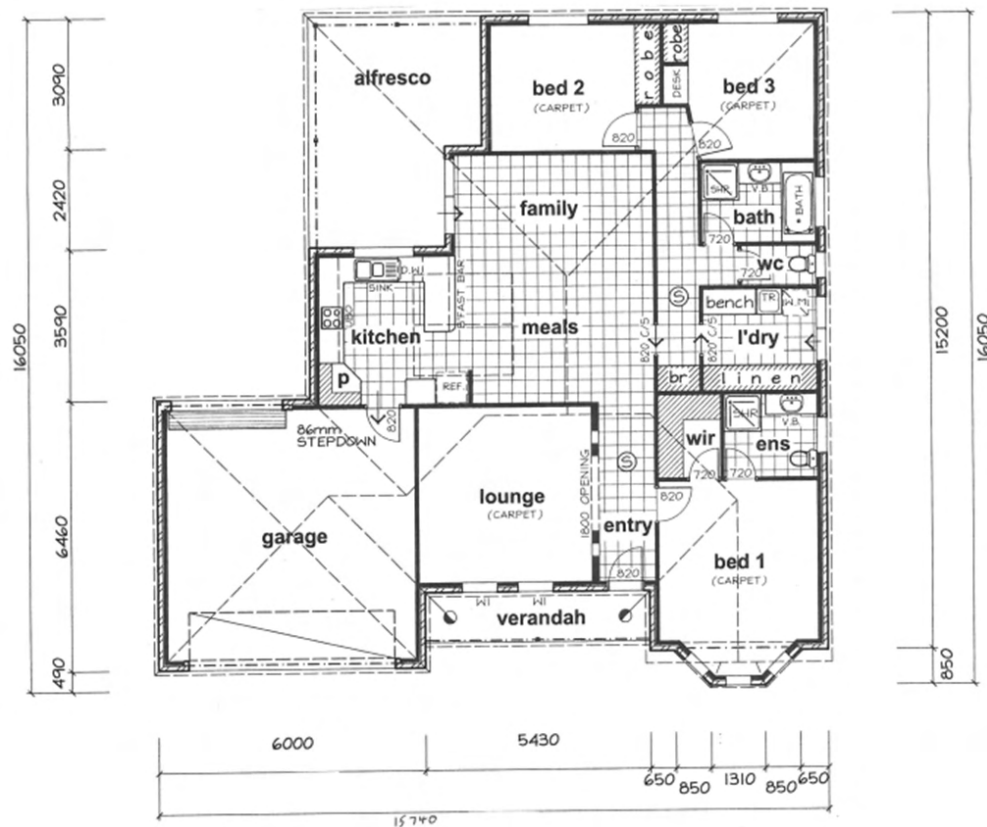


Figure 3: Proposed floor plan

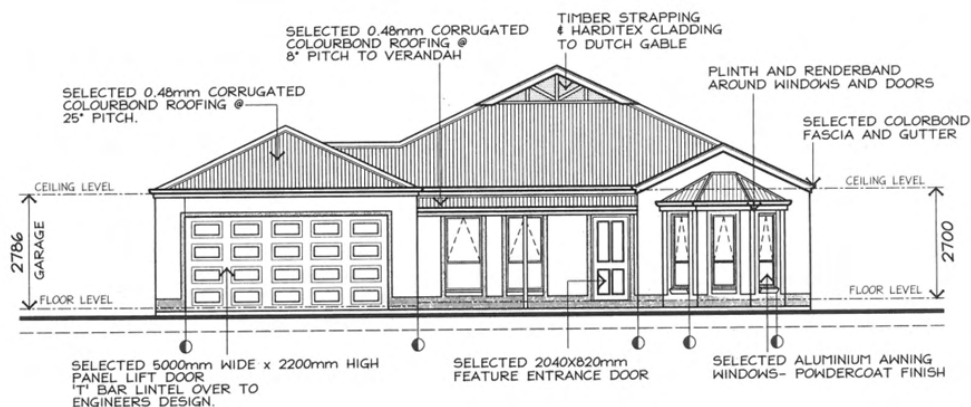


Figure 4: Proposed front facade

Policy Impacts:

It is acknowledged that the existing dwelling on the land was created through a boundary realignment and subsequent excision. The intent of such excisions is to remove dwellings from farming land where they are not required to support agriculture. This does not establish an ongoing entitlement for further residential development on the land as proposed by the application.

The creation of a small Farming Zone lot containing a dwelling does not establish a precedent for additional dwellings, nor does it convert the land into a higher density residential use within a rural area. Any further dwellings must be directly linked to and justified by an agricultural need on the land.

The proposal for a second dwelling, not associated with agricultural production, does not support the ongoing role of the Farming Zone. Instead, it risks introducing potential land use conflict, increases demand for infrastructure and services more appropriately located within residentially zoned areas, and undermines the strategic intent of protecting farmland for agricultural use.

Furthermore, approval of an additional dwelling in this context would set an undesirable precedent for other small lots in the Farming zone within the municipality.

Planning policy within the Swan Hill Planning Scheme strongly discourages the proposal including:

State Policy Clause 14.01-1S (Protection of agricultural land) objective is to protect the state's agricultural base by preserving productive farmland. The proposal is contrary to this Clause as it:

- Creates permanent removal of agricultural land from the state's agricultural base.
- Does not protect farmland that is of strategic significance in the local and regional context.
- The proposal is an urban activity in a rural area.

Local Policy Clause 14.01-1L (Agriculture) applies to all land in the Farming Zone and the objective is to avoid land use conflicts between agricultural and non-agricultural land uses. The key strategies are:

- Discourage non-agricultural use and development in all rural areas other than those that support agriculture.
- Separate agricultural and non-agricultural uses by using landscape buffers, orientation and siting of buildings.
- Consider the effect of the proposed use and development on the amenity of adjacent land.

A policy guideline of the Clause discourages a dwelling in the Farming Zone other than in association with agriculture. The application is clearly not in association with agriculture and is contrary to this policy guideline.

A key objective of the Clause is to discourage new dwellings that undermine the productive base of the municipality. The key strategies relating to this proposal are:

- Discourage any new dwelling unless it has a relationship with and is required to directly support the continuing operation of an existing rural use conducted on the land.
- Ensure that the agricultural use has been established on the land prior to the construction of a dwelling.
- Discourage any new dwelling that will have an adverse impact on other rural land uses on the land, adjoining land and the general area.

State Policy Clause 16.01-3S (Rural residential development) objective is to identify land suitable for rural residential development. The key strategies relating to rural zoned land are:

- Discourage development of small lots in rural zones for residential use or other incompatible uses.
- Encourage consolidation of existing isolated small lots in rural zones.

It is clear the proposal is inconsistent with planning policy as the proposal has no direct association with an agricultural use and is a non-agricultural use in the Farming Zone. The proposal does not promote or encourage agriculture on the land in any way.

It is acknowledged that the land has already been fragmented by previously excising the existing dwelling from the farmland (via realignment of boundaries), but the proposal is clearly an urban activity in a rural area and is strongly discouraged by Clause 14.01-1S.

The proposal is also contrary to the purpose of the Farming Zone and an assessment of the decision guidelines of the zone demonstrates that the proposal is contrary to its purpose. The decision guidelines of the Zone have been considered, and the following comments are made:

- The proposed change to the land use will create an additional dwelling on the lot which will limit the ability for agriculture to be facilitated in the context of the wider area and does not support the general principle to support the consolidation and enhancement of rural land.
- The current use of the land is simply using agricultural land for residential purposes, and the current application proposes to intensify the residential use of the land. This type of use and development should be in an urban area, within the urban settlement boundary and within an appropriate residential zone.
- It is acknowledged that the current allotment is small and limits agricultural use. The question is whether the use of the land for a second dwelling will enhance the land to be used for any agricultural pursuit or rather it is an attempt to justify the use of the site for rural living purposes. No agricultural use has been proposed which clearly indicates that the use is residential in nature.

Given the above, it is clear the proposal is contrary to the Farming Zone and the relevant planning policy framework.

VCAT Decisions

To assist Council in considering this proposal, some pertinent decisions of VCAT are provided:

Milan v Macedon Ranges SC [2014] VCAT 717 (16 June 2014)

This application for review is often cited in the context of dwelling and second dwelling applications in farming zones, particularly where the use and development of land for a second dwelling is subject to scrutiny under the 'reasonably required for the rural activity' test.

The application proposed a second dwelling on a 53.23 hectare Farming Zone property. The Council refused the application, and the proponent sought a review of the decision at VCAT. VCAT refused the permit (upholding the Council's decision) on grounds including that the proposed dwelling was not reasonably required for the operation of a rural activity on the land itself and approving it would lead to a rural-residential use that is inconsistent with policy.

The decision highlights that:

- A dwelling must be directly tied to the rural use of the land.
- Approving dwellings on small lots in farming areas can risk creating rural-residential uses instead of supporting genuine agriculture.

The decision provides a firm basis to resist piecemeal dwellings in farming zones that have weak agricultural nexus or risk land fragmentation.

Xerri v Strathbogie SC [2023] VCAT 673

This application was a review of the refusal to grant a permit by the Strathbogie Shire Council for the use and development of the land for a dwelling on 0.81 hectares (former school site) with no associated agricultural use.

VCAT upheld Council's decision to refuse the application and the following paragraphs in the decision are relevant to the current application:

21 The weight of policy does not support the proposal. I acknowledge the agreement between the parties that the land, as it currently stands, has limitations with respect to its size that do not make it practical or suitable for farming or other activities that would be consistent with the purpose of the FZ. That said, I agree with the Council that the land could be consolidated with the adjoining larger landholdings to form part of an existing agricultural enterprise.

24 The purpose of the FZ does not recognise or provide for rural living. It is related to farming and seeks to protect agricultural activities which are consistent with the zone provisions from encroachment of incompatible uses which have the potential to restrict their operation.....

Strachan v Latrobe CC [2022] VCAT 35 (14 January 2022)

The owner of the land sought a planning permit to use and develop land in the Farming Zone (FZ) for a dwelling on a 3.145 hectare allotment. This application was for a single dwelling and not a second dwelling.

The dwelling was proposed to support a 'hobby farm' operation, and the evidence included a beef herd (10 weaner cattle being fattened on-site) as part of the enterprise.

VCAT refused to grant a planning permit as it was considered the proposal was essentially a rural living/lifestyle use masked as an agricultural use.

Because of the risk that the dwelling would remain even if the rural enterprise failed/ended, this undermined the justification for a dwelling under the Farming Zone's policy objectives (which aim to safeguard agriculture and avoid incremental rural-residential use).

A key point of the decision is that a dwelling in a Farming Zone must be reasonably required for a 'bona-fide' agricultural activity on the land (or have a sufficient nexus to such activity), not merely justified by a lifestyle preference.

This decision is considered to hold significant weight in reference to the current application at 73 Damour Road, Robinvale as it provides a strong precedent when rejecting applications for dwellings on small rural lots, which lack credible farming justification.

Consultation:

The Applicant presented at a Council Briefing on 9 December 2025.

Advertising

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

The application was notified from 30/07/2025 to 13/08/2025 by:

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

No submissions/objections were received.

Financial Implications:

Potential VCAT review by the applicant should the application be refused.

Social Implications:

N/A

Economic Implications:

N/A

Environmental Implications:

N/A

Risk Management Implications:

N/A

Conclusion:

The proposal for a second dwelling within the Farming Zone is inconsistent with the purpose and decision guidelines of Clause 35.07 of the Swan Hill Planning Scheme. The Farming Zone seeks to prioritise and protect agricultural use, ensure dwellings do not compromise farming operations, and discourage residential development not associated with agriculture.

The establishment of a second dwelling would intensify the residential use of a small rural allotment, effectively treating the land as a rural living or residential lot rather than agricultural land. This outcome would undermine the strategic intent of the Farming Zone, contribute to the proliferation of dwellings on small rural parcels, and diminish opportunities for land consolidation to support viable farming in the municipality.

Approval of the application would risk land use conflict, contribute to the proliferation of dwellings on small rural parcels, undermine opportunities for land consolidation, and weaken the long-term viability of the agricultural sector.

Options: (choose applicable):

That Council:

- a. Issue a planning permit for the use and development of the land for two dwellings within the Farming Zone at 73 Damour Road, Robinvale.
- b. Issue a notice of decision to refuse a planning permit for the use and development of the land for two dwellings within the Farming Zone at 73 Damour Road, Robinvale.

Attachments: 1. Application Documents Redacted [2.11.1 - 14 pages]

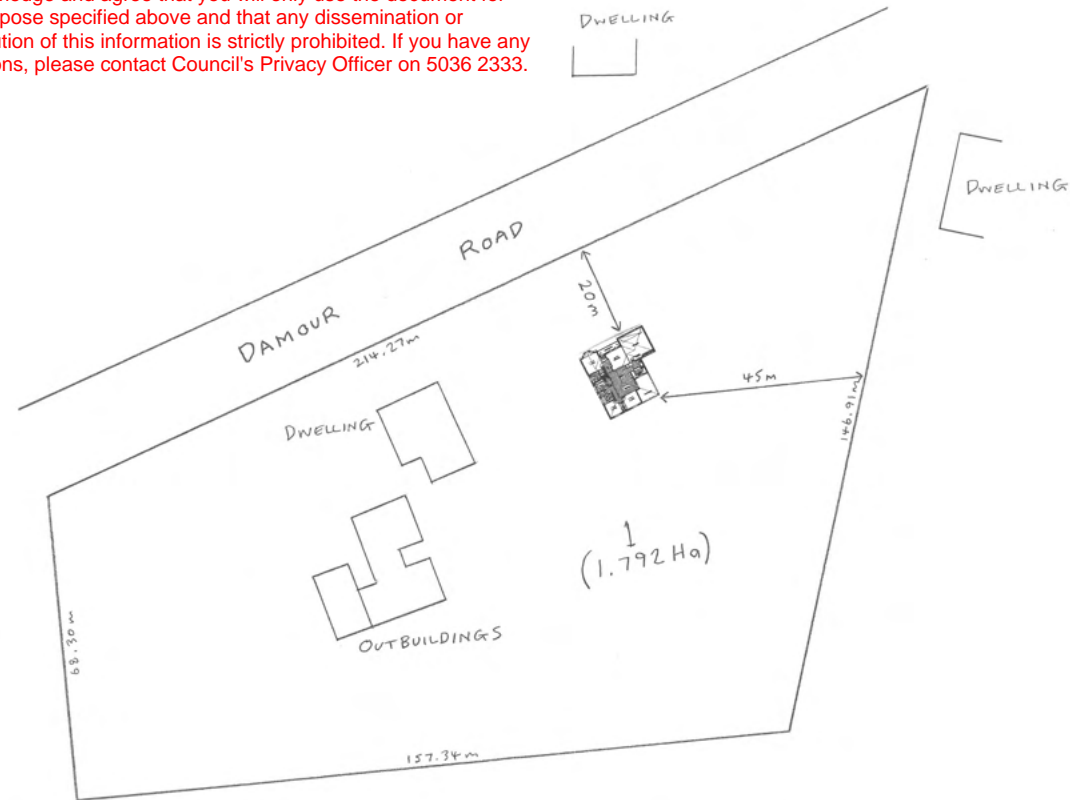
Recommendation/s

That Council issue a notice of decision to refuse a planning permit for the use and development of the land for a second dwelling within the Farming Zone at 73 Damour Road, Robinvale based on the following grounds:

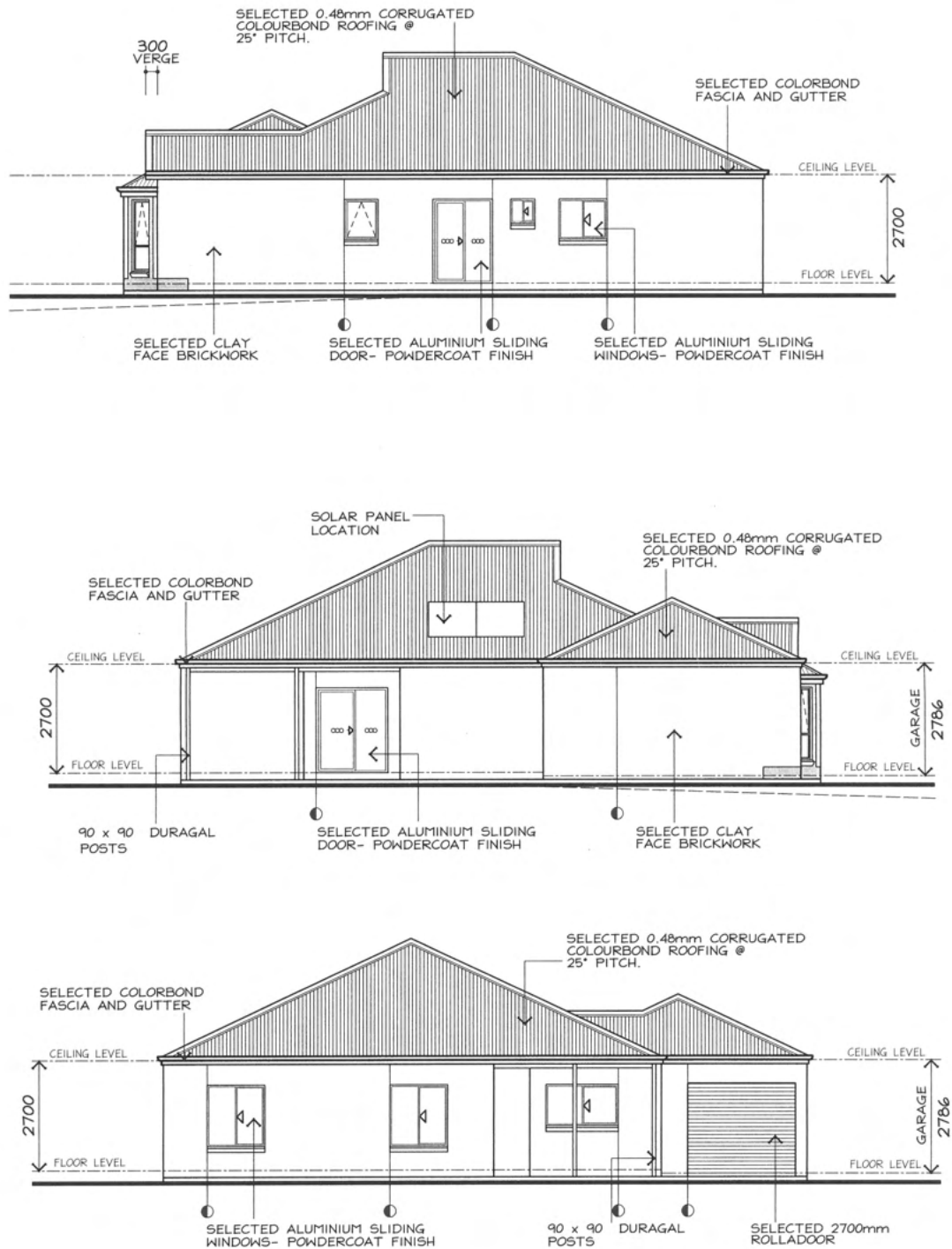
- 1. The proposal is inconsistent with Swan Hill Planning Scheme - Planning Policy Framework 14.01-1S and 14.01-1L. Specifically, the proposed second dwelling does not support agriculture, will intensify the residential land use which is likely to create land use conflict in the future and encourages dispersed residential development.**
- 2. The proposal is inconsistent with the purpose of Clause 35.07 Farming Zone of the Swan Hill Planning Scheme**
- 3. The proposal is inconsistent with the decision guidelines at clause 35.07-6 of the Farming Zone in the Swan Hill Planning Scheme.**

| |
|-----------------------|
| PROPOSED DWELLING |
| 73 (Lot 1 PS 819379F) |
| DAMOUR ROAD |
| ROBINVALE |
| |
| |

The information contained in these documents have 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 & 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.



SCALE
1:1000





ROY COSTA PLANNING & DEVELOPMENT

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

Our Ref: 25-028
Your Ref:

29 May 2025

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

Dear Sir/Madam,

**PLANNING APPLICATION
USE & DEVELOPMENT OF A DWELLING
73 (LOT 1 PS 819379F) DAMOUR ROAD ROBINVALE**

Enclosed, please find a planning application lodged on behalf of the owners, proposing the Use & Development of a Dwelling of the above property.

The site is 1.792 hectares in area and currently contains a dwelling and outbuildings.

The proposal is as follows:

- Construct a Second Dwelling upon the site for the owner's daughter and family to reside.
- The dwelling will be a three-bedroom dwelling and be of brick-veneer construction.
- The dwelling will be setback 20 metres from the front boundary (Damour Road) and 45 metres from the closest side boundary.

The end result of this proposal is for the daughter and her family to build a dwelling upon the property for them to live in; and in turn be able to assist in the care of her parents that live within the existing dwelling upon the site.

Therefore, it should be noted that the dwelling is for family members and not for rental purposes.

It also should be noted that a small second dwelling of maximum 60m² can be located upon the site without the requirement of a planning permit.

This was confirmed by Swan Hill Rural City Council via correspondence dated 13 November 2024.

Following receipt of the above advice, the family reviewed possible small dwelling designs, which were not able to be achieved to cater for the family and their children.

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Rokar Pty. Ltd. ABN 86 087 497 685 Trading As Roy Costa Planning & Development



Therefore, this application is now lodged with Council.

The proposed dwelling is to be located within the similar area where the proposed small second dwelling was to be located upon the site.

HISTORY

Planning Permit 2018/62 issued 9 July 2018 approved the excision of the existing dwelling upon this land via a boundary re-alignment.

At the time Council granted the excision and determined that the 1.792 hectares was able to be created for the existing dwelling and no longer required for agricultural pursuits of the larger agricultural holding.

Therefore, Planning Permit 2018/62 created this rural residential allotment.

JUSTIFICATION

This proposed dwelling upon Lot 1 PS 819379F meets the relevant provisions of the Swan Hill Planning Scheme and therefore should be supported.

As detailed below, the lot was created for residential purposes, and the construction of an additional dwelling upon the site will in no way affect any agricultural strategic directions within the Swan Hill Planning Scheme.

Importantly, it should be noted that a small second dwelling is able to be located upon the site without the requirement of a planning permit; thus, a second dwelling is seen to be the same result with 2 dwellings located upon the land.

No agricultural production land will be required to be removed for the dwelling to be constructed upon the site.

In addition, as detailed below, this subdivision meets the provisions 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 proposal complies with the Swan Hill Planning Scheme as detailed below.

MUNICIPAL PLANNING STRATEGY

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

Within Clause 02.01 CONTEXT it states that 'Irrigated farming' accounts for over 11 per cent of the region's total economic output.

This proposal will not remove any land from irrigated production.

The approval of the excision to create this allotment considered these factors and determined that the enlargement of the abutting surrounding irrigated horticultural ensured continued horticultural production upon the abutting land; and determined such supported the agricultural provisions and strategic directions for the municipality within the Swan Hill Planning Scheme.

This proposed dwelling will not remove or reduce the irrigated farming economic output for the region in any way.

At Clause 02.03-4 NATURAL RESOURCE MANAGEMENT it states that 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 Framing 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.

In respect to the above, this proposed dwelling meets these provisions by:

- The proposed dwelling upon the existing rural residential allotment will not affect horticultural production within the surrounding area in any way.
- The proposed dwelling is for the parents and daughter's family to reside upon the one allotment.

The daughter assists in the care of her parents.

A second dwelling is permissible upon the site; with this application seeking to construct a larger dwelling than that allowed without the requirement of a planning permit.

- The proposed location of the dwelling is suitable as such will be located 45 metres from the closest side boundary and landscape buffers can be planted between the dwelling and boundary, if Council requires.
- This proposed second dwelling will not undermine the productive agricultural base of the Rural City.

No vine production will be required to be removed.

- The location of the dwelling will protect the horticultural production upon the surrounding properties from any conflicting land uses with adequate distance between the proposed dwelling and existing title boundaries so that suitable landscape buffers can be established.

- This proposed dwelling will not create fragmentation and will not have any significant implication for horticultural production as the rural residential allotment exists.

PLANNING POLICY FRAMEWORK

14.01-1S PROTECTION OF AGRICULTURAL LAND

The objective of this policy is:

‘To protect the state’s agricultural base by preserving productive farmland.’

Within the strategies it refers to avoiding permanent removal of productive agricultural land from the state’s agricultural base, protecting productive agricultural land, preventing inappropriate dispersed urban activities, protect strategically important agriculture from incompatible uses, direct housing into existing settlements, discourage development of isolated small lots in the rural zones from use for dwellings or other incompatible uses and encourage consolidation of small lots in rural zones.

In addition to the above, within the strategies of this clause it states that 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.

The provisions also refer to balancing the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

This proposed dwelling is seen to meet these provisions by way of the following:

- The proposed dwelling does not require the removal of land from primary production; and the lot is not required for agricultural productivity.
- The dwelling will have no adverse impact effects on the continuation of primary production on adjacent land.

It should be noted that this lot was created to ensure future production of horticulture continued on the adjacent land by enlarging the abutting allotment and creating this rural residential allotment.

- The proposal is compatible with the surrounding area, with rural dwellings existing upon surrounding properties; and that a second dwelling is able to be constructed upon the site; albeit this proposal is for larger dwelling.

- There will be no adverse impacts on the continuation of the agricultural production on adjacent land.

14.01-1L AGRICULTURE

This policy refers to all land within the Farming Zone.

In respect to dwellings, the Objective states:

‘To discourage new dwellings that undermine the productive agricultural base of the municipality.’

The Strategies state:

- Discourage any new dwelling unless it has a relationship with and is required to directly support the continuing operation of an existing rural use conducted on the land.
- Ensure that the agricultural use has been established on the land prior to the construction of a dwelling.
- Discourage any new dwelling that will have an adverse impact on other rural land uses on the land, adjoining land and the general area.
- Specify a lot size for a new dwelling in the Farming Zone that is larger than (or equal to) the minimum lot size for subdivision.

This proposed dwelling is seen to meet these provisions by way of the following:

- Even though the proposed dwelling has no relationship with any rural use; the proposed dwelling is linked to the existing dwelling upon the site.
- The proposed dwelling will not have an adverse impact on other rural land uses on the land, adjoining land and the general area.

As previously stated, this rural dwelling allotment was created to enlarge the surrounding horticultural holding.

- The location of the proposed dwelling will enable suitable landscape buffers to be planted between the dwelling and boundaries of the land.

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 dwelling will not adversely impact on the continuation of irrigated horticultural production within the immediate surrounding area.

FARMING ZONE PROVISIONS

Clause 35.07

PURPOSE

The proposed dwelling meets the Municipal Planning Strategy and Planning Policy Framework as stated above.

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

The dwelling will not adversely affect the continued operation of the surrounding area for horticulture; and as stated this lot was created for the enlargement of the surrounding horticultural holding.

The main purpose for the proposal is to enable the overall family to reside on the same property; to enable the care to be provide to the parents.

In addition, as detailed above, the land is not valuable irrigated land and is an existing rural residential allotment; for which a second dwelling can be located.

The intentions of these provisions are to protect valuable agricultural land, which this proposed dwelling will not remove any strategic significant irrigated land from production.

Clause 35.07-1

TABLE OF USES

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

Clause 35.07-2

USE OF LAND FOR A DWELLING

Access to the dwelling will be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

All wastewater from the dwelling will be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.

The dwelling will be connected to a potable water supply with adequate storage for domestic use as well as for firefighting purposes.

The dwelling will be connected to a reticulated electricity supply.

Clause 35.07-3

SUBDIVISION

This application is not for a subdivision.

Clause 35.07-6 DECISION GUIDELINES

The proposal meets the Municipal Planning Strategy and Planning Policy Framework as detailed above.

No Regional Catchment Strategy applies to the land.

The productive capacity of the land is not relevant to this proposal.

The allotment is of size 1.792 hectares in area; therefore, capable to accommodate the second dwelling, including the disposal of effluent.

The site is suitable for the proposal and is compatible with the surrounding land uses as detailed throughout this submission.

The dwelling will not result in the fragmentation of productive agricultural land.

The proposal will:

- Not affect the horticultural production upon surrounding properties.
- Not lead to a proliferation of dwellings within the area.

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.

OVERLAY PROVISIONS

No overlays affect the subject land.

CONCLUSION

In summary, the proposed subdivision of the existing dwelling complies with all relevant provisions of the Swan Hill Planning Scheme, in particular, the Municipal Planning Strategy 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 RPIA
ROY COSTA PLANNING & DEVELOPMENT

REF: PLN2025039

13 June 2025



Roy Costa
Roy Costa Planning & Development
PO Box 2925
MILDURA VIC 3502

Dear Sir/Madam

PLANNING PERMIT NO. PLN2025039
USE & DEVELOPMENT OF A SECOND DWELLING
LOT: 1 PS: 819379
73 DAMOUR ROAD ROBINVALE VIC 3549

I refer to the above planning permit application. Before your application can be considered further, the following additional information is required:

1. Access and Infrastructure:

Please provide updated site plan/s that clearly identifies existing and proposed access points, including crossovers and roads. These plans should also detail any upgrades or improvements required to support the development.

2. Agricultural Assessment (Farm Management Plan):

Submit a comprehensive Farm Management Plan that demonstrates the agricultural viability of the land and explains the necessity of a second dwelling to support ongoing farming operations. The plan should include, but not be limited to:

- A detailed overview of current agricultural activities
- An evaluation of the land's existing agricultural productivity
- An explanation of how the proposed second dwelling will contribute to or enhance the agricultural use of the property.

45 Splatt St (PO Box 488) SWAN HILL VIC 3585
Ph: 03 5036 2333 | council@swanhill.vic.gov.au
swanhill.vic.gov.au | ABN 97435620016

If there is no agricultural or horticultural use on the land, provide a written response of why a second dwelling should be allowed in the Farming Zone and include the relevant supporting written assessment against the Farming Zone and planning policies applicable to providing housing within the Farming Zone that has no relationship with a farming use.

Your response to the above must clearly demonstrate why the second dwelling should be allowed. The written response must include a detailed assessment of the Scheme that demonstrates how the proposal is consistent with the Farming Zone, Municipal Planning Strategy, Planning Policy and any other relevant section.

The proposed second dwelling is strongly discouraged by the Swan Hill Planning Scheme and after the initial review of the application the Planning Department can advise it would be recommended for refusal.

The above information must be submitted within 90 days (11/09/2025) of the date of this letter, unless a prior written request is made for additional time. Your application will then be further assessed upon receipt of the required information.

Please note if this application requires referral, further information may be required by the Referral Authority. You will be notified as soon as possible if additional information is required.

If the above information is not submitted by the due date and no written request for additional time has been received, the application will lapse.

If you require any further clarification, please do not hesitate to contact the Planning Department on (03) 5036 2352 or via email to planning@swanhill.vic.gov.au

Yours sincerely

WARRICK FISHER
PLANNING TEAM LEADER



ROY COSTA PLANNING & DEVELOPMENT

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

Our Ref: 25-028
Your Ref: PLN2025039

14 July 2025

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

Dear Warrick,

**PLANNING APPLICATION PLN2025039
SECOND DWELLING
73 DAMOUR ROAD ROBINVALE**

We refer to your letter dated 13 June 2025 requesting further information in respect to the above planning application.

We hereby advise the following:

- It should be noted that the existing access to the existing dwelling upon the site will also be used for the second dwelling; therefore, there will be no new access points required to be established along Damour Road.
- The existing allotment was created by Swan Hill Rural City Council approving a re-subdivision of existing allotments with the neighbouring lot.
The approval created this small rural residential allotment; and in turn enlarged the abutting horticultural allotment.
Therefore, this allotment is not a viable agricultural allotment; and not used for any viable agricultural purpose and therefore a farm management plan should not be required for this proposal.
It also should be noted that a small second dwelling is able to be erected upon the same portion of the site without the requirement of a planning permit.
- In respect to the assessment of the proposed second dwelling in relation to the relevant provisions of the Swan Hill Planning Scheme, such justification has been provided in the submission lodged in association with the application.

We now request Council further process this application and issue a planning permit for the second dwelling accordingly.

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)

Rokar Pty. Ltd. ABN 86 087 497 685 Trading As Roy Costa Planning & Development



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

2.12 Planning Application - 10 River Road Swan Hill

Directorate: Development and Planning
File Number: PLN2023055-2
Purpose: For Discussion

EXECUTIVE SUMMARY

| | |
|----------------------------|--|
| Application Number: | N/A |
| Proposal: | End a Section 173 Agreement |
| Applicant's Name: | Roy Costa Planning & Development |
| Address: | 10 River Road Swan Hill |
| Land Size: | 3.262 hectares |
| Zoning: | Farming |
| Overlays: | Land Subject to Inundation Overlay (LSIO) & Environmental Significance Overlay - Schedule 1 (ESO1) |

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 seek a decision from Council to provide in-principal support to end the 173 agreement or not, under Section 178A of the Planning and Environment Act.

The agreement was a condition of planning permit PLN2023055 granted on 12 June 2024, which allowed a 2-lot subdivision of the land. The S173 agreement prohibits further subdivision of the land and the construction of a dwelling on Lot 2 as well alerting any occupiers of the dwelling located on Lot 1 to amenity issues which may be caused by nearby and surrounding agricultural uses.

It should be noted that in this instance if Council does not provide in-principle support, then the 173 agreement remains on the title of the land and will continue to

be transferred to the future allotments in accordance with the conditions on PLN2023055.

Discussion:

Section 173 Agreement AY983423E is currently registered on the parent title of Lot 2 PS 405848E, known as 10 River Road, Swan Hill (the subject land).

The agreement states the following:

“The Owner acknowledges and agrees that:

- There will be no further subdivision of the Land by any means with the exception of consolidation.*
- A dwelling must not be constructed on Lot 2;*
- Lot 1 is adjacent to and nearby farmland which is used for agricultural activity;*
- The existing agricultural use on nearby farmland may cause potential nuisance to the occupiers of Lot 1, included but not limited to dust, noise, odour, use of chemicals and farm machinery, traffic, and hours of operation; and*
- The level of amenity expected on Lot 1 will not be the same as experienced in a residential area.”*

The owner of the land has entered into the agreement to comply with a condition in planning permit PLN2023055 which was issued on 12 June 2024. The decision to grant PLN2023055 was made by Council at the March 2024 Council meeting.

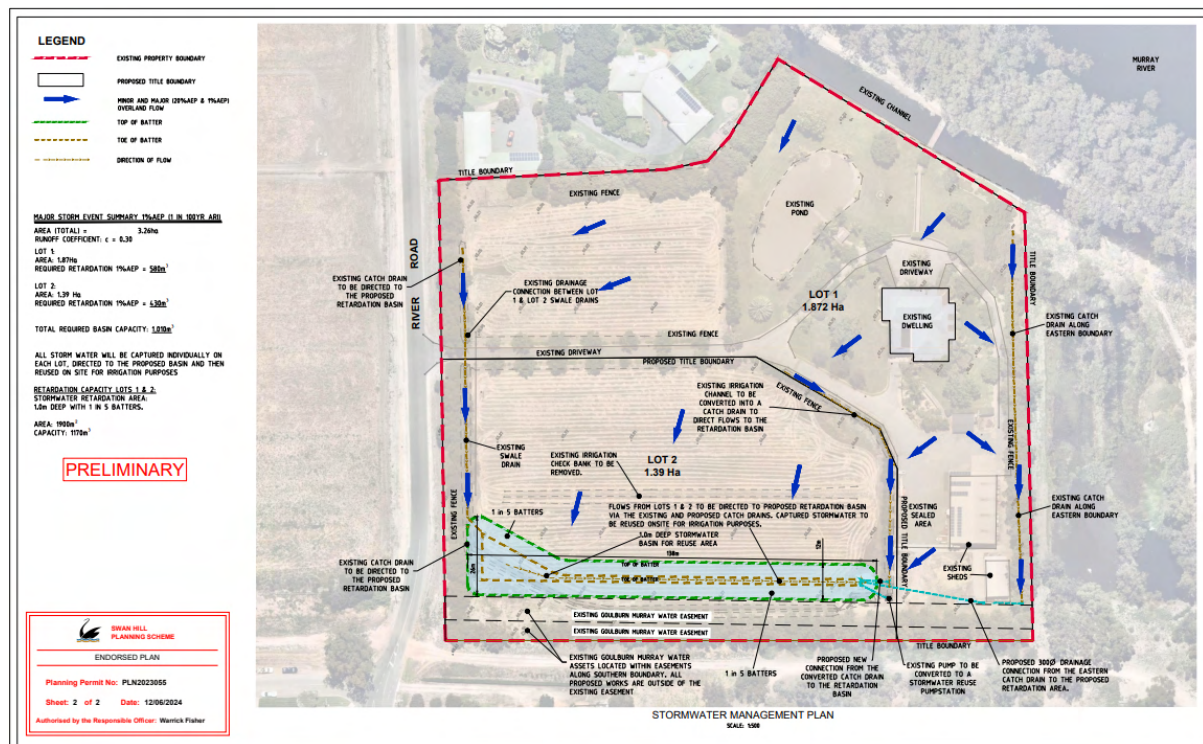


Figure 1: Approved Plan of Subdivision PLN2023055

Key Points / Issues:

The agreement was placed on planning permit PLN2023055, which allowed the subdivision of the land at 10 River Road, Swan Hill into 2 lots.

The subdivision is not yet finalised, with Statement of Compliance outstanding at the time of this report being written.

The owner/applicant has complied with the condition and executed the S173 Agreement on the current title.

The owner is now seeking the removal of the agreement from the title as they have plans to construct a dwelling on Lot 2 (this would be subject to planning approval).

If in-principle support is refused, there is no further action for Council. The applicant has the right to appeal this decision to VCAT.

If in-principle support is given, Council will direct the applicant to give notice of the intention to remove the agreement to those who also are parties to the agreement and any other party that Council determines may be impacted by the removal of the agreement.

Policy Impacts:

Assessment

The assessment is not a planning merits assessment, including not having regard to the planning scheme or the objectives of planning.

Section 178B sets out the matters that the responsible authority (Council) must consider when forming a view about a proposal. An assessment against Section 178B is set out below.

Section 178B(2) –Ending an Agreement

In considering a proposal under Section 178A to end an Agreement, the responsible authority must consider:

| Matter | Response |
|------------------------------|--|
| The purpose of the agreement | <ul style="list-style-type: none"> The agreement: <ul style="list-style-type: none"> Prohibits further subdivision of the land; Prohibits a dwelling being constructed on lot 2; and Alerts any owner to amenity issues which may be caused by surrounding or nearby farming used. <p>The agreement was placed on the title to protect the land from further fragmentation and to avoid dwellings being constructed in inappropriate areas which are likely to cause land use conflict.</p> |

| | |
|--|--|
| Whether and why the agreement is no longer required | The surrounding context of the land remains unchanged. The agreement was considered appropriate in March 2024 at the time of the Council's decision, given only 18 months has passed since this time and no significant changes to the surrounding area need to be considered, the agreement is considered to still be required. |
| Whether ending the agreement would disadvantage any person, whether or not party to the agreement ^[1] | <ul style="list-style-type: none"> • The parties to this agreement are Swan Hill Rural City Council and the owner. • Given Council entered in the agreement with the intent to prevent or reduce future land use conflict between occupiers of the dwelling on Lot 1 and nearby agricultural activities, eliminate the risk of further fragmentation of farming land though subdivision and the use of the land for a dwelling it is considered that ending the agreement would disadvantage Council as a party to the agreement. • Council entered into the agreement to ensure inappropriate development would not be able to proceed in the future; the owners of the land have clear intentions to try and develop Lot 2 with a dwelling, ending the agreement is at odds with Council's recent decision to include the agreement on a planning permit. |
| The reasons why the responsible authority entered into the agreement | <ul style="list-style-type: none"> • The Responsible Authority entered into the agreement to ensure inappropriate development would not proceed in the future and to protect itself from dealing with likely land use conflict issues. |
| Any relevant permit or other requirements the land is subject to under the Subdivision Act 1988 | <ul style="list-style-type: none"> • Council's decision to issue PLN2023055 was made in March 2024 and allowed the land to be subdivided into two lots. • The subdivision permit has not yet been finalised (Lot 2 is yet to receive Statement of Compliance) and the application is already seeking to remove the 173-agreement and showing clear intent to apply for what the agreement prohibited. |
| Any other prescribed matter | <ul style="list-style-type: none"> • It is not considered that there is any other prescribed matter. |

Consultation:

The Applicant, accompanied by the owner, presented at the Council Briefing on 9 December 2025.

Consultation would occur only if Council gave in-principle support to remove the Section 173 Agreement. The process required mirrors giving notice of a planning permit application.

Financial Implications:

All legal costs are borne by the applicant.

Social Implications:

Not applicable

Economic Implications:

Not applicable

Environmental Implications:

Any impacts will be assessed as part of the application process.

Risk Management Implications:

Council is following a legislative process, and this minimises risk.

Conclusion

Given the above assessment against the relevant sections of the Act, it is recommended that Council does not provide in principal support to end the 173 agreement.

Options: (choose applicable):

1. Council does not provide in-principle support to end the Section 173 Agreement.

Council provides in-principle support to end the Section 173 Agreement.

Attachments: 1. Application to Amend or End S_173 Agreement Redacted
[2.12.1 - 20 pages]

Recommendation/s

That Council refuses to provide in-principle support to end the Section 173 Agreement (AY983423E) that has been registered on the land at 10 River Road, Swan Hill as a requirement of Planning Permit PLN2023055.



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

Amending or Ending a Section 173 Agreement Application Form

You are able to apply to Swan Hill Rural City Council to amend or end a Section 173 Agreement on a land title. Depending on the complexity of the Agreement, the amendment/ending proposal will be actioned by Council officers and maybe referred to Council's solicitors if required. Interested parties to the Section 173 Agreement may be notified of the proposal, as applicable.

| Applicant's details | |
|---------------------|--|
| Name: | Roy Costa Planning & Development |
| Postal Address: | PO Box 2925 Mildura Vic 3502 |
| Contact Phone: | 5021 0031 |
| Email: | admin@roycosta.com.au |

| Section 173 Agreement Detail | |
|---|---|
| Reference and Date of Section 173 Agreement: | AY983423E 24/03/2025 |
| Planning Permit Number that required the Agreement: | PLN2023055 |
| Address of Subject Land: | 10 River Road Swan Hill Vic 3585 |
| Title details (Volume, Folio, Plan of Subdivision numbers): | Volume 10332 Folio 720 Lot 2 PS 405848E |
| Details of the nature of the change sought to the Section 173 Agreement | Amendment <input type="checkbox"/> End <input checked="" type="checkbox"/> |

| Reason for the proposed change to the Agreement | |
|---|---|
| See attached | <p style="color: red; font-size: small;">The information contained in these documents have 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 & 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.</p> |
| Has written consent to the proposed change been obtained from all parties to the Agreement? | |
| Owner of land consents, seeking Council consent | |

Declaration

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner (if not myself), has been notified of the application.

Signature: Roy Costa Digitally signed by Roy Costa
Date: 2025.11.11 15:47:14 +11'00' Date: 11/11/2025



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

Amending or Ending a Section 173 Agreement Checklist

When applying to Council to amend or end a Section 173 Agreement, the following documentation must be submitted with your application:

| Checklist | Have you provided? |
|--|-------------------------------------|
| A completed application form | <input checked="" type="checkbox"/> |
| A copy of the title A full, current copy of the title of the property, including any restrictions/covenants listed. A copy of this can be purchased from the Land Titles Office www.landata.vic.gov.au . Copies of Titles must not be older than 3 months from the lodgment date of your application. | <input checked="" type="checkbox"/> |
| Detail of all parties to the Section 173 Agreement. A suitably qualified legal practitioner must prepare this information. | <input checked="" type="checkbox"/> |
| A company search If the subject land is owned by a company, a company search must be submitted with the application to confirm the correct ownership details. The company search must not be older than 3 months from the lodgment date. | <input checked="" type="checkbox"/> |
| The appropriate fee. A statutory fee is required. This covers the administration costs (including advertising or referral) of amending or ending the agreement. Please refer to Council's website for current fee: https://www.swanhill.vic.gov.au/building-and-planning/planning/fees-forms-checklists/ PLEASE NOTE: * Fees may be subject to change * If the agreement requires referral to Council's solicitors, the applicant will be responsible for any associated costs. An estimate of costs will be provided prior to the application being referred. | <input checked="" type="checkbox"/> |
| Written statement outlining the reasons for amending or ending the Agreement. The application must be accompanied by a written statement that outlines the purpose of the amendment or ending of the Agreement, why the amendment or ending of the agreement is required, and any changes in circumstances that necessitates the proposed amendment. | <input checked="" type="checkbox"/> |

Personal Information

The personal information on this form is collected by Swan Hill Rural City Council (Responsible Authority) for the purpose of considering your application under the Planning & Environment Act 1987 (the Act). If you do not provide the prescribed information, Council will not be able to consider your application. You must not submit any personal information or copyrighted material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. Personal Information includes:

- * a third party's opinion about the planning application or related issue
- * photographs of a third party or their property
- * the name, address or contact details of any third party

If you have any concerns or wish to request access to your personal information, please contact Council's Planning Department on 5036 2352.



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: PLN2023055-2

25 September 2025

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

Dear Warrick,

**REQUEST TO REMOVE SECTION 173 AGREEMENT AY983423E
LOT 2 PS 405848E RIVER ROAD SWAN HILL**

We refer to the above Section 173 Agreement registered upon Lot 2 PS 405848E River Road Swan Hill.

On behalf of the owner of the land, we hereby request Council consent to the removal of this Section 173 Agreement from the title.

The request is sought due to the following:

- Lot 2 is only 1.186ha in area and therefore not suited for a standalone agricultural use.
- Proposed Lot 2 is located in front of Lot 1 of the subdivision that contains an existing dwelling.
- Proposed Lot 2 is the first allotment located along River Road over Arnoldt Street; with the southern side of Arnoldt Street developed into residential housing.
- The development of a dwelling would be keeping in character with the surrounding area.
- It should be noted that on the eastern side of River Road; for which 10 River Road exists; proposed Lot 2 would be the only allotment without a dwelling.
- Every allotment on the eastern side of River Road from Arnoldt Street for a distance of 1 kilometre contains a dwelling as follows:
 - 10 River Road(Proposed Lot 1 of this subdivision) 2.079ha
 - 20 River Road 0.7ha (approx.)
 - 62 River Road 0.7ha (approx.)

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)

Rokar Pty. Ltd. ABN 86 087 497 685 Trading As Roy Costa Planning & Development



- 68 River Road 1ha (approx.)
- 74 River Road 1ha (approx.)
- 82 River Road 1ha (approx.)
- Swan Hill Council approved the subdivision permits and dwelling permits that created the above allotments and construction of dwellings.
- The approval of this amendment is seen to meet the provisions of the Swan Hill Planning Scheme.
- The land is not valuable agricultural land; is not able to be used for any form of viable agricultural purposes; and importantly is not able to be consolidated with any other large agricultural allotment to increase an agricultural holding for farming purposes.
- The provisions within the Swan Hill Planning Scheme refer to the protection of agricultural land for agricultural pursuits/production; for which is not seen to reflect this land, as this land is not located within a surrounding farming area or in an area where agricultural/horticultural production is occurring.

We seek Council to consent to the removal of this Section 173 Agreement from the title.

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 RPIA
ROY COSTA PLANNING & DEVELOPMENT



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 10332 FOLIO 720

Security no : 124127390364R
Produced 22/08/2025 11:05 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 405848E.
PARENT TITLES :
Volume 09374 Folio 848 to Volume 09374 Folio 849
Created by instrument PS405848E 17/06/1997

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AY983423E 24/03/2025

DIAGRAM LOCATION

SEE PS405848E FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

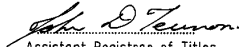


NIL

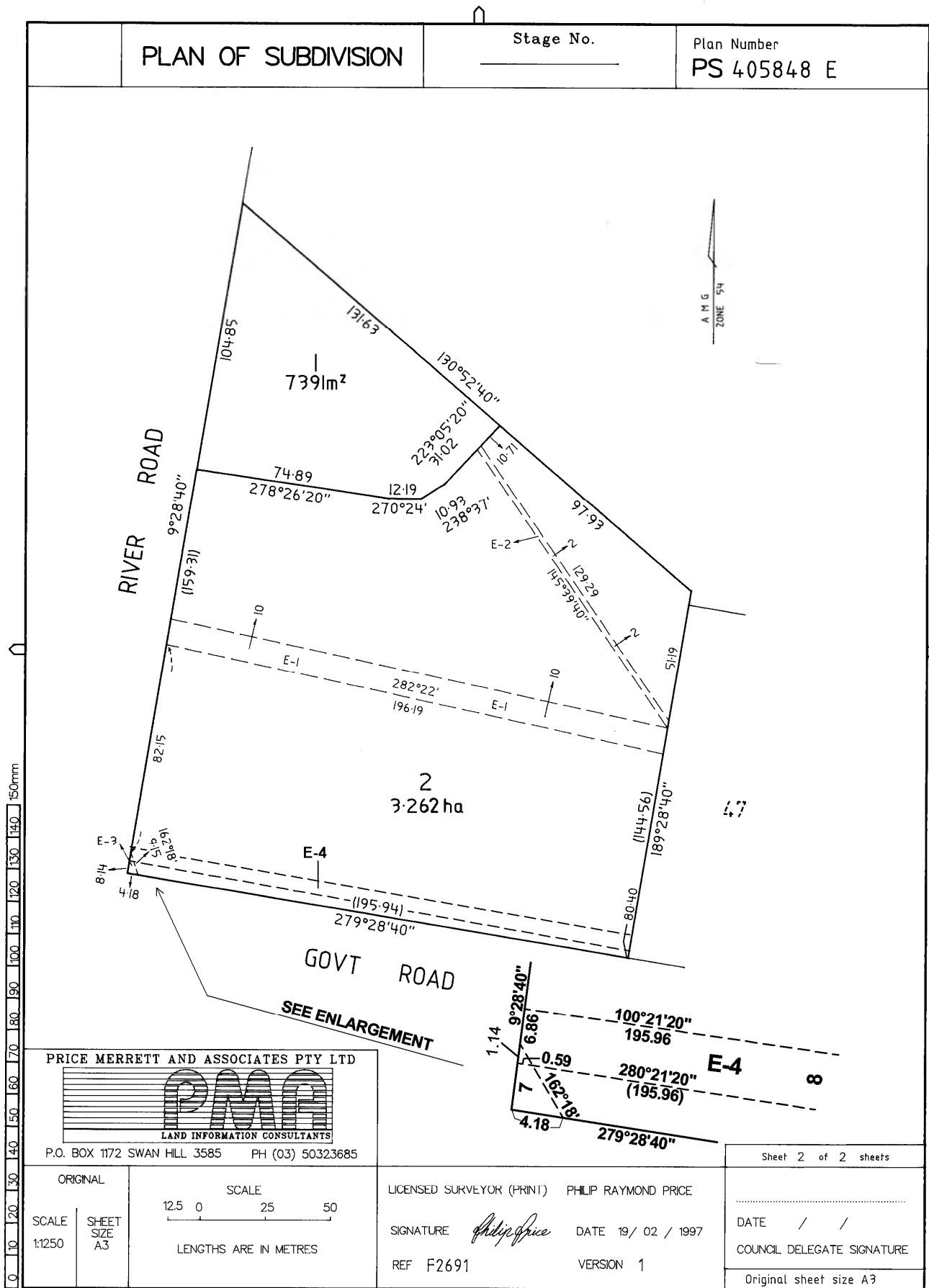
-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 10 RIVER ROAD SWAN HILL VIC 3585

DOCUMENT END

| | | | | |
|--|---------------------|--|----------------------------------|---|
| PLAN OF SUBDIVISION | | STAGE NO. — | LTO use only EDITION 2 | Plan Number PS 405848 E |
| Parish: CASTLE DONNINGTON Township: Section: Crown Allotment: 46 (PART) & 47 (PART) Crown Portion: LTO Base Record: LITHO Title Reference: VOL 9374 FOL 848 VOL 9374 FOL 849 Last Plan Reference: Postal Address: RIVER ROAD (at time of subdivision) SWAN HILL AMG Co-ordinates E 732800 Zone. 54 (of approx. centre of land in plan) N 6087450 | | Council Certificate and Endorsement Council Name. SWAN HILL RURAL CITY COUNCIL Ref. 97/16 C 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council delegate Council seal Date 7 / 4 / 97 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / / | | |
| Vesting of Roads and/or Reserves | | | | |
| Identifier | Council/Body/Person | | | |
| NIL | NIL | | | |
| Notations | | | | |
| Staging This is/is not a staged subdivision Planning Permit No. 97 / | | | | |
| Depth Limitation DOES NOT APPLY | | | | |
| WATERWAY NOTATION: LOT 1 IN THIS PLAN MAY ABUT CROWN LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE | | | | |
| Survey This plan is/is not based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No. | | | | |
| Easement Information | | | | |
| Legend | | LTO use only | | |
| E-Encumbering Easement or Condition in the Nature of an Easement A-Appurtenant Easement R-Encumbering Easement (Road) | | Statement of Compliance/ Exemption Statement | | |
| | | Received <input checked="" type="checkbox"/> | | |
| | | Date 21 / 5 / 97 | | |
| | | LTO use only | | |
| | | PLAN REGISTERED | | |
| | | TIME 8:40 AM | | |
| | | DATE 17 / 6 / 97 | | |
| | |  Assistant Registrar of Titles | | |
| | | Sheet 1 of 2 Sheets | | |
| E-3 & E-4 WATER SUPPLY & DRAINAGE | | AD102292T | | |
| PRICE MERRETT AND ASSOCIATES PTY LTD  LAND INFORMATION CONSULTANTS P.O. BOX 1172 SWAN HILL 3585 PH (03) 50323685 | | LICENSED SURVEYOR (PRINT) PHILIP RAYMOND PRICE SIGNATURE  DATE 19/02/1997 REF F2691 VERSION 1 | | DATE 7 / 4 / 97 COUNCIL DELEGATE SIGNATURE Original sheet size A3 |



| <div><div>MODIFICATION TABLE</div><div>RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN</div><div>WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.</div></div> | | | | | | | <div>PLAN NUMBER</div> <div>PS405848E</div> | |
|--|--------------------------------------|----------------------|-------------------|----------|------|-------------------|---|--|
| AFFECTED LAND/PARCEL | LAND/PARCEL IDENTIFIER CREATED | MODIFICATION | DEALING NUMBER | DATE | TIME | EDITION NUMBER | ASSISTANT REGISTRAR OF TITLES | |
| LOT 2 | E-4 | CREATION OF EASEMENT | AD102292T | 20/09/04 | | 2 | W.S. | |
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Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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Produced 30/05/2025 12:52:24 PM

| | | | |
|----------------------|------------------------|----------------|-----------|
| Status | Registered | Dealing Number | AY983423E |
| Date and Time Lodged | 24/03/2025 10:28:43 AM | | |

Lodger Details

| | |
|-------------|----------------|
| Lodger Code | 16984L |
| Name | BECK LEGAL |
| Address | |
| Lodger Box | |
| Phone | |
| Email | |
| Reference | MWO:564496-119 |

APPLICATION TO RECORD AN INSTRUMENT

| | |
|--------------|----------|
| Jurisdiction | VICTORIA |
|--------------|----------|

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Estate and/or Interest

FEE SIMPLE

Land Title Reference

10332/720

Instrument and/or legislation

RECORD - AGREEMENT - SECTION 173
Planning & Environment Act - section 173

Applicant(s)

| | |
|---------------|------------------------------|
| Name | SWAN HILL RURAL CITY COUNCIL |
| Address | |
| Street Number | 45 |
| Street Name | SPLATT |
| Street Type | STREET |
| Locality | SWAN HILL |
| State | VIC |
| Postcode | 3585 |

Additional Details

Reference :MWO:564496-119
Secure Electronic Registries Victoria (SERV), Level 13, 697 Collins Street Docklands 3008
Locked bag 20005, Melbourne 3001, DX 210189
ABN 86 627 986 396

AY983423E Page 1 of 2





Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Refer Image Instrument

The applicant requests the recording of this Instrument in the Register.

Execution

1. The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

| | |
|-----------------------|-------------------------------|
| Executed on behalf of | SWAN HILL RURAL CITY COUNCIL |
| Signer Name | JOSHUA CRAIG ENNIS |
| Signer Organisation | BOWCOLE PTY LTD |
| Signer Role | AUSTRALIAN LEGAL PRACTITIONER |
| Execution Date | 24 MARCH 2025 |

File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

| | |
|---|-------------------|
| Document Type | Instrument |
| Document Identification | AY983423E |
| Number of Pages (excluding this cover sheet) | 9 |
| Document Assembled | |

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The document is invalid if this cover sheet is removed or altered.



Agreement pursuant to section 173 of the Planning and Environment Act 1987 (Vic)

BETWEEN

SWAN HILL RURAL CITY COUNCIL

and

177 View St Bendigo Vic 3550
PO Box 628 Bendigo Vic 3552

Phone 03 5445 3333
Fax 03 5445 3355

Email info@becklegal.com.au
www.becklegal.com.au



Section 173 Agreement – 10 River Road, Swan Hill 3585

THIS AGREEMENT is made the 24TH day of MARCH 2025

PARTIES:

SWAN HILL RURAL CITY COUNCIL of 45 Splatt Street, Swan Hill in the State of Victoria
(Council)

AND

of 10 River Road, Swan Hill in the State of Victoria
(the Owner)

BACKGROUND:

- A. The Owner is the registered proprietor of the Land.
- B. Council is the Responsible Authority for the administration and enforcement of the Act for the Scheme.
- C. The Land is within the municipality of Council and affected by the Scheme.
- D. On 12 June 2024 Council issued the Planning Permit which permits 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.
- E. Condition 6 of the Planning Permit provides:

"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. This 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.*

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."
- F. If the Land is encumbered by a mortgage, the mortgage is identified in the Definitions and the Mortgagee's consent will be affixed to the Agreement.
- G. The parties acknowledge that this Agreement provides for:
 - (a) matters intended to satisfy Condition 6 of the Planning Permit;
 - (b) matters intended to achieve and advance the objectives of planning in Victoria; and
 - (c) matters intended to achieve and advance the objectives of planning in the Scheme and is made pursuant to Section 173 of the Act.



1. DEFINITIONS

In this Agreement:

Act means the *Planning and Environment Act 1987* (Vic).

Agreement means this Agreement, including the Schedule and Annexures and the background to this Agreement.

Business Day means Monday to Friday excluding public holidays in Victoria.

Endorsed Plans means the plan or plans endorsed with the Stamp of Council from time to time attached to the Planning Permit, which can be inspected from Council Offices upon appointment.

Lot means any lot created by the proposed subdivision under the Planning Permit.

Land means all that piece of land being Lot 2 on Plan of Subdivision 405848E being the whole of the land described in Certificate of Title Volume 10332 Folio 720.

Planning Permit means planning permit #PLN2023055 a copy of which can be inspected from Council Offices upon appointment.

Plan of Subdivision means the proposed plan of subdivision of the Land a copy of which can be inspected from Council Offices upon appointment.

Scheme means the Swan Hill Planning Scheme or any other planning scheme which applies to the Land from time to time.

2. INTERPRETATION

The parties agree and acknowledge that in this Agreement:

- 2.1 The singular includes the plural and the plural includes the singular.
- 2.2 A reference to a gender includes a reference to each other gender.
- 2.3 The reference to a person includes a reference to a firm, corporation, association or other entity and their successors in law.
- 2.4 If a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5 A reference to a statute includes any statute amending, consolidating or replacing that statute and includes any subordinate instruments made under that statute.
- 2.6 The Background to this Agreement is and will be deemed to form part of this Agreement including any terms defined within the Background.

3. COMMENCEMENT

This Agreement came into force on the date it was made and set out above or and if no date is specified on the day in which the Agreement was registered on the relevant Certificate of Title to the Land.



4. TERMINATION OF AGREEMENT

This Agreement may be ended by mutual agreement between Council and the Owner either wholly or in part or as to any part of the Land. As soon as reasonably practicable after this Agreement has ended, Council must, at the request and at the cost of the Owner, apply to the Registrar of Titles under Section 183 of the Act to cancel the recording of this Agreement on the Register.

5. OWNER'S COVENANTS

5.1 Specific Obligations on the Owner

The Owner acknowledges and agrees that:

- 5.1.1 there will be no further subdivision of the Land by any means with the exception of consolidation;
- 5.1.2 a dwelling must not be constructed on Lot 2;
- 5.1.3 Lot 1 is adjacent to and nearby farmland which is used for agricultural activity;
- 5.1.4 the existing agricultural use on nearby farmland may cause potential nuisance to the occupiers of Lot 1, including but not limited to dust, noise, odour, use of chemicals and farm machinery, traffic, and hours of operation; and
- 5.1.5 the level of amenity expected on Lot 1 will not be the same as experienced in a residential area.

5.2 Further Obligations on the Owner

5.2.1 Covenants run with the Land

The Owner's obligations in this Agreement are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Land and every part of it, and bind the Owner and their successors, assignees and transferees, the registered proprietor or proprietors for the time being of the Land and every part of the Land.

5.2.2 Successors in title

Until this Agreement is recorded on the folio of the Register which relates to the Land pursuant to Section 181 of the Act, the Owner must ensure that its successors in title give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement including requiring the successors in title to execute a deed agreeing to be bound by the terms of this Agreement. Until that deed is executed, the Owner, being party to this Agreement, remain liable to perform all of the Owner's obligations contained in this Agreement.

5.2.3 Further assurance

The Owner agrees to do all that is necessary to enable Council to make an application to the Registrar of Titles to make a recording of this Agreement



Section 173 Agreement – 10 River Road, Swan Hill 3585

on the Certificate of Title to the Land in accordance with Section 181 of the Act, including the signing of any further agreement, acknowledgement or other document which relates to the Land.

5.2.4 Payment of Council's costs

The Owner agrees to pay on demand to Council Council's costs and expenses incurred and incidental to the preparation, execution and registration of this Agreement pursuant to Section 181 of the Act, together with all costs of enforcing this Agreement if deemed necessary by Council.

5.2.5 Mortgagee to be bound

The Owner agrees to obtain the consent of any Mortgagee to be bound by the covenants in this Agreement if the Mortgagee becomes mortgagee in possession of the Land.

5.2.6 Indemnity

The Owner agrees to indemnify and keep Council, its officers, employees, agents, workmen and contractors indemnified from and against all costs, expenses, losses or damages which they or any of them may sustain, incur or suffer or be or become liable for or in respect of any suit, action, proceeding, judgment or claim brought by any person arising from any non-compliance with this Agreement.

5.2.7 Non-compliance

If the Owner has not complied with this Agreement within 14 days after the date of service on the Owner by Council of a notice which specified the Owner's failure to comply with any provision of this Agreement, the Owner agrees:

5.2.7.1 to allow Council's officers, employees, contractors or agents to enter the Land and rectify the non-compliance;

5.2.7.2 to pay to Council on demand, Council's reasonable costs and expenses incurred as a result of the Owner's non-compliance; and

5.2.7.3 to pay interest at the rate of 2% above the rate prescribed under Section 2 of the *Penalty Interest Rates Act 1983* on all monies which are due and payable but remain owing under this Agreement until they are paid in full;

And the Owner agrees;

5.2.7.4 to accept a certificate signed by the Chief Executive Officer of Council (or any nominee of the Chief Executive Officer) as prima facie proof of the costs incurred by Council in rectifying the Owner's non-compliance with this Agreement;



5.2.7.5 that any payments made for the purposes of this Agreement shall be appropriated first in payment of any interest and any unpaid costs of Council and then applied in repayment of the principal sum; and

5.2.7.6 that all costs or other monies which are due and payable under this Agreement but which remain owing shall be a charge on the Land until they are paid in full.

5.3 Council access

The Owner agrees to allow Council and its officers, employees, contractors or agents or any of them to enter the Land (at any reasonable time) to assess compliance with this Agreement.

5.4 Owner's warranty

The Owner warrants and covenants that:

5.4.1 the Owner is the registered proprietor (or is entitled to become the registered proprietor) of the Land and is also the beneficial owner of the Land;

5.4.2 there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the Owner affecting the Land which have not been disclosed by the usual searches of the folio of the Register for the Land or notified to Council;

5.4.3 no part of the Land is subject to any rights obtained by adverse possession or subject to any easements or rights described or referred to in Section 42 of the *Transfer of Land Act 1958*; and

5.4.4 until this Agreement is recorded on the folio of the Register which relates to the Land, the Owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of the Land without first disclosing to any intended purchaser, transferee, assignee or mortgagee the existence and nature of this Agreement.

6. GENERAL

6.1 Council's powers not restricted

This Agreement does not fetter or restrict Council's power or discretion in respect of any of Council's decision making powers including but not limited to an ability to make decisions under the *Local Government Act 1989*, and the *Local Government Act 2020* or to make or impose requirements or conditions in connection with any use or development of the Land or the granting of any planning permit, the approval or certification of any plans of subdivision or consolidation relating to the Land or the issue of a statement of compliance in connection with any such plans.

6.2 Time of the essence

Time is of the essence as regards all dates, periods of time and times specified in this Agreement.



6.3 Governing law and jurisdiction

This Agreement is governed by and is to be construed in accordance with the laws of Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts and tribunals of Victoria and waives any right to object to proceedings being brought in those courts or tribunals.

6.4 Enforcement and severability

6.4.1 This Agreement shall operate as a contract between the parties and be enforceable as such in a court of competent jurisdiction regardless of whether, for any reason, this Agreement were held to be unenforceable as an Agreement pursuant to Division 2 of Part 9 of the Act.

6.4.2 If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void, then it shall be severed and the other provisions of this Agreement shall remain operative.

7. NOTICES

7.1 Service of notice

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- 7.1.1 by delivering it personally to that party;
- 7.1.2 by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- 7.1.3 by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party or by hand delivery or prepaid post.

7.2 Time of service

A notice or other communication is deemed served

- 7.2.1 if delivered, on the next following business day;
- 7.2.2 if posted, on the expiration of two business days after the date of posting; or
- 7.2.3 if sent by facsimile, on the next following business day unless the receiving party has requested re-transmission before the end of that business day.



Section 173 Agreement – 10 River Road, Swan Hill 3585

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

THE COMMON SEAL of the SWAN HILL
RURAL CITY COUNCIL was hereunto affixed
in the presence of,

Chief Executive Officer

SCOTT BARBER

Full name (print)

Councillor

LES MYPHEE

Full name (print)

Councillor

STUART KING

Full name (print)



Section 173 Agreement – 10 River Road, Swan Hill 3585

SIGNED SEALED AND DELIVERED by the)
said in the)
presence of:)

Witness

Print full name

3 Officer Report for Noting

3.1 Planning Quarterly Report (July - September 2025)

Directorate: Development and Planning
File Number: N/A
Purpose: Information Only

Council Plan Strategy Addressed

1. Growth and Development – Building a resilient local economy, supporting businesses and attracting investment for a thriving future. Objective 1.1: Support housing that meets community needs and enables future population growth

1.1.1 Support diverse housing to meet community needs.

1.1.2 Strengthen Council's planning and coordination capacity to enable housing growth.

1.1.3 Proactive strategic planning for future land use.

Current Strategic Documents

Swan Hill Rural City Council Planning Scheme

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 provides a quarterly update (July – September 2025) on the status of planning permit applications.

Planning Permit Activity Data

The following data has been taken from the monthly Planning Permit Activity (PPARS) published by the State Government monthly. The data is provided to the State Government by Council.

During the quarter from 1 July – 30 September 2025, the following planning permit activity was recorded:

- 22 planning permits issued
- 1 application withdrawn
- 3 Notice of Decisions issued
- 36 applications received

Also, during this quarter (July – September 2025), the following planning permit processing times were recorded:

- 95.24% of standard applications determined within 60 days
- 100% of VicSmart applications determined within 10 days
- Median processing days for standard applications was 59 days
- Median processing days for VicSmart applications was 6 days

Estimated Value of Development

The total estimated value of development of approved planning permits issued within quarter 1 of the 2025/26 financial year is \$7 million.

As of 9 October 2025, Council is managing applications valued close to \$4 million, which should be processed within the next 3 months.

Post Permit Applications

During the quarter (July – September 2025), the following post permit applications were issued:

- 3 Secondary consents applications
- 4 Extension of time applications

Current Permit Applications

Council has currently 28 active planning applications (effective 9/10/25). These include:

- 5 on track
- 11 waiting on further information and require remedial action.
- 9 are considered complex and needing more effort
- 3 are changes to permits that do not have a “Statutory Days” process i.e. no “clock” days.

Subdivisions (Certification and Statement of Compliance)

During the quarter:

- 11 Certifications were issued
- 8 Statement of Compliances were issued

Of note is 32 Murlong Street Swan Hill, for the subdivision of land into 50 lots (next to St Mary’s school) was completed.

Permit Exceptions:**91 Woorinen Road Swan Hill – Extension to existing retirement village**

Additional information was requested for this complex application, including traffic and stormwater reports, fire truck access diagrams, waste management details, and a detailed landscaping plan. The request reflected the complexity of the proposal and the need for thorough technical input before the application could proceed.

Further information was provided, and the permit was issued on 5 September 2025. The cost of development was listed as \$13.6M.

367 Lake Road WOORINEN VIC 3589 – Rural Workers Accommodation

Additional information was requested for a rural workers' accommodation proposal. Unfortunately, the applicant advised they were not successful in getting a grant, and the application was withdrawn.

82 Coronation Avenue – New Childcare Centre at Heirloom Estate

The proposal will provide a new, 62-place childcare centre and kindergarten for children aged from approximately 6 months to 6 years. A new building will be constructed on the site, comprising three common rooms separated by a central kitchen, shared amenities and staff room, office facilities and foyer entrance.

The permit was issued 11 September 2025 with an estimated cost of development of \$750,000.



VC Amendments

The State Government prepares and authorises VC amendments to planning schemes, generally applied across the State.

A brief overview of amendments approved in the last quarter is provided for information.

Amendment GC262

Change to Buloke, Gannwarra, Hindmarsh, Horsham, Northern Grampians, Swan Hill & Yarriambiack Planning Schemes to remove outdated references.

The amendment deletes references to old documents that were linked to the Wimmera Mallee Pipeline Project, which has now been completed. Since the project is finished, those planning controls are no longer needed.

Amendment VC282

Amendment VC282 changes the Victoria Planning Provisions (VPP) and all Planning Schemes in Victoria by introducing a new clause 54 (One dwelling on a lot or a small second dwelling on a lot),

What the amendment does:

- Updates the statewide planning rules for Victoria (these are called the *Victoria Planning Provisions*, and they apply to all Councils).
- Adds a new section, *Clause 54*, that sets the rules for building one house on a block or adding a small second home on the same block.
- Makes flow-on changes to other parts of the planning rules so everything matches the new section.
- Fixes some technical mistakes that were made in a previous update (*Amendment VC267*).
- Replaces the old *ResCode Clause 54* with this new version for assessing single-dwelling developments.

Basically, the amendment replaces the old rules for assessing single homes with updated ones that also cover small second homes, tidying up the rest of the planning scheme, and fixing some past errors.

Amendment VC279

Amendment VC279 changes the Victoria Planning Provisions (VPP) and all Planning Schemes in Victoria by amending the land use definition of 'Minor utility installation' to ensure the appropriate planning assessment of large battery storage systems.

The amendment clarifies that large-scale battery storage systems are not considered a minor installation, ensuring they are subject to the appropriate planning assessment and approval process.

Amendment VC283

Amendment VC283 updates the Victoria Planning Provisions (VPP) and all Victorian Planning Schemes by implementing *Plan for Victoria*, introducing updated policy, removing references to *Plan Melbourne 2017–2050: Metropolitan Planning Strategy*, and making general drafting improvements and clarifications.

The amendment replaces Plan Melbourne with the new Plan for Victoria, updates planning policies to match, and tidies up the wording in the planning rules.

Amendment VC268

Amendment VC268 changes the Victoria Planning Provisions (VPP) and all Planning Schemes in Victoria by implementing the *Victorian Transmission Plan* (VicGrid, 2025) into the Planning Policy Framework and updating references to the *Climate Change Act 2017*.

The amendment adds Victoria's new electricity transmission plan to planning policies and makes sure references to the state's climate change laws are up to date.

Amendment VC29

Amendment VC292 updates the Victoria Planning Provisions (VPP) and all Victorian Planning Schemes by including reference to the *Neighbourhood Character Overlay* (NCO) in the 'Application' section of Clause 54 (One dwelling on a lot or a small second dwelling on a lot).

The amendment makes sure that when someone builds a single house or small second dwelling, any Neighbourhood Character Overlay that applies to the land is considered.

Amendment VC289

Amendment VC289 changes the Victoria Planning Provisions (VPP) and all Planning Schemes in Victoria by introducing a planning permit requirement to remove, destroy or lop a canopy tree in residential areas at clause 52.37.

The amendment means you now need a permit to remove or lop large trees in residential zones.

Amendment VC288

Amendment VC288 changes the Victoria Planning Provisions (VPP) and all Planning Schemes in Victoria to specify additional classes of VicSmart applications for two dwellings on a lot and two lot residential subdivision.

The amendment has been approved to amend the VicSmart section of residential zones and other sections of the Scheme to allow applications that meet specified

requirements of Clause 55 for 2 dwellings on a lot and 2 lot subdivisions to be assessed under a VicSmart application.

The Amendment came into operation on 16 October 2025.

Consultation

Out of the 33 applications determined for the quarter:

- 9 involved pre application meetings with the planning department.
- 17 required further information
- 14 advertised
- 3 have been to a Council Briefing

Financial Implications

Application planning fees generated this quarter were \$31,107.45.

Social Implications

Approved permits are worth \$19.8 million to the community in new development.

Economic Implications

Planning department has prioritised the applications for housing and issued permits accordingly to facilitate housing.

Environmental Implications

Applications need to consider:

- Natural environment
- Existing built environment
- Future of the community

Risk Management Implications

Planning Scheme codifies to reduce risks to community.

Attachments: Nil

Options

1. That Council notes the content of this report.

Recommendation/s

That Council note the Planning Permit Progress Report July to September 2025.

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 |
|------|--|---|------------------------|
| 1204 | Deed of Variation – Waste Management Services Swan Hill, Robinvale and Rural Transfer Stations (Contract 22376202) | Between Swan Hill Rural City Council and Whitfield Excavations Pty Ltd, trading as Enviro X Solutions (The Whitfield Group) | 25/11/25 |
| 1205 | Section 173 Agreement – 110 Madang Road, Robinvale (no further subdivision, and no dwelling permitted on lot 2) | Between Swan Hill Rural City Council and P.A.Englefield. | 25/11/25 |

| | | | |
|------|---|--|---------|
| 1206 | Contract 2616504 Pental Island Pedestrian Bridge Replacement | Between Swan Hill Rural City Council and Hunter Wharf and Barge Pty Ltd. | 2/12/25 |
|------|---|--|---------|

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 Briefings - 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 Briefings on a monthly basis.

Discussion

Whilst Minutes have not been recorded, Agenda items and those in attendance are reported and presented to Council.

A briefing of Councillors is defined as a meeting that is planned or scheduled 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 a briefing but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent briefings of Council are attached.

Council Plan Strategy Addressed

6. Transparency and Effectiveness – Ensuring Council is open, accountable and responsive, with services and decision-making that reflect community expectations.
Objective 6.1: Deliver accessible, responsive and inclusive customer and community engagement.

6.1.3 Improve community engagement and participation in Council decisions.

Current Strategic documents

No strategic documents applicable.

Key Legislation

There is no key legislation applicable

Attachments: 1. COUNCILLOR BRIEFINGS ATTENDANCE AND AGENDA
December [**4.2.1** - 4 pages]

Options

Council Briefings are reported to ensure good governance and transparency.

Recommendation

That Council note the contents of the report.

COUNCILLOR BRIEFINGS ATTENDANCE AND AGENDA

18 November 2025 at 12.00pm, Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- Blue Green Algae – Lake Boga

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Stuart King
- Cr Hugh Broad
- Cr Les McPhee
- Cr Lindsay Rogers
- Cr Peta Thornton
- Cr Philip Englefield (on-line)
- Cr Terry Jennings

Apologies / Leave of Absence

- Nil

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services (on-line)
- Leah Johnston, Director Infrastructure (on-line)
- Michelle Grainger, Director Development and Planning
- Stephen Fernando, Director Corporate Services
- Darren Rovere, Senior Authorised Officer

Other

- Greg Smith and Bianca Atley – Goulburn Murray Water (on-line)

CONFLICT OF INTEREST

- Nil

COUNCILLOR BRIEFINGS ATTENDANCE AND AGENDA

25 November 2025 at 8.00am, Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- 2026/27 Budget idea submissions
- Swan Hill Community Comfort Centre update
- Robinvale Fenced Off-Leash Dog Park
- 42 Monash Drive Concept designs
- Project Funding Opportunity
- Renewables Readiness Study
- Walk Against Family Violence
- Advocacy

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Stuart King
- Cr Hugh Board
- Cr Lindsay Rogers
- Cr Terry Jennings
- Cr Philip Englefield
- Cr Peta Thornton

Apologies / Leave of Absence

- Cr Les McPhee

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Michelle Grainger, Director Development and Planning
- Leah Johnston, Director Infrastructure
- Ash Free, Acting Director Corporate Services
- Sam Steel, Development Officer Community
- Nathan Keighran, Economic Development Coordinator
- Dennis Hovenden, Economic and Community Development Manager
- Dione Heppell, Liveability and Project Development Co-ordinator
- Brooke O'Connor, Community Engagement and Communications Coordinator

Other

- Nil

CONFLICT OF INTEREST

- Nil

COUNCILLOR BRIEFINGS ATTENDANCE AND AGENDA

2 December 2025 at 10.00am, Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- Rates Surplus
- Quarterly Council Expenses – July to Sept 2025
- Councillor Interactions Policy - Land Use Planning
- Councillor training policy
- Intention To sell Council Land – 103 Curlewis St – Outcome of community engagement process
- Planning Quarterly Report: July – September 2025
- Leisure Centre
- Application to Remove a Section 173 Agreement - 1341 Annuello-Wemen Road Annuello
- Lease renewal for logan Street Childcare centre
- Coffee with a Councillor discussion

ADDITIONAL ITEMS DISCUSSED

- Update on planning matters.

ATTENDANCE

Councillors

- Cr Stuart King
- Cr Hugh Board
- Cr Lindsay Rogers
- Cr Terry Jennings
- Cr Philip Englefield
- Cr Les McPhee

Apologies / Leave of Absence

- Cr Peta Thornton

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Michelle Grainger, Director Development and Planning
- Leah Johnston, Director Infrastructure
- Ash Free, Finance Manger
- Helen Morris, Organisational Development Manager
- Alexandra Jefferies, Planning Manager
- Nathan Keighran, Economic Development Coordinator
- Dennis Hovenden, Economic and Community Development Manager
- Dione Heppell, Liveability and Project Development Co-ordinator
- Aaron Scorse, Project Manager
- Brooke O'Connor, Community Engagement and Communications Coordinator
- Grant Jones, Development Officer Facilities

Other

- Tim Free, Belgravia General Manager

CONFLICT OF INTEREST

- Nil

COUNCILLOR BRIEFINGS ATTENDANCE AND AGENDA

9 December 2025 at 10.00am, Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- Outcome of Community Engagement Process – Proposed Sale of 103 Curlewis St, Swan Hill
- Declaration of Special rating for Swan Hill Inc
- Provision of 2 new kerbside services (Glass & FOGO)
- Swan Hill Regional Sports Hub architectural schematic design
- Intention to Sell Council Land
- Pioneer Settlement – update
- 73 Damour Road Robinvale - Use & Development of a Second Dwelling in FZ
- 10 River Road Swan Hill – Planning Amendment application
- Australian Flag

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Stuart King
- Cr Hugh Board
- Cr Lindsay Rogers
- Cr Terry Jennings (on-line for items 1,2,3,4 and 9)
- Cr Philip Englefield
- Cr Peta Thornton
- Cr Les McPhee

Apologies / Leave of Absence

- Nil

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Michelle Grainger, Director Development and Planning
- Leah Johnston, Director Infrastructure
- Stephen Fernando, Director Corporate Services
- Jess Chislett, Procurement and Properties Co-ordinator
- Dennis Hovenden, Economic and Community Development Manager
- Peter Ross, Engineering and Strategic Projects Manager
- Dione Heppell, Liveability and Project Development Co-ordinator
- Grant Jones, Development Officer Facilities
- Jess Warburton, Pioneer Settlement General Manager
- Alexandra Jefferies, Planning Manager
- Jess Chislett, Procurement and Properties Co-ordinator

Other

- Roy Costa and Darren Henson (planning applications)

CONFLICT OF INTEREST

- Nil

5 Notices of Motion

6 Foreshadowed Items

7 Urgent Items Not Included In Agenda

8 To Consider and Order on Councillor Reports

9 In-Camera Items

RECOMMENDATION

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

9.1 Notice of Intention to Sell Council Land

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

9.2 Procurement Evaluation and Recommendation Report - Quambatook Road

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

10 Close of Meeting