



**Swan Hill Rural
City Council**

SCHEDULED COUNCIL MEETING

Held on Tuesday 19 December 2023
at 2:00 PM
Council Chambers
Swan Hill Town Hall
53 – 57 McCallum Street, Swan Hill.
VIC 3585

MINUTES

PUBLIC ACCESS

Open to the public and
Live streaming from Council's
website: www.swanhill.vic.gov.au

Confirmed 20 February 2024

Chairperson.....

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

Mayor, Councillor Cr King assumed the chair and declared the Scheduled Council Meeting - 19 December 2023 open at 2:00 pm

Mayor, Councillor Cr King assumed the chair and declared the Scheduled Council Meeting - 19 December 2023 open at 2.00pm.

1.2 Acknowledgement Of Country

Mayor, Councillor Cr King read the Acknowledgement of Country.

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

1.3 Prayer

Cr McPhee read the prayer.

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

1.4 Apologies / Leaves of Absence

CM 2023/104 Motion

Councillor Kelly placed an apology due to illness.

MOVED Cr McKay

That Cr Kelly's apology be accepted.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

1.5 Directors / Officers Present

Bruce Myers, Director of Community and Cultural Services
Heather Green, Director Development and Planning
Bhan Pratap, Director of Corporate Services
Leah Johnston, Director of Infrastructure

Warrick Fisher, Planning Team Leader
Dennis Hovenden, Economic Development Manager
Grant Jones, Development Officer Facilities
Helen Morris, Organisational Development Manager
Sharon Lindsay, Executive Assistant
Natalie Thomson, Executive Support

1.6 Confirmation of Minutes

1.6.1 Scheduled Council meeting held on Tuesday 21 November 2023

Recommendation/s

That the minutes of the Scheduled Council meeting held on Tuesday 21 November 2023 be confirmed.

CM 2023/105 Motion

MOVED Cr Jeffery

That the minutes of the Scheduled Council meeting held on Tuesday 21 November 2023 be confirmed with amendments to:

- **Page 14 - an “l” in Rural**
- **Page 17 – The motion was LOST**
- **Page 26 - 4/3 in the Motion**

SECONDED Cr Young

The Motion was put and CARRIED 6 / 0

1.7 Disclosures of Conflict of Interest

Cr King declared an indirect conflict of interest in items:

- **2.3 – Planning Application Murray Valley Highway Swan Hill – Use and Development of a service station. This property is directly across the road from his business.**
- **2.4 – Chapman St Pedestrian Gate. As previously explained Cr King is a nearby resident.**
- **2.5 – Mayoral Visit to Sister Cities. This decision is directly related to him, hence a conflict of interest.**

1.8 Joint Letters and Reading of Petitions

Nil.

1.9 Public Questions Time

Nil

1.10 Open Forum

CM 2023/108 MOTION

MOVED Cr Moar

That standing orders be suspended at 2.03pm for open forum.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

Georgia Styles spoke to item 2.3 Planning Application - Murray Valley Highway, Swan Hill - Use and Development of a Service Station.

CM 2023/111 MOTION

MOVED Cr Moar

That standing orders be resumed at 2:07 pm.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

2 Officer Reports for Decision

2.1 Planning Application - 300 River Road Swan Hill - Subdivision of Land (Boundary Re-alignment) in the Farming Zone

Directorate: Development and Planning
File Number: PLN2023080
Purpose: For Decision

EXECUTIVE SUMMARY

Application Number:	PLN2023080
Proposal:	Subdivision of Land (Boundary Re-alignment) in the Farming Zone
Applicant's Name:	SLG Planning Services
Address:	300 River Road, Swan Hill
Land Size:	4.09ha
Zoning:	Farming Zone
Overlays:	Land Subject to Inundation, Environmental Significance Overlay – Schedule 1 and Specific Controls Overlay
Referral Authorities:	Not referred
Why is a Permit Required?	Subdivision
Lodgement date:	19 October 2023
Relevant VCAT decisions	Refer Officers Report attached

Declarations of Interest:

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

Recommendation/s**That Council:**

Refuse to grant a planning permit for the subdivision of land (boundary realignment) in the Farming Zone at 300 River Road Swan Hill for the following reasons:

- 1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.**
- 2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework, as it will result in inappropriate fragmentation of rural land and does not consolidate existing isolated small lots in rural zones.**
- 3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.**
- 4. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.**

A comprehensive assessment of the proposal against the relevant provisions of the Swan Hill Planning Scheme is contained in the attached officer report.

Key Points / Issues:

- The proposal is to realign the boundaries of two adjoining lots that are currently used as a single property for rural/residential purposes to create a lot for the existing dwelling and a lot containing an existing vegetation plantation.
- This proposal is an identical application to PLN2023047 that was refused under delegation by officers on 04/08/2023.
- The current application has been submitted by the applicant with the knowledge the Development Department will recommend refusal and the application is required to be presented to Councillors for a decision.
- The existing lot sizes and proposed lot sizes are similar and there is no perceived or proposed agricultural benefit from the proposal.
- Proposed Lot 1 has an area of approximately 2.883 hectares. It will comprise the existing dwelling and all other buildings (sheds) on the subject land. Access is proposed via the existing crossover and gravel driveway from River Road.
- Lot 2 has an area of approximately 1.194 hectares. It will be vacant in terms of buildings and works and is heavily covered by native vegetation. There is no crossover or access way proposed to River Road.
- The Swan Hill Abattoirs is located approximately 350m to the north. Clause 53.10 – Uses and Activities with Potential Adverse Impacts has a threshold distance of 1,000m to land (not a road) in an Activity Centre Zone, Capital City

Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone. It is acknowledged the proposal is not located within any of the zones mentioned above, but the existing use is residential and should the realignment of boundaries proceed, it would be expected by the proposed layout of the realignment of boundaries would encourage the owner to apply for a dwelling on the new lot that may be affected by the abattoirs (animal processing).

- The *EPA Guideline 1518: Recommended Separation Distances for Industrial Residual Air Emissions (2013)*, recommends a 1,000m separation distance to a sensitive land use (such as a residential dwelling) for industrial residual air emissions for an abattoir that produces >200 tonnes per year and has a rendering operation. The Swan Hill Abattoir produces well in excess of 200 tonnes per year.

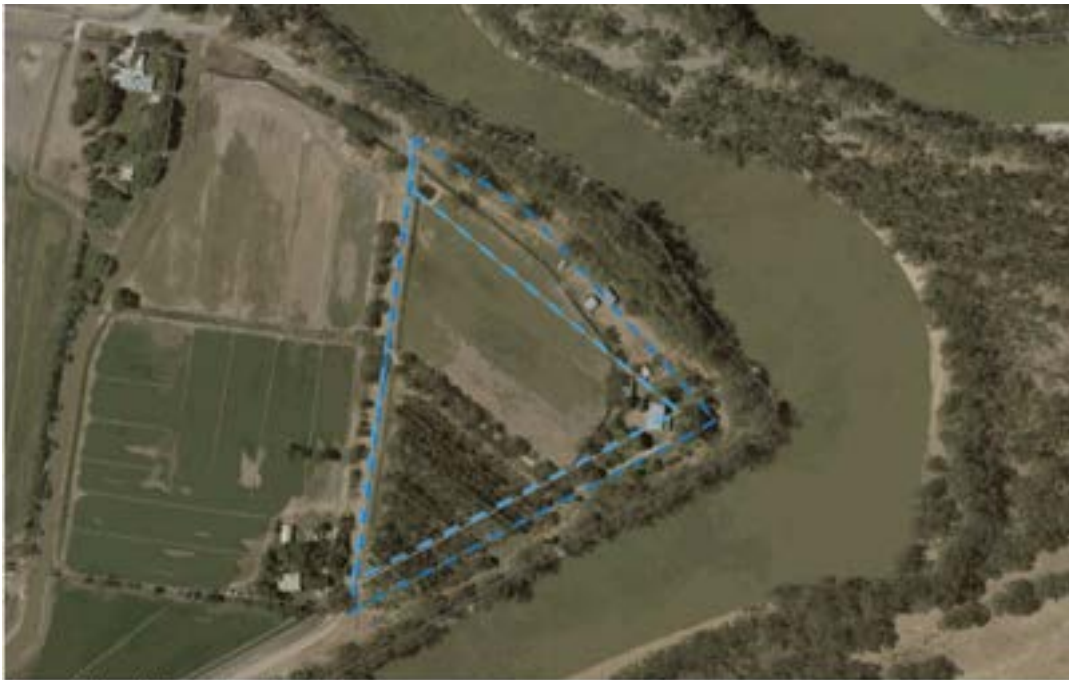


Figure 1 - Aerial image of subject land



Figure 2 - Aerial image of surrounding area



Figure 3 - Proposed subdivision

- This application is for subdivision of land in the Farming Zone is strongly discouraged by the Swan Hill Planning Scheme.
- It is considered the proposal is contrary to not only the purpose and decision guidelines of the Farming Zone, and the application also fails to be supported by planning policy and the MPS.
- Any application submitted to Council for assessment must also contain adequate information to enable a decision to be made. The application as submitted did not contain adequate information to justify the proposal. The application was not supported by a farm management plan demonstrating how the subdivision will benefit an agricultural use of the land.

Policy Impacts:

The proposed subdivision is contrary to the following critical Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) of the Swan Hill Planning Scheme:

Municipal Planning Strategy (MPS):

The proposal is contrary to the following:

- Clause 02-03-4 Natural resource management

This Clause seeks to protect the protection of agricultural land and discourages small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.

Planning Policy Framework (PPF):

The proposal is contrary to the following:

- Clause 14.01-1S – Protection of agricultural land
- Clause 14.01-1L – Agriculture
- Clause 14.01-2S – Sustainable agricultural land use
- Clause 14.01-2R – Agricultural Productivity

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

1. It will result in inappropriate fragmentation of rural land.
2. Small lot subdivisions are discouraged for personal and financial circumstances, and for rural lifestyle purposes.
3. Does not consolidate existing isolated small lots in rural zones.
4. There is no known agricultural benefit.

The attached officer report provides further specific details on how the proposal is contrary to the MPS and PPF.

Consultation:

The application was not advertised or referred to external agencies due to being advertised and referred in the previously refused planning application (PLN2023047).

Financial Implications:

N/A

Social Implications:

N/A

Economic Implications:

N/A

Environmental Implications:

N/A

Risk Management Implications:

N/A

Conclusion:

This application is contrary to the MPS, PPF and the Farming Zone as outlined in this report and the attached officer report from the Planning Department.

This proposal does not encourage sustainable agricultural land use as the proposal will effectively create a lot that is potential for residential use on irrigated agricultural land that is vital for the sustainable future of the land.

The proposed re-subdivision would serve to permanently remove land from agricultural use, limit the expansion and operation of adjoining and nearby agricultural uses and is not reasonably required to support and enhance agricultural production.

By approving the proposed boundary realignment, it would likely generate increased interest for other similar applications for boundary realignment or subdivision for the creation of small lots in the Farming Zone that are contrary to the Swan Hill Planning Scheme.

Council is, and has for a long time, had considerable pressure from applicants to support this type of realignment of boundaries or dwelling excision, and by approving this application, it would send the message Council supports applications that fail to meet the provisions of the Swan Hill Planning Scheme.

In addition to the above, the proposed subdivision relies on utilising existing Lot 1 on Plan of Subdivision 807522V abutting the Murray River reserve. Lot 1 on Plan of Subdivision 807522V does not appear to have been created as a lot for agricultural purposes. It appears the lot was created to provide access abutting the Murray River reserve but is now privately owned. Approving this lot to be realigned as proposed would set a precedent for disused channel or carriageway reserves and other utility lots to be realigned.

For the reasons discussed above and in the officer report, the proposal would incrementally further fragment the agricultural landscape character; lead to a

concentration or proliferation of dwellings in the area; impinge the opportunity to use this land for more productive, sustainable agriculture and eventually have an adverse impact on use of the land for agriculture.

Options:

1. Council issues a Notice of Decision to Refuse to Grant a Planning Permit
2. Council issues a Planning Permit subject to the conditions outlined in the attachment.

- Attachments:**
1. Applicant- Submission [2.1.1 - 18 pages]
 2. Proposed Plan [2.1.2 - 1 page]
 3. Officers Report [2.1.3 - 11 pages]
 4. Proposed Planning Conditions [2.1.4 - 2 pages]

CM 2023/109 Motion**MOVED Cr Moar**

That Council issues a Planning Permit subject to the conditions outlined in the attachment.

SECONDED Cr McPhee

The Motion was put and CARRIED 4 / 2

Application for Planning Permit

300 River Road, Swan Hill

Planning report for:

Two Lot Re-Subdivision (Boundary Realignment)

October 2023

1 Introduction

This is a submission prepared for Danny and Rhiannan Jennings in support of an application at 300 River Road, Swan Hill. The application seeks approval for a two lot Re-subdivision (boundary realignment) of the land.

The Re-Subdivision has been considered holistically with regard to the subject land, natural features, the surrounding context and best practice outcomes.

In preparing this submission, the relevant planning documents have been reviewed, and the following documents should be read in conjunction with this report and are provided as part of the application:

Certificate of Title
Proposed Plan of Subdivision by Northern Land Solutions

Overview

Address	300 River Road, Swan Hill
Title	Lot 1 PS 114126 Vol: 09075 Folio:971 Lot 1 PS 807522 Vol:11958 Folio:121
Zones & Overlays	Farming Zone Land Subject to Inundation Overlay Environmental Significance Overlay – Schedule 1 (ESO1) Specific Controls Overlay - Schedule 1 (SCO1)
Proposal	Two lot subdivision (Boundary realignment)
Land use (Existing)	Residential dwelling
Permit triggers	Farming Zone • Clause 35.07-3 The subdivision of land (realignment of boundary) Land Subject to Inundation • Clause 44.04-3 Subdivision of land subject to inundation Environmental Significance Overlay • Clause 42.01-2 Subdivide land
Relevant local provisions	14.01-1L Agriculture
Other Relevant Provisions	02.03-4 Natural Resource Management 13.03-1S Floodplain management 14.01-1S Protection of agricultural land 15.03-2S Aboriginal cultural heritage

2 The locality and site analysis

2.1 Description of site

The subject land is described as 300 River Road, Swan Hill, 3585, otherwise known as Lot 1 PS 807522 and Lot 1 PS 11426.

The subject land is a triangular shaped block of 4.07ha consisting of two existing legal allotments, located adjacent to the Murray River, east of River Road, and directly south west of the Swan Hill township.

The subject site comprises of an existing dwelling and outbuildings located east of the allotment. Most of the land is vacant and not actively used for any standalone purpose, with a planted timber plantation to the south west, originally planted by the current owners' parents who were the proprietors of the subject land for 50 years.

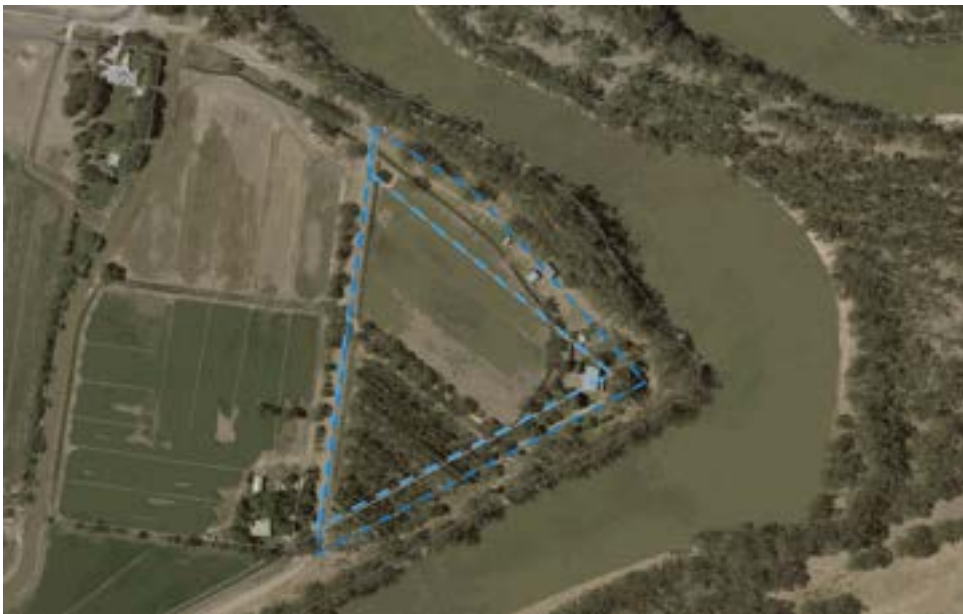


Figure 1: Site location – Existing allotments (Source: mapshare.vic.gov.au)



Figure 2: Subject site and surrounding zone (Source:mapshare.vic.gov.au)

2.2 Surrounding area

The subject site is located within the Farming zone, as is adjoining land and is not subject to any known contamination, erosion or acid sulphate soils.

There are no significant views to or from the land, and it is a largely flat rural residential property. The number 10 channel runs through the neighbouring property to the west.

The subject land is located adjacent to the Murray River, within rural allotments comprising of dwellings and outbuildings either side of River Road. The size of the allotment is comparatively smaller and more conducive with rural-residential lifestyle blocks than productive farming land.

The surrounding area is almost entirely located within the Farming Zone except for a buffer of land running along the north, east and southern boundaries of the Murray River, which is zoned Public Conservation and Resource Zone (PCRZ) and land approximately 370 meters to the north is zoned Special Use Zone (SUZ).

3 Proposal

3.1 Proposed subdivision-Boundary realignment

The proposal is a simple re-subdivision of two existing legal allotments, to create two useable allotments that support orderly planning. This will be achieved through altering the location of the allotments shared boundaries. The resulting allotments will have an area of 2.883ha (Lot 1) and 1.194 ha (Lot 2), refer to Figure 3 below.



Figure 3: Proposed two lot subdivision (boundary realignment)

The proposed realignment will repair an uneconomic, impractical, inefficient and disorderly allotment pattern of the subject site.

Proposed Lot 2 will retain the existing timber plantation on the subject land as a means of protecting and maintaining its status as the only recognized "active" agricultural use of the land. This action aims to transform an irregularly shaped parcel of land that currently does not contribute to viable agriculture into a usable parcel with agricultural potential.

In essence, the proposal aims to preserve and continue the timber plantation to sustain the agricultural use of the land. This approach seeks to make better use of the land by maintaining its agricultural purpose while potentially enhancing its usability for this purpose.

4 Planning Controls

4.1 Zoning

The site is zoned under Swan Hill Planning Scheme as Farming Zone-Schedule 1 (FZ1).

The Purpose of Farming Zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Subdivision

Clause 35.07-3 specifies a permit requirement to subdivide land, and each lot must meet the minimum 20 ha allotment size requirement for irrigated land.

Notwithstanding this, Clause 35.07-3 does specify scenarios where a permit may be granted to create a smaller lot.

In this case, the proposed subdivision is a re-subdivision of existing lots and the number of lots will not be increased. Accordingly, while a permit will be required, the proposed re-subdivision is considered an acceptable outcome.

Decision Guidelines

Clause 35.07-6 in regards to those decision guidelines of relevance to the proposal I note the following:

- There are consistencies with the relevant policy in the SPPF, LPPF, including the MSS and local planning policies, the purpose of the Farming Zone, and relevant objectives.
- The proposed development would have no impact on existing agricultural production, nor limit the operation or expansion of nearby agricultural uses. Note - the land does not adjoin agricultural land uses.
- Proposed Lot 2 will retain the planted timber plantation as part of protecting and maintaining the only considered “active” agricultural use of the subject land.
- The use of the land currently for rural-residential purposes is entirely compatible with

adjoining and adjacent land uses, the establishment of such, allowed to happen in this location, through approvals by Council. As recent as the following: -

- 26 May 2022, *two lot subdivision and use and development of a dwelling in the farming zone affected by the land subject to inundation overlay* (74 River Road, Swan Hill)
- 03 August 2021, *use and development of a dwelling in the farming zone* (27 River Road, Swan Hill).

Concluding Response

- Relevant policies contained within the SPPF, MSS and the LPPF have been discussed considered.
- It is clear and self-evident that the proposal is not in conflict with these policies.
- There is nothing in the application which requires special or more careful consideration under the provisions of this clause.

4.2 Overlay Controls

Land Subject to Inundation Overlay (LSIO)

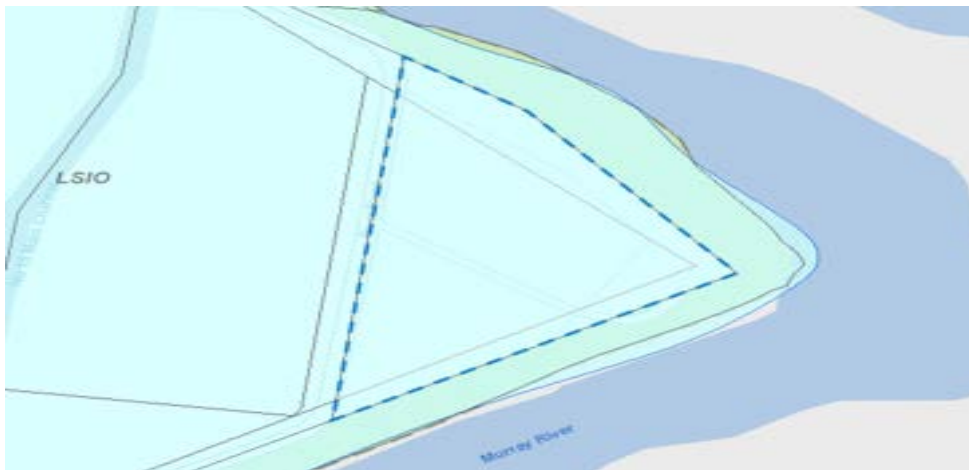
The Purpose of this overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To minimise the potential flood risk to life, health and safety associated with development.
- To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.
- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.
- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Clause 44.04-2 states as follows:

A permit is required to subdivide land. The whole of the subject site is located within the LSIO, which in general seeks to ensure that any adverse effects that may result from flooding, within identified flood plains, are either avoided or mitigated.

The proposal is for a re-subdivision only. The previous referral response from North Central Catchment Management Authority had no objection to the proposal. Accordingly, the proposal will be managed to be consistent with the purpose of the overlay.



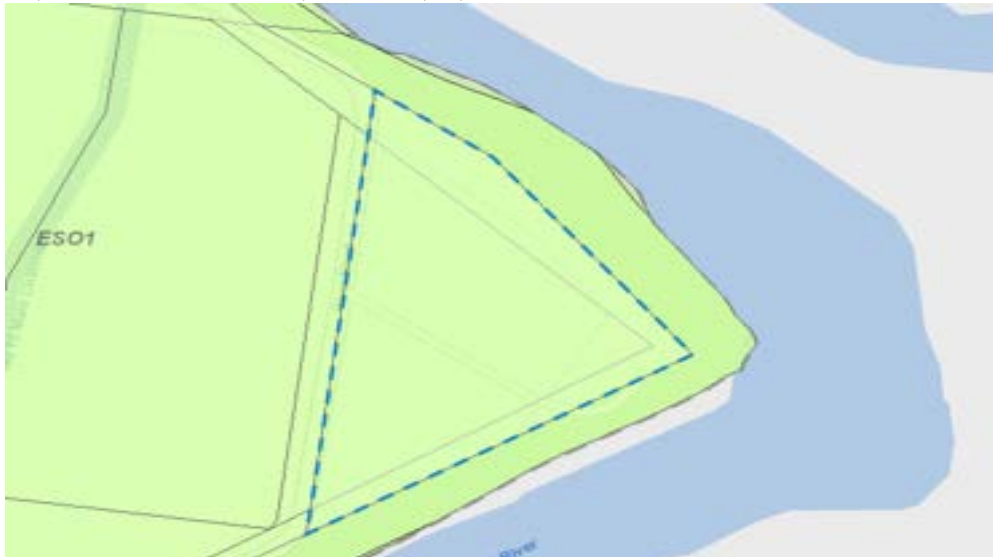
Environmental Significance Overlay – Schedule 1 (ESO1)

The Purpose of this overlay is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Clause 42.01-2 states as follows:

A permit is required to subdivide land. The subject site is located within the ESO, the objective is to protect the environs of the Murray River, the proposed subdivision is a simple re-subdivision altering boundaries and will create more functional allotments, and appropriately move the existing boundary away from the public land, resulting in mitigating any environmental impacts. No native vegetation is required to be removed as part of this proposal.



Specific controls overlay- Schedule 1 (SCO1)

The purpose of this overlay is as follows:

- *To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.*

Clause 45.12-1 states as follows:

Use or development Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- *Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.*

- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

The Schedule to this overlay specifies development controls for the incorporated document – Goulburn Murray Water (GMW) Connections Project Incorporated document (November 2021). This overlay is not relevant as it only needs to be considered if the proposal was for a GMW project.



Aboriginal Cultural Heritage

The site is partially located within an area of aboriginal cultural heritage sensitivity. However, a subdivision resulting in no more than two lots is an exempt activity in accordance to *Regulation 18 of the Aboriginal Heritage Regulations 2018*. (AAV process list attached Appendix B)



Other Considerations

A discussion was held between the owner Rhiannon Jennings and the Development Manager, Kate Jewel on Monday 2nd October 2023. The Development Manager advised that she made the decision to refuse the original application based on her concerns and assessment with the subject land being in close proximity to the abattoirs, and if a dwelling was to be constructed there would be adverse amenity impacts. The Development Manager also advised that its EPA regulations and that Councils' obligation is to protect the abattoirs.

It is to be clear, there was no dwelling development proposed in the original application submitted May 2023, or being proposed as part of this application. A planning application must be considered on its merits and assessed based on what is being proposed, in this case a re-subdivision of two existing lots only.

CLAUSE 53.10 - Uses and activities with potential adverse impacts.

The intended purpose of the clause is: To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

- The clause deals with uses that have potential adverse amenity impacts, and suggests threshold distances for certain types of land uses. These are largely industrial uses. The clause is not directed to land use types for which a planning permit may be sought in the Farming zone. It is not directed at land uses, such as the proposed re-subdivision, that would not cause "offence or unacceptable risk to the neighbourhood"

The clause establishes threshold distances:

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; NOT FARMING ZONE
- An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.
- The clause refers to industrial or semi-industrial activities, and not a re-subdivision of existing lots in the farming zone.
- The provisions relate to land use types which would have potential adverse amenity impact and establish a distance of separation to sensitive land uses in order to avoid unacceptable amenity impact on a sensitive land use itself.
- The provisions do not operate to identify a threshold distance for "sensitive" land uses, or in particular to the re-subdivision in Farming Zone. The provisions are directed at the industrial amenity impacting land use not the other way around.
- The clause is directed specifically to industry, utility installation or warehouse activities, and the application is not for one of the nominated land use types that requires referral to EPA.

However, in response to the use of these provisions as reason for refusal/concern as assessed and put forward by the Development Manager, and given the approach taken by the Responsible Authority in processing applications for Dwellings in the vicinity of the subject land, it is clear and self-evident that the Responsible Authority has been unconcerned with the approval of such "sensitive" land uses within 1km of the abattoirs.

It is clear that this clause is not relevant to the proposed re-subdivision in this planning application.

Contrary to the Development Managers Opinion or statement that she refused the previous application, the delegate report supporting the refusal written by the assigned Planning Officer, made no consideration of the abattoirs or potential adverse amenity impacts, because it has no relevance for this type of proposal, and did not need to be referred to the EPA. Importantly, the previous refusals given were most certainly not signed by the Development Manager.

Through Councils' own admission in their original delegation assessment report, historically the lot currently known as Lot 1 on Plan of Subdivision 807522 was originally created for no intended purpose to support or provide agriculture productivity, but as a mere accessway abutting the Murray River reserve, and this should be taken into consideration as part of their assessment.

"Approving this lot to be realigned as proposed would set a precedent for disused channel or carriageway reserves and other utility lots to be realigned."

This is regardless of our RFI response provided to the Councils' Planning department, 01 June 2023.

"The Swan Hill Planning Scheme has no policy relating to historical purpose of previous land use, particularly in this instance, it is not relevant to the assessment of this proposal, or a planning matter."

It's important to clarify that the assessment of an application for the subject land should be based on the provisions outlined in the planning scheme that governs the area where the land is located. The planning scheme should define the zoning, land use regulations, and any other relevant guidelines that pertain to the proposed use of the land. Any assessment should follow the rules and regulations as set out in the existing planning scheme and should not be influenced by non-existent or hypothetical legislation.

In other words, any decision or evaluation should adhere to the current legal and regulatory framework in place and should not be influenced by laws or regulations that do not exist. The existing certificate of title and parcel identifier provide legal recognition of the land, and the application should be assessed within the context of the planning scheme that is currently in force for the Swan Hill Municipality.

It is clear that allowing the proposed subdivision will have several potential benefits. By re-subdividing the current lot, it can be transformed into an allotment that contributes to agricultural productivity, aligning with the intended purposes of the farming zone.

Furthermore, the re-subdivision design is expected to result in orderly planning. This implies that the new allotments will likely be more logically organized and better suited for their intended agricultural purposes. Orderly planning can contribute to efficient land use and potentially minimize any negative impacts on the surrounding area.

Overall, this proposal aims to improve the land's usability for agriculture and create a more organized and productive agricultural proposal in accordance with the farming zone's objectives.

Clause 65 – Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider the relevant decision guidelines, a permit should be granted for the following reasons:

- There are consistencies with the relevant policy in the PPF, LPPF, including the MSS and local planning policies, the purpose of the Farming Zone, relevant objectives, and other applicable provisions in the Swan Hill Planning Scheme.
- The proposed design for the re-subdivision is considered to be orderly planning of the area.
- The proposal is not expected to result in adverse effects related to land degradation, salinity or a reduction in water quality.
- The land contains no native vegetation requiring removal as part of this proposal.
- The proposed re-subdivision will not result in creating additional allotments and is considered appropriate given the physical and location characteristics of the land.
- No fragmentation of agricultural land is being proposed, no removal of any “considered” active agricultural land is being removed.
- The proposal is not expected to result in adverse effects relating to erosion or fire hazard nor exacerbate existing risk, however negligible.

4.2 Policy Framework

This section details the relevant policies that comprise of objectives and strategies that need to be taken into consideration when supporting the proposal.

Planning Policy Framework (PPF)

Clause No.	Name of Clause	Response
02.03-4	Natural Resource Management The objective of this policy is to protect agricultural activity from conflicting land uses and discourage small lot subdivision in rural areas.	<p>The proposal supports the objective in creating two useable lots with proposed lot 2 protecting the retention of the planted timber plantation. In its current location Lot 1 on Plan of Subdivision 807522V abutting the Murray River reserve cannot contribute to agricultural use as intended by the purposes of the farming zone.</p> <p>The two existing lots are not being created they are already existing as a result from previously approved and recorded subdivisions.</p> <p>Subdivision meaning: <i>a subdivision is a process whereby a single piece (or lot) of land is split into two, three, four or even more</i></p> <p>Re-subdivision meaning: <i>Further division or relocation of lot boundaries of any existing lot or lots, the number of lots is not increased.</i></p> <p>With the proposal it will contribute to orderly planning and seek to retain the only considered active agricultural section of the subject land, meeting to the purposes of Clause 02.03-4, 14.01-1S and 14.01-1L.</p>
13.03-1S	Floodplain Management The objective of the policy is to assist the protection life, property and community infrastructure from flood hazard and allow natural flood carrying capacity of rivers, streams and floodways.	<p>Complies</p> <p>The proposed re-subdivision will be located within the LSIO, however, no development is proposed within this application. Previous response from the water authority (NCCMA) showed no objections to the proposal.</p>

<p>14.01-1S 14.01-1L</p>	<p>Protection of agricultural land</p> <p>The objective of the policy is to protect the state's agricultural base by preserving productive farmland.</p>	<p>Complies</p> <p>The subject site is located in an area that is better defined as a mix of existing rural residential properties and other zone purposes. No viable farming activities are currently conducted on the site. The proposed re-subdivision will provide an opportunity for two useable parcels and an opportunity to retain the only considered active agricultural section of the land, being the planted timber plantation.</p> <p>In <i>Zreikia v Greater Geelong CC</i> [2015] VCAT 788 Presiding Member Slattery set the responsible authority decision aside and granted a permit for a two-lot subdivision in a farming zone and flood overlay.</p> <p>It is acknowledged that the details of this case are slightly different to the current proposal, in that the subject site does not have two dwellings. Notwithstanding this, the Tribunal made some very relevant statements to the consideration of the current matter as follows:</p> <p>"Agricultural issues and the impacts from non-agricultural uses</p> <ul style="list-style-type: none"> • <i>The subdivision may well enhance agricultural production in that the land will be more cost effective, and as such, more likely to be utilised for farming. I say that the land will be more cost effective due to the excision of dwelling lot which would increase the price of the land.</i> • <i>The subdivision will have no impact on soil quality.</i> • <i>There is limited, and appropriately minimised, increases in potential for the use of the dwelling to limit the operation and expansion of adjoining and nearby agricultural uses. However, this is essentially an existing condition that will be maintained. The remainder of the land will be far more able to sustain agricultural production, and on balance, this results in a better outcome for the land as a whole, in line with the purposes of the Farming Zone.</i> • <i>The excision of the dwelling from the farming land increases the capacity of the site to sustain the agricultural use, due to the increased cost effectiveness.</i> • <i>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure will not be impacted upon".</i> <p>"Dwelling issues</p> <ul style="list-style-type: none"> • <i>The excision of the dwelling will result in the loss or fragmentation of land that is not productive agricultural land.</i> • <i>The maintenance of the status quo with regard to the number of dwellings on the land limits the effect of agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.</i> • <i>Similarly, maintenance of the status quo with regard to the number of dwellings on the land</i> • <i>Limits the effect of the subdivision on the operation and expansion of adjoining and nearby agricultural uses"</i> <p>"Environmental issues</p> <ul style="list-style-type: none"> • <i>There will be no impact of the proposed two lot subdivision on the natural physical features and</i>
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		<p>resources of the area, in particular on soil and water quality.</p> <ul style="list-style-type: none"> • Similarly, there will be no impact on the flora and fauna on the site and its surrounds. • Biodiversity of the area will not be unreasonably impacted upon. • The subdivision will not impact on nutrient loads on waterways and native vegetation <p>There will be no fragmentation of farmland proposed as there are already two existing lots and the proposal is for a re-subdivision.</p> <p>The proposed re-subdivision is not intended to support traditional farming but rather to optimize the use of the land by creating two parcels and preserving the timber plantation, which could be considered an active agricultural endeavour. The development proposal aligns with the existing character of the area, where rural-residential and other land uses coexist.</p> <p>In Widdicombe v Colac Ottway SC [2010] VCAT 1595</p> <p>The following remarks were given by Member Fong in support for an application in the Farming Zone for a re-subdivision of two lots. Again, it is acknowledged that the details of this case are slightly different to the current proposal, in that the subject site does not have two dwellings. Notwithstanding this, the Tribunal made some very relevant statements to the consideration of the current matter as follows:</p> <p><i>'6. The policies in the Scheme are clear about the objectives of encouraging and maintaining farming and agricultural activities in farming areas in the Farming Zone. As part of this overarching intent, it is policy to discourage ad hoc residential development in smaller lots, because residential development is likely to result in inflating farm land prices at the detriment of agricultural pursuits and farm expansion, causing conflict and friction between residents and farming operations due to the impact on residential amenity from farming operations such as noise, dust and traffic, and result in dwellings being distant from services and facilities.</i></p> <p><i>15. On paper, the proposal to create a small lot with a house and conferring a house entitlement on the larger lot should be considered negatively. However, there is a set of circumstances here that warrant further consideration"</i></p> <p>Comments made at paragraph 6 by the Tribunal highlights the typical issues raised when considering a subdivision in a rural location, however paragraph 15 outlines that there can be circumstances where further detailed consideration is required, rather than immediately defaulting to a refusal of a planning application.</p> <p>The further details of his VCAT case have not been quoted here as they are contextual different, however what is highlighted is the circumstances of the current planning application which warrants Council undertaking further consideration of the specific details of the current matter, to determine whether the proposal meets the objectives and decisions guidelines of the planning policy framework. As discussed throughout the balance of this report, the proposal does accord with relevant policies to warrant the support of Council.</p> <p>The proposed re-subdivision will introduce an allotment that will serve the considered "active" agricultural component of the</p>
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Clause No.	Name of Clause	Response
		subject site whilst separating the allotment comprising the dwelling that has no current or past viable agriculture purpose.
15.03-25	Aboriginal Cultural Heritage The objective of the policy is to ensure the protection and conservation of places of Aboriginal cultural heritage significance	Complies Subdivision resulting in no more than two lots is an exempt activity in accordance to Regulation 18 of the Aboriginal Heritage Regulations 2018.

5 Conclusion

This Planning report for the proposed two lot subdivision (Boundary realignment) has considered:

- the circumstances of the case;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the *planning scheme*, including all relevant statutory controls that apply to the site.
- The proposal will result in retaining a section of active agricultural land separate from the on ongoing non-viable agricultural section of the land, whilst contributing to orderly planning and creating an economic and efficient use of land.

This report concludes that the proposal will substantially complement the objectives and vision of the planning scheme.

For these reasons and the reasons contained in the body of this submission it is respectfully submitted that a permit should be granted.

Appendix A. subdivision plan

Appendix B. AAV Process list





Planning Assessment Report

Delegate Report

Application Details

Application Number:	PLN2023047	Planner:	Warrick Fisher
Application Description:	Subdivision of Land (Boundary Re-alignment) in the Farming Zone		
Application Received:	19 October 2023		
Land / Address:	300 River Road, Swan Hill 3585 Lot 1 on Plan of Subdivision 807522V VOLUME 11958 FOLIO 121 Lot 1 on Plan of Subdivision 114126 VOLUME 09075 FOLIO 971		
PPF:	Clause 13.03-1S Floodplain management Clause 14.01-1S Protection of agricultural land Clause 14.01-1L Agriculture Clause 14.01-2S Sustainable agricultural land use Clause 14.01-2R Agricultural Productivity Clause 16.01-3 S Rural Residential Development		
Zoning:	Farming Zone (FZ)		
Overlays:	Environmental Significance Overlay (ESO1) Land Subject to Inundation Overlay (LSIO) Specific Control Overlay (SCO1)		
Under what clause(s) is a permit required?	Clause 35.07-3 Farming Zone (FZ) – a permit is required to subdivide land. Clause 42.01-2 Environmental Significance Overlay (ESO1) – a permit is required to subdivide land. Clause 44.04-3 Land Subject to Inundation Overlay (LSIO) – a permit is required to subdivide land.		
Restrictive covenants on title?	Nil		
Current Use & Development:	Dwelling		
Is a Cultural Heritage Management Plan Required?	No		
Relevant SHRCC VCAT Decisions	<ol style="list-style-type: none"> Davoli v Swan Hill RCC [2023] VCAT P819/2023 (27 October 2023) 124 Lae Road, Robinvale Zappia v Swan Hill RC [2008] VCAT 1446 (16 July 2008) 3 Timor Road, Robinvale Burns v Swan Hill RCC [2023] VCAT 1184 (25 October 2023) 5 Little Murray Weir Road, Castle Donnington 		

Subject Site & Locality

Lot 1 on Plan of Subdivision 807522V is an “L” shape allotment that abuts the Murray River and measures 1.2ha in size. The land currently contains a number of outbuildings on the northern portion of the site, the southern portion of the site is vacant and is moderately covered by native vegetation. (Refer Figure 4 for aerial view)



Figure 1: Lot 1 on Plan of Subdivision 807522V- Subdivision plan

Lot 1 on Plan of Subdivision 114126 is triangular in shape and measures 2.876ha. The land is occupied by a double-storey brick dwelling and a number of outbuildings located on the north-eastern portion of the land. The south-western portion of the land is vacant and is heavily covered by native vegetation. (Refer Figure 4 for aerial view)



Figure 2: Lot 1 on Plan of Subdivision 114126 - Subdivision plan

On the west side of the Murray River. The surrounding area is similarly zoned Farming, except the buffer of land running along the north, east and southern boundaries of Murray River which is zoned Public Conservation and Resource Zone (PCRZ) and land approximately 370m to the north is zoned Special Use Zone (SUZ1).

The no. 10 channel runs through the neighbouring property to the west and the Swan Hill Abattoirs is located approximately 350m to the north. The surrounding land contains some single dwellings with associated outbuildings, and some grazing occurs in the surrounding land.



Figure 3: Surrounding land

Proposal

The proposal is for re-subdivision of two lots with the following details:

- Lot 1 has an area of approximately 2.883 hectares. It will comprise the existing dwelling and all other buildings (sheds) on the subject land. Access will be via the existing crossover and gravel driveway off River Road.
- Lot 2 has an area of approximately 1.194 hectares. It will be vacant in terms of buildings and works, and will be heavily covered by native vegetation. There is no crossover or access way proposed to River Road.

It is also proposed to create a powerline easement on the northern portion of the land.



Figure 4: Proposed plan of subdivision

This proposal is an identical application to PLN2023047 that was refused under delegation by the Planning Department on 04/08/2023. Delegation for the Planning Department to determine the application was provided at a Council Assembly Meeting.

The current application before Council has been submitted by the applicant with the knowledge the Planning Department will recommend refusal and the application is required to be presented to Councillors for a decision.

Permit Application History

Below is a review of the permit application history:

- The application was submitted to Council on 19/10/2023.
- This application is identical to Planning Application PLN2023047 that was refused under delegation on 04/08/2023.
- Further information was not requested as the application was identical to a previous application refused by Council.
- The application was not advertised as the application was identical to a previous application refused by Council.
- The application was not referred as this was undertaken in PLN2023047 and was not necessary for this application as it was to be recommended for refusal again.
- On 24/10/2023, the applicant was invited to attend a Council Assembly session scheduled for 31/10/2023.
- The applicant attended and presented at the Council Assembly meeting dated 31/10/2023.
- The application is scheduled to be determined at Council's 19 December 2023 Ordinary Meeting of Council.

Site History

Planning Application PLN2023047 was refused by Council on 04/08/2023. The proposed current subdivision application before Council is identical to the refused application.

The application was refused for the following reasons:

1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.
2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework, as it will result in inappropriate fragmentation of rural land and does not consolidate existing isolated small lots in rural zones.
3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.
4. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.

Restrictive Covenant / Section 173 Agreement

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

An overhead powerline traverses (E-1) Lot 1 PS807522V on the north.

Public Notification

The application was not advertised to the surrounding properties or adjoining neighbours.

Cultural Heritage Management Plan

The subject land is within a Cultural Heritage Sensitivity Area. A CHMP is not required as the subdivision of two lots is not considered a high-impact activity.

Referrals

The application was not referred as this was undertaken as part of Planning Application PLN2023047. It was considered referral of the application to authorities again for an identical application was not warranted.

In PLN2023047, the following referrals were undertaken:

Authority	Response
Agriculture Victoria	No response provided. Council was advised AgVic will not continue to provide responses to this type of application.
North Central Catchment Management Authority (NCCMA)	No objection but advised any future additional dwelling would unlikely be supported on either lot
Engineering Department	Consent subject to 5 conditions relating to: <ul style="list-style-type: none"> • New vehicle crossover • Stormwater overland • 1% AEP Storm • Rural stormwater • Sight distance requirements for access driveway

Planning Policy Framework (PPF)

Clause 13.03-1S Floodplain management
Clause 14.01-1S Protection of agricultural land
Clause 14.01-1L Agriculture
Clause 14.01-2S Sustainable agricultural land use
Clause 14.01-2R Agricultural Productivity
Clause 16.01-3 S Rural Residential Development

Zoning

Clause 35.07 – Farming Zone

In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the zone is to:

- *Provide for the use of land for agriculture*
- *Encourage the retention of productive agricultural land*
- *Ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture*
- *Encourage the retention of employment and population to support rural communities*
- *Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provisions*
- *Provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Pursuant to Clause 35.07-3, a permit is required to subdivide land.

Overlays

Clause 42.01 Environmental Significance Overlay – Schedule 1 'Murray River Corridor'.

The purpose of the Environmental Significance Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

In accordance with the decision guidelines for subdivision under the Schedule to the Overlay, the following comments are made:

- *The impact of the subdivision on areas of native vegetation and the Murray River reserve.*
 - *The new boundary will not impact and native vegetation and no exemption to remove native vegetation will be created due to the subdivision.*
- *The impact of subdivision (or re-subdivision) on the Murray River corridor and other public land as floodplains and as buffer areas for nutrients and other pollutants.*
 - *The realigned boundary will not impact any public land.*

Clause 44.04 – Land Subject to Inundation Overlay

In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the overlay is to:

- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*

- To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.
- To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Pursuant to Clause 44.04-3, a permit is required to subdivide land.

The application was referred to North Central Catchment Management Authority in the original application PLN2023047 who did not object to the proposed subdivision but advised the following:

'Advice to Applicant / Council

Flood levels for the 1% AEP (100-year ARI) flood event have been declared for this area under provisions of the Water Act 1989. The applicable 1% AEP flood level for the location described above is 67.7 metres AHD. Please note, the flood risk to the property is such that it is unlikely that a future application for an additional dwelling (on either of the two lots subject to this application) would be supported by North Central CMA.

Flood Mitigation Infrastructure Information

North Central CMA advises that this property may be afforded protection by an earthen levee from flood events up to and including the 1% AEP flood. The condition of these works is unknown and there is currently no formal arrangement for the management of these works.'

Clause 45.12 – Specific Controls Overlay

The requirements of the overlay are not applicable as the subdivision are not being done in relation to the Goulburn Murray Water Connections Project.

This development does not impact on any of the requirements of the overlays.

Particular Provisions

There are no specific particular provisions applicable for this application.

As mentioned earlier in this report, the Swan Hill Abattoirs is located approximately 350m to the north. Clause 53.10 – Uses and Activities with Potential Adverse Impacts has a threshold distance of 1,000m to land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone.

It is acknowledged the proposal is not located within any of the zones mentioned above, but the existing use is residential and should the realignment of boundaries proceed, it would be expected by the proposed layout of the realignment of boundaries would encourage the owner to apply for a dwelling on the new lot that may be affected by the abattoirs (animal processing).

The EPA Guideline 1518: Recommended Separation Distances for Industrial Residual Air Emissions (2013), recommends a 1000m separation distance to a sensitive land use (such as a residential dwelling) for industrial residual air emissions for an abattoir that produces >200 tonnes per year and includes rendering. The Swan Hill Abattoir produces well in excess of 200 tonnes per year.

Assessment

The various strategies associated with these objectives generally encourage the management of land for agriculture, discourage conversions of productive agricultural land to non-productive purposes, ensure new development relates to the productive use of the land and ensure any use of the land for residential activity is secondary or ancillary to the primary agricultural use of the land.

The objective of Clause 14.01-1S Protection of agricultural land is to:
'Protect the State's agricultural base by preserving productive farmland'.

Relevant Strategies:

- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- Protect productive farmland that is of strategic significance in the local or regional context.

- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*

It is also a requirement when considering a proposal to use, subdivide or develop agricultural land, to 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.*

Collectively, these policies place great emphasis on the importance of protecting existing agricultural land from inappropriate development. Clause 14.01-1S is particularly clear in requiring a nexus between the development of farmland and ongoing productive use of agriculture, to protect against loss of agricultural land. It is also the intent of planning policy to encourage consolidation of existing rural settlements rather than facilitating dispersed and isolated development. The associated strategies are intended to protect land for agriculture and to ensure that any proposal is limited to that which is required to improve agricultural production. One of the strategies under Clause 14.01-1S is to 'encourage consolidation of existing isolated small lots in rural zones'. The aim of this strategy is to avoid the fragmentation of farming land.

Furthermore, the purpose of the Farming Zone is to provide land for agriculture, retain productive agricultural land and ensure non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. The decision guidelines of the zone seek to implement the purposes and for the reasons which will be outlined below it is considered that the re-subdivision of the land fails to satisfactorily address the decision guidelines and is therefore contrary to the stated purposes of the Zone.

There are many VCAT decisions that support the recommendation from the Planning Department which are outlined below and there are many local Swan Hill Rural City Council VCAT decisions that are listed in the summary section of this report. The Swan Hill Rural City Council decisions have been discussed in previous planning applications presented to Council. Below are further examples of additional relevant VCAT decisions.

In a *Stewart v Alpine SC* [2009] VCAT 1559, Member Naylor made the following remarks in relation to consolidation and fragmentation of farming land for an application to subdivide seven existing lots into five lots varying in size from 1 hectare to 130 hectares (in two parts):

"I agree with the Council that the proposed lots do create a level of fragmentation that is contrary to the objectives of the Subdivision in Rural Areas local planning policy.... Rather, I am of the opinion the approach taken by ... of reviewing the subdivision and/or consolidation of the lots that make up this land holding in totality is the right one. The strong planning policy support for the retention of rural land in units capable of sustaining rural activities; and not threatening or reducing the agricultural capability of land through subdivision needs to be considered in determining what a suitable subdivision of this land should be. Any future subdivision needs to be justified having regards to all of the objectives and policy requirements of the Subdivision in Rural Areas local planning policy. For these reasons, I will affirm the Council's decision and order that no permit be granted."

In this instance, the applicant has failed to provide a Farm / Land Management to justify the need for the subdivision (re-alignment). Although the land has been used for rural residential purposes for 15 years, there is no active agricultural production occurring on the land. There is historical agricultural activity and no active agricultural production occurs on the land. Consequently, the applicant has not demonstrated a reasonable justification for the proposal.

The proposed re-subdivision will incorporate all buildings, including the dwelling into one lot, potentially creating a disposable vacant lot that could be subject to future applications for residential development. However, the proposal does not justify how it would improve the existing agricultural use and management of the land.

In *Tonina Nominees Pty Ltd v Mitchell SC* [2009] VCAT 553, Presiding Member Cimino and Member Mainwaring refused a five-lot re-subdivision (creation of four lots less than the minimum lot size) in Farming Zone. Members made following comments in relation to the expectation of having dwellings on smaller lots in Farming Zone:

"We consider that the proposed re-subdivision heightens the expectation that the four smaller lots would be used for residential lifestyle purposes compared to the current layout. It is true that discretion exists for a permit to be granted to use and develop each of the existing lots for a dwelling. However... because a permit can be granted does not imply that one should or will be granted. The expectation that a permit would be issued for a dwelling on any of the existing vacant lots is misconceived, particularly given the thrust of the local policies that apply where the further loss of agricultural land for residential purposes and the development of rural residential development in established agricultural areas is clearly discouraged. Further, the proposed re-subdivision would not, in our view, advance the purpose of the zone. The purpose of the zone is geared toward the implementation of policy; providing for agricultural use; encouraging the retention of agricultural land and that non-agricultural use "particularly dwellings, do not adversely affect the use of land for agriculture... it follows that the proposed re-subdivision, which is fundamentally aimed at creating lots that are suited to rural residential use would not advance the purpose of the zone. Rather the re-subdivision would work against it."

It is considered that the proposed re-subdivision does not align with relevant Clauses 14.01 and 35.07-6, the proposal fails to justify how the subdivision would enhance the use of land for agriculture. It lacks a clear connection between the agricultural use of land and the necessity for the re-subdivision. It is considered that the proposal is contrary to the relevant policies and vision within the Planning Policy Framework (PPF) relating to the protection and sustainable use of agricultural land.

Although the current boundaries of the allotments are irregular, and the re-subdivision may lead to more orderly property borders, the proposal does not adequately align with the purpose of the Farming Zone. The primary purpose of the re-subdivision is not to support ongoing agricultural production of the land, but rather to create two separately saleable lots. Lot 1 includes an existing dwelling for a rural residential lifestyle, while Lot 2 is entirely covered by native vegetation (applicant has advised the vegetation is planted). The proposal still puts at risk the future retention of productive agricultural farmland. In addition, even if any future dwelling or agricultural activity is to occur on Lot 2, a significant removal of native vegetation will be required, contrary to Environmental Significance Overlay Schedule 1, which seeks to protect the natural environs and native vegetation along the Murray River Corridor. The existing vegetation appears to be planted as the majority of the vegetation are in rows.

North Central Catchment Management Authority made comment on the first application (PLN2023047) that a dwelling would be unlikely supported on proposed Lot 2.

Currently, an option exists for the consolidation of two lots, which would better support future agricultural operations and achieve an orderly planning outcome. Keeping the land in one unit provides the best assurance that the land's potential for agricultural use in the future as intended by the purpose of the Farming Zone. Therefore, the proposal fails to meet the strategic objectives of the Swan Hill Planning Scheme, including the purpose of the Farming Zone.

In *Douglas v Campaspe SC* [2014] VCAT 421, Member Sibonis made the following statement:

"The result of the subdivision will be to create a rural living outcome within an area of the municipality that is designated under the Planning Scheme for farming. The policy frameworks highlight the importance of protecting and maintaining the State's agricultural base, and sound caution in relation to the creation of residential activities within farming areas that are not associated with agriculture."

This proposal does not encourage sustainable agricultural land use as the proposal will effectively create a lot that is potential for residential use on irrigated agricultural land that is vital for the sustainable future of the land.

In this instance, it is also useful to have regard to the comments of Senior Member Byard in *Greg Chalmers Pty Ltd v Greater Geelong CC* [2007] VCAT 292 in relation to fragmentation of rural land as a result of subdivision:

"Generally speaking, the more rural land is fragmented into smaller pieces the less useful and useable it is for farming purposes. It has long been recognised in rural planning, indeed for decades that fragmentation of rural land, with or without a proliferation of non-farm rural houses not required for farming purposes are a very serious threat to the continued usefulness and useability of farming land. Fiddly bits of land are less useful, particularly if of an appropriate shape and location, than larger areas. The whole trend of farming practice has been to increase areas required for farming enterprises whilst there has been continuing pressure to cut land up into smaller amounts to exploit its residential value. Good town and country planning looks for residential uses to be located in or on the edge of towns, or at least in areas planned for that purpose, rather than spread over rural zoned areas."

The proposed re-subdivision in this case would serve to permanently remove land from agricultural use, limit the expansion and operation of adjoining and nearby agricultural uses and is not reasonably required to support and enhance agricultural production.

Senior Member Russell Byard in *Smith v Baw Baw SC* [2016] VCAT 611 has made following comments in relation to the proliferation of rural houses:

"There is now, and for decades past has been, a desire by some people to capitalise on the residential value of farming land but this is to the detriment of farming purposes. It is thus that policies against the fragmentation of farming land by subdivision into small less useful or useless pieces (useless, that is to say from a farming point of view) have been formulated. Indeed, the tendency over 50 years or so has been for the areas needed for viable farming to increase rather than decrease, notwithstanding the advantages of advanced farming techniques, machinery, fertiliser and so on. I should add, that it is not a question of every piece of land being a viable farm, standing alone. Substantial pieces of land can be aggregated to be the basis of viable agricultural activities. To do that it is convenient but not always necessary for pieces of land being used to be contiguous. A piece of land, not sufficient for a viable farm in itself, is still valuable farm land that can be owned, leased or used for agistment in association with other farm land. However, fragmentation into little bits is strongly contraindicated."

The proposal is to realign the boundaries of two adjoining lots that are currently used as a single property for rural/residential purposes to create a lot for the existing dwelling and a lot containing the existing vegetation plantation. The existing lot sizes and proposed lot sizes are similar and there is no perceived or proposed agricultural benefit from the proposal.

In *Pincott & Ors v Baw Baw SC* [2012] VCAT 1137, member Graeme David had to consider the merits of a proposed boundary realignment in the Farming Zone of two existing lots of 35.6ha and 12.9ha to create two lots of 0.6ha and about 48h. The smaller lot was proposed to develop a future dwelling for a member of the landholder family. Member David concluded the proposal was not appropriate and refused the application.

Member David also concluded:

"I consider that if approved the proposal is most likely to generate interest for other proposals for boundary realignment and creation of small rural lots in the Farming Zone that may not be supported by policy".

By approving the proposed boundary realignment, it would likely generate increased interest for other similar applications for boundary realignment and creation of small lots in the Farming Zone that are not supported by Council. Council is, and has for a long time, had considerable pressure from applicants to support this type of realignment of boundaries and by approving this application, it would send the message Council supports applications that fail to meet the provisions of the Planning Policy Framework and the Farming Zone of the Swan Hill Planning Scheme.

The proposed subdivision relies on utilising existing Lot 1 on Plan of Subdivision 807522V abutting the Murray River reserve. Lot 1 on Plan of Subdivision 807522V does not appear to have been created as a lot for agricultural purposes. It appears the lot was created to provide access abutting the Murray River reserve but is now privately owned. Approving this lot to be realigned as proposed would set a precedent for disused channel or carriageway reserves and other utility lots to be realigned.

The main failures of the proposal in relation to the provisions of the PPF and Farming Zone are as follows:

- It will fragment existing productive agricultural land
- It will result in the loss of productive land
- It will potentially remove land from agriculture
- The proposal allows for Lot 1 to be used for lifestyle purposes and not genuine agriculture uses
- The land is currently being used as one entity
- Existing Lot 1 on Plan of Subdivision 807522V was not created for the purposes proposed in the application.

As mentioned earlier in this report, the *EPA Guideline 1518: Recommended Separation Distances for Industrial Residual Air Emissions* (2013), recommends a 1,000m separation distance to a sensitive land use (such as a residential dwelling) for industrial residual air emissions for an abattoir that produces >200 tonnes per year and has a rendering operation. The Swan Hill Abattoir produces well in excess of 200 tonnes per year. The subject land is located approximately 350m south of the Swan Hill Abattoir.

In *Pyncheon Pty Ltd (as trustee for the Corio Unit Trust) v Greater Geelong CC (Corrected)* [2022] VCAT 615 (3 June 2022), a planning application was submitted for a 24 lot residential subdivision within the 500m separation distance (abattoir that does not do rendering requires a 500m separation distance). VCAT refused the application for the following reasons:

- The applicant sought to vary the separation distance by demonstrating there is a low risk of odour impact at the proposed development site. EPA Guideline 1518 that for a consideration to be given a site-specific variation, an environmental risk assessment must be undertaken.
- The aims of guideline 1518 are to:
 - Protect human health and wellbeing, local amenity and aesthetic enjoyment
 - Protect existing industry from the encroachment by sensitive uses
 - Prevent land adjacent to industry from being underutilised.
- Application of the guideline to determine the minimum separation distance between the abattoir and the residential development can only be varied if a criterion for variation can be clearly demonstrated to have been met.
- It is our view that the reasons for the separation distance of 500 metres in Reachy have not changed. No evidence was presented to the Tribunal that showed there were changes to the operation of the abattoir since the Reachy decision that would convince us that there was a significant reduction in the odour levels from the abattoir.

The above demonstrates that without adequate expert evidence being provided to Council to vary the separation distance, residential uses should not be located within 1,000m of the existing Swan Hill Abattoir (1,000m separation distance under EPA Guideline 1518 as the Swan Hill Abattoir has a rendering operation). The proposal before Council is within the 1,000m separation distance under EPA Guideline 1518 and the subdivision will create a vacant allotment that has the potential for the owner to apply for a planning application.

For the reasons discussed above, the proposal would incrementally further fragment the agricultural landscape character; lead to a concentration or proliferation of dwellings in the area; impinge the opportunity to use this land for more productive, sustainable agriculture and eventually have an adverse impact on use of the land for agriculture.

Recommendation

That Planning Permit Application Number **PLN2023080** be determined pursuant to Section 60(1) of the *Planning and Environment Act 1987* by issuing a Notice of Decision to Refuse to Grant a Permit for **Subdivision of Land (Boundary Re-alignment) in the Farming Zone on 300 River Road, Swan Hill 3585**, on the following grounds:

1. The proposal is contrary to Clause 02.03-4 (Natural Resource Management) of the Municipal Planning Strategy in relation to the protection of agricultural land and discouraging small lot subdivision in rural areas that undermines the productive agricultural base of the Swan Hill Rural City Council.
2. The proposal is contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework, as it will result in inappropriate fragmentation of rural land and does not consolidate existing isolated small lots in rural zones.
3. The proposal is contrary to the purpose and decision guidelines of the Farming Zone in relation to the protection and retention of productive agricultural land.
4. The proposal will set a precedent for similar Farming Zone land within the municipality that would contradict the purpose and decision guidelines of the Farming Zone and threaten the productive agricultural base of the Swan Hill Rural City Council.

Report prepared by:



Warrick Fisher
Planning Team Leader
Date: 11 December 2023

Peer Reviewed by:



Kate Jewell
Development Manager
Date: 12 December 2023



PROPOSED PLANNING CONDITIONS

Application No: PLN2023080
Address: 300 RIVER ROAD SWAN HILL VIC 3585
River Road SWAN HILL VIC 3585
Proposal Description: Subdivision of Land (Boundary Re-alignment) in the Farming Zone

Plans

1. The layout of the subdivision must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.

Services

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

Easements

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

Certification of Plan

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

Statement of Compliance

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

Section 173 Agreement

6. Before the Statement of Compliance is issued under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987. The agreement must provide for the following:
 - a) No further subdivision by any means with the exception of consolidation.
 - b) No dwelling is permitted on proposed Lot 2.
 - c) The owner of Lot 1 acknowledges and accepts the possibility of nuisance from agricultural activities on adjacent and near land due to dust, noise, odour, use of chemicals and farm machinery, traffic, and hours of operation.

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

Rural Stormwater

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

Access

8. Before the Statement of Compliance is issued under the Subdivision Act 1988, a new vehicular crossing must be constructed to proposed Lot 2 to the satisfaction of the Responsible Authority.

Permit Expiry

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

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

2.2 Planning Scheme Amendment C79 - Authorisation Request - 42 Monash Drive Swan Hill

Directorate: Development and Planning
File Number: C79swan
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.

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

1.2.1 Engage, empower and mobilise communities to prepare for, adapt to and mitigate the effects of a changing climate

1.2.2 Accessible open spaces, healthy rivers and lakes

Current Strategic documents

Swan Hill Planning Scheme Municipal Strategic Statement
Swan Hill Riverfront Masterplan 2013

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 purpose of this report is to present Planning Scheme Amendment C79swan which is to rezone land to a Commercial 1 Zone from the existing Transport Zone 1 (State transport infrastructure) at 42 Monash Drive, Swan Hill (the land) and seeks Council resolution to request authorisation from the Minister for Planning. The subject land is the former GrainCorp site that was purchased by Council in June 2022. This proposed rezoning will support the implementation of the Swan Hill Riverfront Master Plan, which seeks to encourage a variety of public and private realm renewal along the river waterfront.

Discussion

Purpose

The purpose of this report is to present Planning Scheme Amendment C79swan (the amendment) to Council and recommend next steps in the planning scheme amendment process. This report is specifically required to seek authorisation from the Minister for Planning (the Minister), pursuant to section 8A of the *Planning and Environment Act 1987* (the Act).

Background

The proposal and site context

Amendment C79swan proposes to rezone land from a Transport Zone 1 (State transport infrastructure) to a Commercial 1 Zone. The amendment documents are contained in Attachments 1-3 of this report.

The existing 8,692m² lot is a very irregular shape. The site is approximately 350 metres long and only 35 metres at the widest point. The Swan Hill railway corridor and station is located directly adjacent to the west and Monash Drive extends along the eastern boundary. This site forms part of the wider Murray River front precinct.

The former grain receiving site, contains one former silo on site and a large storage shed that is approximately 85 metres long by 20 metres wide. All other buildings and silos have been removed from the site.

Planning framework – current zone and overlays

The subject land is in the Transport Zone 1 (State transport infrastructure) and covered by a Design and Development Overlay (Schedule 2) (DDO2) and a Specific Controls Overlay. The purpose zone is to provide for an integrated and sustainable transport system.

Whilst the DDO2 design objectives seek to establish the Swan Hill River Precinct as the focus of public leisure, cultural and tourism opportunities. It also seeks to develop strong physical and visual links between the river reserve and the Swan Hill CBD.

Strategic planning assessment

The strategic planning assessment of the amendment as part of the Explanatory Report states that the proposed amendment:

- The amendment implements the strategic directions for settlement (Clause 02.03) by promoting growth in Swan Hill and maintain its role as the regional service centre. It will also implement the strategic directions for economic development by facilitating redevelopment of the Swan Hill Riverfront to support tourism attractions along the Murray River.

- Is supported by the Loddon Mallee Regional Growth Plan (Clause 11.01-1R Settlement – Loddon Mallee North) by directing growth towards Swan Hill as a regional centre and an important tourism destination.
- The amendment supports the objective of this clause “to facilitate the orderly development of urban areas” by implementing the Swan Hill Riverfront Masterplan which will guide the orderly growth and development along the Murray River. (Clause 11.02-2S Structure planning)

Swan Hill Riverfront Master Plan

The amendment has been assessed against Council’s adopted master plan for the Swan Hill riverfront. A plan extract from the adopted master plan is below for this section of the riverfront and clearly indicates ‘Potential future development’ and ‘Re-use of the Silos’. As such the future Commercial 1 Zone will allow for private investment to undertake development on this land to fulfil the anticipated outcomes of the master plan.



Figure 1: Extract from the master plan that is relevant to this rezoning.

Next steps

If the Council resolves to submit the amendment to the Minister for authorisation, officers will lodge the amendment authorisation request with the Department of Transport and Planning.

Following receipt of the authorisation request, the Minister must notify the Council within 10 business days whether authorisation is granted (with or without conditions), refused, or further review is required.

If the Minister grants authorisation, the Council must exhibit the amendment in accordance with section 19 of the Act.

If the Minister refuses authorisation, the amendment cannot proceed. The Council does not have any right of appeal of the Minister's decision and will need to prepare an alternative amendment.

If the Minister decides that further review is required, the Department may request more information about the amendment. The Council must supply the requisite information to the satisfaction of the Minister. There are no further statutory timeframes imposed on the Minister if they decide further review is required, meaning that the Minister can take as long as they like to decide whether to authorise the amendment.

If 10 business days elapse and the Council has not been notified of the Minister's decision, the Council may proceed to prepare and exhibit the amendment application without the Minister's authorisation.

Following exhibition of the amendment, the Council must review all written submissions received before deciding next steps in the process.

Next steps will be either:

- Adopt the amendment and submit to the Minister for approval (with all changes requested by submissions).
- Refer submissions that cannot be resolved to an independent planning panel (appointed by the Minister) to review the submissions and provide recommendations back to Council;
- Abandon all or part of the amendment.

Consultation

If authorised by the Minister, the amendment will be exhibited for public inspection over a period of at least four weeks in accordance with the requirements of section 19 of the Act and any relevant directions of the Minister.

The Council is required under section 19 of the Act to give notice of the amendment to prescribed Ministers, public authorities, and all owners and occupiers of land that may be materially affected by the amendment (such as neighbouring property owners and tenants). These notices must be sent out before exhibition formally commences, which is the date that the exhibition notice appears in the Government Gazette. The notices will explain what the amendment is about, where to view all the relevant documentation (in person and online) and how people can have their say about the proposal.

Copies of the amendment, together with all supporting documents will be available for anyone to view and download from a dedicated page on the Council's website which will also identify and explain the key stages in the amendment process. All documents

will also be available for people to inspect in person (upon request) at any one of the Council's two main offices in Swan Hill and Robinvale.

Anyone who wishes to have their say about the amendment must do so in writing (i.e. make a submission to the Council) before the closing date of exhibition. Under section 21 of the Act, the Council must make a copy of all submissions available for viewing by anyone, free of charge, online and at the Council's offices for up to two months after the amendment is either approved, abandoned or lapsed. All submissions will be redacted to protect submitter privacy.

Following a review of all submissions received, the Council will notify anyone who made a submission (submitters) about when the Council will consider all submissions and decide next steps in the process.

The Council will continue to notify submitters at all subsequent stages of the amendment process, including if the Council decides to refer all submissions to an independent Planning Panel for review and recommendations. If referred to a Panel, all submitters will have the opportunity to engage in the Panel process – including any public hearing – if they wish to do so.

Financial Implications

Should Council resolve to seek authorisation for the amendment and the Minister grants authorisation, the likely costs will be associated with the public exhibition including letters and notices in the newspaper and Government gazette. Following exhibition, officer hours in assessing public submissions and preparing associated briefing notes and reports back to Council will be the only other costs during the initial stages of the amendment.

In the event an independent Planning Panel is required to review the proposal and submissions following exhibition, there will be additional fees to appoint the panel and for any third-party representation. All of these costs will be determined post the exhibition stage in the amendment process and will depend on the number and nature of submissions.

The final cost that Council will be liable for will be the Windfall Gains Tax, which applies to all land rezoned by the same planning scheme amendment resulting in a value uplift to the land of more than \$100,000. In determining the value uplift, all land owned by the person or group and subject to that rezoning is taken into account. This tax is applies to anyone who meets the above criteria, including all Councils in Victoria.

Council will be liable if the following taxable value uplift is achieved with the rezoning:

- more than \$100,000 but less than \$500,000: the tax will apply at a marginal rate of 62.5% on the uplift above \$100,000; or
- \$500,000 or more: a tax rate of 50% will apply to the total uplift

There are currently no exemptions to Council from paying this tax. However, the tax payment could be deferred until;

- a dutiable transaction occurs in respect of the land, or
- a relevant acquisition occurs in respect of the landholder who owns the land, or
- 30 years after the rezoning event

whichever occurs first. If the last option is taken, then interest is accumulated daily until the tax is paid 30 years later.

Social Implications

Implementing this rezoning will empower community pride and social inclusion with redevelopment of the river front.

Economic Implications

The implementation of the rezoning will drive future redevelopment of this site and allow for long term economic benefits for the region including supporting business growth and attraction of new investment opportunities.

Environmental Implications

Nil.

Risk Management Implications

Failure to be able to rezone this property will limit the potential redevelopment opportunities.

- Attachments:**
1. Amendment C79swan Explanatory Report [2.2.1 - 7 pages]
 2. Amendment C79swan Instruction Sheet (1) [2.2.2 - 1 page]
 3. Attachment 3 Location Zoning Map (1) [2.2.3 - 1 page]

Options

1. Option A – support the amendment by resolving to seek authorisation from the Minister for Planning (the Minister), pursuant to section 8A of the Act to prepare the amendment to the Swan Hill Planning Scheme; or
2. Option B – refuse to seek authorisation of the amendment on the basis that it lacks strategic justification.

Having considered the strategic planning assessment and the Swan Hill Riverfront Master Plan and the land is no longer used primarily for transportation purposes,

officers conclude that the proposed amendment is strategically justified and therefore support Option A.

Recommendation/s

That Council:

- 1. Seeks authorisation from the Minister for Planning, pursuant to section 8A of the *Planning and Environment Act 1987* to prepare Planning Scheme Amendment C79swan to the Swan Hill Planning Scheme generally in accordance with the documentation in Attachments 1 to 3 to this report.**
- 2. Undertakes exhibition of Planning Scheme Amendment C79swan to the Swan Hill Planning Scheme in accordance with section 19 of the *Planning and Environment Act 1987* following receipt of authorisation from the Minister for Planning.**
- 3. Authorises the Director of Development & Planning to make editorial and administrative changes to Attachments 1 to 3, if required, prior to lodging the authorisation request with the Minister for Planning.**

CM 2023/110 Motion

MOVED Cr McKay

That Council:

- 1. Seeks authorisation from the Minister for Planning, pursuant to section 8A of the *Planning and Environment Act 1987* to prepare Planning Scheme Amendment C79swan to the Swan Hill Planning Scheme generally in accordance with the documentation in Attachments 1 to 3 to this report.**
- 2. Undertakes exhibition of Planning Scheme Amendment C79swan to the Swan Hill Planning Scheme in accordance with section 19 of the *Planning and Environment Act 1987* following receipt of authorisation from the Minister for Planning.**
- 3. Authorises the Director of Development & Planning to make editorial and administrative changes to Attachments 1 to 3, if required, prior to lodging the authorisation request with the Minister for Planning.**

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

Cr Young nominated Cr Jeffery as the Acting Chair, Cr Jeffery accepted the nomination of Chair.

CM 2023/130 Motion

MOVED Cr Young

That Council appoint Cr Jeffery as the Acting Chair for the meeting.

SECONDED Cr McKay

The Motion was put and CARRIED 6 / 0

Cr King left the meeting at 2:24 pm.

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

AMENDMENT C79swan

EXPLANATORY REPORT

Overview

The amendment is required to rezone land formerly owned by Grain Corp and recently purchased by Swan Hill Rural City Council at 42 Monash Drive, Swan Hill. The land forms part of the Swan Hill river front and this land is a critical element of the adopted Swan Hill Riverfront Masterplan (2013). The rezoning will allow future redevelopment of the site and become a catalyst project for the implementation of the adopted masterplan.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Swan Hill Rural City Council website at www.swanhill.vic.gov.au

And/or

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

- Swan Hill Business Centre, 45 Splatt Street, Swan Hill
- Robinvale Resource Centre, 75 Herbert Street, Robinvale

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by **1 April 2024**.

A submission must be sent to:

- Post: Swan Hill Rural City Council. PO Box 488. Swan Hill VIC 3585
- In person: Swan Hill Business Centre, 45 Splatt Street, Swan Hill
- Email: council@swanhill.vic.gov.au Please include 'Amendment C79swan', in the email subject line.

Panel hearing dates

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

- directions hearing: **XX XXX 2025**
- panel hearing: **XX XXXXX 2025**

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Details of the amendment

Who is the planning authority?

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

Land affected by the amendment

The amendment applies to 42 Monash Drive, Swan Hill also known as Allotment 22 in the Township of Swan Hill.



A mapping reference table is attached at [Attachment 1](#) to this Explanatory Report.

What the amendment does

The amendment seeks to rezone land formerly owned by Grain Corp from a Transport Zone 1 (State transport infrastructure) to a Commercial 1 Zone. This will allow for one of the critical implementation actions within the Swan Hill Riverfront Master, which requires removal of the Grain Corp shed and redevelopment of this area.

The amendment makes the following changes:

Zoning Maps

- Amends Planning Scheme Map No. 40 to rezone 42 Monash Drive, Swan Hill from Transport Zone 1 - State transport infrastructure (TRZ1) to Commercial 1 Zone (C1Z).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to guide the development of Swan Hill Riverfront over the next 20 years by implementing the Swan Hill Riverfront Masterplan including technical assessments (biodiversity, flooding and heritage). The application of new zones will guide development to achieve the desired outcomes for riverfront.

The site has been sold to Swan Hill Rural City Council and is no longer required by GrainCorp for storage and transportation of wheat. As such the rezoning will assist with redevelopment and activation of the site.

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

The amendment implements the objectives of planning in Victoria as outlined in section 4(1) of the *Planning and Environment Act 1987* (PE Act) as follows:

a) Provide for the fair, orderly, economic and sustainable use, and development of land

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing the most appropriate zone to implement the Swan Hill Riverfront Master Plan.

b) Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

The amendment rezones previously used land for wheat storage and transportation, currently occupied by a silo, large storage shed and asphalt. This rezoning will not result in any further impact on the natural resources of the river front.

c) Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

The amendment introduces a new zone that focus on implementation of the Swan Hill Riverfront Masterplan where the community can live, work and play safely by creating new commercial land, by introducing the Commercial 1 Zone.

d) Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

The existing wheat silo and storage shed have no architectural or historical interest.

f) Facilitate development in accordance with the objectives;

The amendment achieves this objective by introducing a zone that will allow and encourage development for the benefit of Swan Hill Riverfront, consistent with state, regional and local planning policy.

g) Balance the present and future interests of all Victorians.

The proposed zone will ensure development occurs in a logical manner consistent with the objectives set out in paragraphs (a) to (e).

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

Environmental effects

The amendment will not impact negatively on the environment of this previously altered area of the riverfront. The amendment does not identify land for future residential development or other sensitive uses that may be contaminated. The Transport Zone land was predominantly used for storage of wheat with no known contamination sources such as a fuel storage.

Social effects

This amendment aims to facilitate the orderly growth and development of Swan Hill, specifically the redevelopment and enhancement of the riverfront. The amendment will provide a community benefit by allowing future development to be located in an area identified for renewal in the Murray Riverfront Master Plan. Engagement has occurred with the Traditional Owners, as some of the land affected by the amendment is in an area of Aboriginal cultural heritage sensitivity, however, has been significantly modified. The Traditional Owners did not raise any concerns at this stage but development plans and planning permit applications within areas of Aboriginal cultural heritage sensitivity will require further investigation in accordance with the *Aboriginal Heritage Act 2006*.

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Economic effects

Swan Hill's economy is largely reliant on agriculture and industry servicing agriculture, with a smaller tourism sector. The Riverfront Master Plan identifies significant economic potential with redevelopment of this area, with an anticipated \$46 million injection into the town's gross regional product. This rezoning to Commercial 1 Zone will allow for the first redevelopment and significant investment into the riverfront precinct.

Does the amendment address relevant bushfire risk?

The amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because it is not located within a Bushfire Management Overlay or a designated Bushfire Prone area. It is considered that the proposed amendment will not change the bushfire risk profile for the site or surrounds.

Furthermore, the future development on this proposed Commercial 1 Zone land will be a building constructed to comply with the relevant bushfire building standards.

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

The amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the PE Act).

Direction No. 1: Potentially Contaminated Land

The amendment complies with Ministerial Direction 1 (Potentially contaminated land). It does include rezoning of land to C1Z that could potentially be contaminated, given the TRZ1 can be used for a range of uses including industry. The C1Z allows for sensitive uses. A preliminary site investigation of current and historical land uses of the TRZ1 land was undertaken with none found that may cause contamination.

Direction No. 11: Strategic Assessment of Amendments

The amendment complies with Ministerial Direction No. 11: (Strategic Assessment of Amendments) under section 12 of the PE Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

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

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of the clauses:

Clause 11.01-1S – Settlement

The amendment is consistent with the objective of this Clause "to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements" as well as implementing several strategies, by guiding the redevelopment of Swan Hill Riverfront Masterplan, including redevelopment of the former Grain Corp site.

Clause 11.01-1R – Settlement – Loddon Mallee North

The amendment accords with the Loddon Mallee Regional Growth Plan and the strategy to "plan for and facilitate growth of Swan Hill as a regional centre and important tourism destination" and provide

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for a new commercial precinct along the river front within this regional centre.

Clause 11.02-1S – Supply of urban land

The amendment is consistent with the objective “to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses” and implements the reuse of now underutilised land alongside the train line.

Clause 11.02-2S– Structure planning

The amendment supports the objective of this clause “to facilitate the orderly development of urban areas” by implementing the Swan Hill Riverfront Masterplan which will guide the orderly growth and development along the Murray River.

Clause 11.03-6S Regional and local places

This amendment will provide for the ‘needs of regional and local places in planning for future land use and development’ within the Swan Hill riverfront precinct.

Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs and Clause 12.03-1L – River corridors, waterways, lakes and wetlands

The amendment implements the objectives and strategies in these clauses by applying the Commercial 1 Zone and allow for appropriately designed development into the future to enhance the river corridor.

Clause 13.02-1S – Bushfire planning

The amendment meets the requirements for bushfire protection, minimisation and management as discussed earlier in the explanatory report under ‘Bushfire Risk’.

Clause 13.03-1S Floodplain Management

The amendment supports this clause as it is outside the Land Subject to Inundation Overlay area.

Clause 15.01-1S Urban design

Any future development on this site will be responsive to the riverfront masterplan suggested character ideas and building materials.

Clause 17.02-1S Business and Clause 17.02-1L Business

Any future development

Clause 17.04-1S Facilitating tourism, Clause 17.04-1R Tourism – Loddon Mallee North and Clause 17.04-1L Facilitating tourism

The amendment implements the objectives and strategies in these clauses by applying the Commercial 1 Zone and allow for appropriately designed development into the future to enhance the river corridor.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with the following clauses of the Municipal Planning Strategy and will assist in achieving objectives of the clauses as follows:

- The amendment implements the strategic directions for settlement (Clause 02.03) by promoting growth in Swan Hill and maintain its role as the regional service centre.
- The amendment implements the strategic directions for economic development by facilitating redevelopment of the Swan Hill river front to support tourism attractions along the Murray River. More

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specifically it will facilitate significant tourism opportunities with the redevelopment of the river front precinct.

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

The amendment uses the correct mapping formats as outlined by the Ministerial Direction on the Form and Content of Planning Schemes. The amendment will ensure that the Swan Hill Planning Scheme is of a high quality and contains only relevant and necessary planning tools.

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

Views of a number of agencies were sought prior to authorisation request from the CFA, Lower Murray Water Authority, North Central Catchment Management Authority, Freight Victoria, First Peoples – State Relations and the EPA.

Only the EPA, North Central Catchment Management Authority and Lower Murray Water provided a written response and advised they have no objection to the rezoning.

The views of relevant agencies will be sought formerly through the public exhibition phase of this planning scheme amendment.

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

This planning scheme amendment is not likely to have a significant impact on the transport system and is considered a correction to land that is no longer used for any transport uses.

Resource and administrative costs

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

It is not expected that the new planning provisions will have any significant impact on the resource and administrative costs of the responsible authority.

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ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed changes		
				Zone	Overlay	Deletion
Swan Hill	Land bounded by Monash Drive and the Swan Hill railway reserve	Swan Hill C79swan 40ZN Map 40	42 Monash Drive, Swan Hill	Rezone from TRZ1 to C1Z	N/A	N/A

OFFICIAL

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

AMENDMENT C79swan

INSTRUCTION SHEET

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

The Swan Hill Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one attached map sheet.

Zoning Maps

1. Amend Planning Scheme Map No. 40 in the manner shown on the one attached map marked "Swan Hill Planning Scheme, Amendment C79swan".

Attachment 3 – Location and Zoning Map



2.3 Planning Application - Murray Valley Highway Swan Hill - Use and Development of a Service Station

Directorate: Development and Planning
File Number: **PLN2022049**
Purpose: For Decision

EXECUTIVE SUMMARY

Application Number:	PLN2022049
Proposal:	USE AND DEVELOPMENT OF A SERVICE STATION, CREATION OF ACCESS TO A ROAD IN A TRANSPORT 2 ZONE AND INSTALLATION OF SIGNAGE IN THE COMMERCIAL 1 ZONE
Applicant's Name:	ROY COSTA PLANNING & DEVELOPMENT
Address:	Lot 1 on TP 850877X MURRAY VALLEY HIGHWAY SWAN HILL VIC 3585
Land Size:	1.91 HA
Current Use/Development:	VACANT LAND
Proposed Use/Development:	SERVICE STATION
Site Features:	Vacant land with native vegetation on the western boundary in the road reserve
Zoning:	COMMERCIAL 1 ZONE (C1Z)
Overlays:	SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)
Referral Authorities:	CFA, DTP, EPA, LMW, VICTRACK, DEECA
Why is a Permit Required?	34.01-1 - COMMERCIAL 1 ZONE - USE OF LAND 34.01-4 - COMMERCIAL 1 ZONE - BUILDINGS AND WORKS 52.29-2 - PARTICULAR PROVISIONS - LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK 52.05-2 - PARTICULAR PROVISIONS - SIGNS
Lodgement date:	31/05/2022

Declarations of Interest:

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

Recommendation/s**That Council:**

Issues a Notice of Decision to Refuse to Grant a Planning Permit for the Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage in the Commercial 1 Zone at Lot 1 on TP 850877X Murray Valley Highway Swan Hill for the following reasons:

- 1. The proposal is contrary to Clause 13 (Environmental Risks and Amenity) which seeks to avoid amenity impacts such as noise, lighting and otherwise to sensitive land uses and ensure appropriate location, separation and format of use and development to safeguard amenity and avoid off-site effects. The amenity of nearby sensitive land uses (dwellings) close to the site would be detrimentally impacted by traffic, noise, lighting, and hours of operation and otherwise.**
- 2. The proposal fails to provide safe and efficient circulation of vehicles and pedestrians on the site.**
- 3. The proposal fails to provide a net community benefit.**
- 4. The proposal is contrary to the sound and proper planning of the locality.**

Summary

The purpose of this report is to provide Council with an analysis of an application to use and develop the subject land for the purposes of a service station, convenience shop and convenience restaurant.

The subject site is located on the eastern side of the Murray Valley Highway, to the south of land occupied by Swan Hill Trailers.

The application was advertised and attracted 30 objections, with the majority of objectors being residents of the River Oaks estate, which lies to the east of the subject site.

The assessment of the proposal against planning scheme provisions has resulted in Officer's concluding that negative aspects of the application cumulatively weigh against the issue of a Notice of a Decision to Grant a Planning Permit being forthcoming – the application is recommended for refusal.

Overview of the Application

The application proposes the development of the currently vacant site for a service station, with a convenience restaurant and convenience store. The operation was originally proposed to operate 24 hours a day, seven (7) days per week however this was subsequently amended by the applicants to 6:00am – 11:00pm, seven days a week.

The station is proposed to provide 3 dual sided bowsers, with an additional 2 bowsers for heavy vehicles.

A convenience restaurant is provided alongside the convenience shop within the built form component. No details were provided within the application documents of an intended tenant for this food offering, however there is a dedicated kitchen component allowed for in the floorplan, indicating food will be prepared on site, as opposed to food prepared and packaged off site and being offered for sale.

Ingress and egress will be directly from the Murray Valley Highway.

A total of 15 light vehicle car parking bays are indicated, with an additional three (3) heavy vehicle parking bays to the south of the site. No provision has been made passenger vehicles with trailers or caravans.

Landscaping has been included around the periphery of the site, and a 1.8m Colourbond fence is proposed around the northern, eastern and southern boundaries

It has been suggested that between 10 – 15 staff will be employed.

The operation is not aligned with any of the major fuel companies as yet, indicating this may be a speculative application.

Subject site and locality

The subject site is located on the southernmost point of the commercial area on the eastern side of the Murray Valley Highway and comprises a triangularly shaped parcel of land which has an area of 1.91 hectares.

The site has frontage to the highway to the west and is bounded on its eastern side by the Swan Hill – Bendigo rail line, which is in a Transport zone 1 (TRZ1). The residential land to the east of the rail line is contained in the General Residential (GRZ) and Low Density Residential (LDRZ) zones.

The Murray Valley Highway is in a Transport zone 1 (TRZ1).



Subject site location

Why is a Planning Permit required and what needs to be considered?

Applicable planning controls

The subject site is located within a Commercial 1 zone (CZ1), as is land to the north.

The purpose of the CZ1 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

The use of land in the CZ1 for the purposes of a service station is a section 2 (permit required) use. The development of land in the C1Z for a section 2 use requires planning approval. Separate approval is required for the creation of new vehicular access points to land in the TRZ1.

Procedural Requirements

Consultation and engagement

As mentioned above, public notification of the application attracted 30 objections. The grounds of objection can be summarised as follows:

- Noise
- Light spill
- Proximity to dwellings
- Fumes/odour
- Traffic issues
- Visual impacts
- Impact on native flora and fauna, including native vegetation removal
- Health impacts
- Property devaluation
- Soil and groundwater contamination

Referral of the application

Statutory Requirements

The application has been referred to the following agencies:

- Department of Transport and Planning (DTP)
- Department of Energy, Environment and Climate Action (DEECA)
- Environment Protection Authority (EPA)
- Lower Murray Water
- Victrack

No objections have been raised by these authorities.

Issues and Discussion

The application, despite a number of amendments, presents areas of incompatibility with planning considerations regarding planning policy, amenity, on site circulation and parking adequacy.

In isolation, conditions could have been included that may address some of these concerns, but others are unable to be resolved to a level that would result in a responsible land use outcome. The cumulative impact however of the concerns however have resulted in a proposal that is unacceptable in planning terms.

No defined end user

The proposal under consideration comprises three elements, namely a fuel station, a convenience store and a convenience restaurant. Unlike the majority of planning permit applications for commercial developments, there have been no end users

identified for each component, which makes a fulsome assessment of the proposal difficult.

A potential outcome for the site could be the three components being operated by three separate businesses.

To explain, if, for example, the fuel station and convenience store were to be operated under a 7 11 franchise, the models for this operation would have been articulated in the application and there would be greater awareness of branding (signage), product offer, staffing numbers and the like. None of this detail has been able to be provided because it is a speculative application, and the lack of detail into critical operational considerations has raised more questions that are unable to be answered. The impact of signage cannot be considered if it is unknown what the signage will look like, for example.

Another outcome could be one component being operated by a company that would generate visits by customers not attending the site to refuel, say if the convenience restaurant component was to be occupied by a popular provider like Hungry Jacks. This in turn affects visitor numbers and parking requirements.

Parking and on site vehicle circulation

There has been provision made for 15 car spaces – nine fronting the bowers and six to be the rear of the retail structure. The planning scheme requirement for a convenience shop is 10 car spaces, and parking for a convenience restaurant and service station is to be to the satisfaction of the responsible authority.

Given there is only space for a maximum of six vehicles at the three bowers, it is reasonable to suggest that if a motorist wanted to use the ablution facilities or purchase food, that they would move forward to the parking bays prior to paying for their fuel and purchasing food, for example. This would mean at least six of the nine car spaces would be occupied. It could well be that there have been people visiting the site that only want products from the convenience restaurant or shop, who will use these nine spaces. A shortfall may occur as a result.

Staff may be directed to use the rear spaces, which are considerably less visible and convenient for the shop or restaurant patrons.

If the nine car spaces to the front of the building are occupied, motorists may have to leave their vehicles at the bowers while paying for fuel, ordering a meal or using the bathrooms. This would have the flow on impact of having vehicles queuing to use the bowers. However, the site layout means that queuing vehicles will block the entrance way, which may leave vehicles waiting on the Murray Valley Highway.

The parking situation is further worsened by the failure to provide car and trailer/caravan spaces on the site. Whilst this could be required by a permit condition,

the tight layout of the site effectively prevents this occurring because there is insufficient space to provide for safe and efficient parking for these motorists.

Caravans may be parked to the rear (eastern) boundary, which would then block off an area that has been nominated on the submitted plans as a truck passing route.

The cumulative impact of the parking and circulation shortfalls means that an unsafe and inefficient outcome would occur.

Amenity

This proposal has attracted 30 objections – a very significant number for a proposal within the municipality. The objections all refer to off-site amenity impacts that could be generated by the proposal, particularly for residents to the east of the site, some within 40 metres of the proposed service station.

As there has been no acoustic reports, lighting plans or odour assessments submitted, it is difficult to fully assess what off site amenity impacts could occur. Further, there has been scant provision of mitigation measures such as fencing – the only reference is the provision of a non-noise rated Colorbond fence having a height of 1.8m and some narrow areas of landscaping around the edges of the site. One concession made by the applicants in response to the objections was to reduce the hours of operation from 24 hours to 6:00am to 11:00pm.

The site layout further impacts residents to the east. The truck refuelling bowsers are located to the eastern boundary of the site, under a 6.2 metre high canopy that has undercroft lighting. This will create prominent levels of light spill to nearby residents.

The three truck parking bays could be occupied overnight by vehicles that have refrigeration engines running, with no acoustic fencing this will create a noise level that could be invasive to residents and has not been attempted to be mitigated by measures to reduce the impacts.

Turning to the visual impact of the site, it is regarded that the design of the buildings are utilitarian in appearance and have made no attempt to provide a design response that is appropriate for this gateway location.

No detail has been provided of the signage content that would enable an assessment of the impacts of the proposed signage panels on both the proposed eight metre high business identification/price board sign and other signage including canopy fascia signage.

It is accepted that the site is within a Commercial 1 zone and as such a range of retail businesses could be located on this site. However, such uses do not typically operate for extended hours and have components of the operation that extend beyond standard business operating hours, like truck parking.

This is discussed further in the following section.

Compliance with policy provisions

Clause 13.05 of the planning scheme concerns state planning policy regarding noise management. The clause reads as follows:

13.05-1S
10/06/2022
VC216

Noise management

Objective

To assist the management of noise effects on sensitive land uses.

Strategy

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.

No acoustic report was submitted with the application, and the plans that accompany the application show only a 1.8m high Colorbond fence with no noise mitigating properties. Accordingly, no attempt has been made to quantify the noise impacts and then mitigate those impacts – the policy has not been met.

Clause 13.07 of the planning scheme contains state planning policy regarding amenity, human health and safety. This clause reads as follows:

13.07-15

03/03/2023
VC295**Land use compatibility****Objective**

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication T518, Environment Protection Authority, March 2013).

The proposal represents the incursion of a use and development that will create negative off-site impacts into an existing residential area. No attempt has been made to avoid or minimise these negative impacts, and therefore the policy cannot be met.

Net community benefit

Clause 71.02 of the Swan Hill Planning Scheme prescribes the operation of the Planning Policy Framework. The purpose of the framework is set out as follows:

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Clause 71.02-3 articulates how planning decisions must be made to achieve net community benefit. This clause is shown below:

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

This report has detailed the failings of the proposal as it stands regarding off-site amenity impacts, car parking inadequacy, on-site vehicle circulation and end user information. The cumulative impact of these adverse components means the proposal fails to deliver net community benefit and cannot meet the planning objectives.

Conclusion

The proposal has been demonstrated in the analysis of this report to fail to deliver an acceptable planning outcome and accordingly it is recommended that the application be refused.

Financial Implications:

Nil

Social Implications:

Amenity impacts for nearby residents

Economic Implications:

Nil

Environmental Implications:

Noise and light spill for adjoining neighbours

Risk Management Implications:

Nil

Options:

OPTION 1

That Council issues a Notice of Decision to Refuse to Grant a Planning Permit for the Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage in the Commercial 1 Zone at Murray Valley Highway Swan Hill for the following reasons:

1. The proposal is contrary to Clause 13 (Environmental Risks and Amenity) which seeks to avoid amenity impacts such as noise, lighting and otherwise to sensitive land uses and ensure appropriate location, separation and format of use and development to safeguard amenity and avoid off-site effects. The amenity of nearby sensitive land uses (dwellings) close to the site would be detrimentally impacted by traffic, noise, lighting, and hours of operation and otherwise.
2. The proposal fails to provide safe and efficient circulation of vehicles and pedestrians on the site.
3. The proposal fails to provide a net community benefit.
4. The proposal is contrary to the sound and proper planning of the locality.

OPTION 2

That Council issues a Notice of Decision to Grant a Planning Permit for the Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage in the Commercial 1 Zone at Murray Valley Highway Swan Hill subject to attached planning conditions.

- Attachments:**
1. Applicant - Submission [2.3.1 - 6 pages]
 2. Applicant RFI - Submission [2.3.2 - 1 page]
 3. Plans with amended site landscape swept path [2.3.3 - 9 pages]
 4. Vegetation Report [2.3.4 - 47 pages]
 5. Stormwater Plan [2.3.5 - 1 page]
 6. Traffic Report [2.3.6 - 28 pages]
 7. Combined Objections - Redacted [2.3.7 - 50 pages]
 8. Proposed - Conditions [2.3.8 - 15 pages]

CM 2023/112 Motion

MOVED Cr McPhee

That Council:

Issues a Notice of Decision to Refuse to Grant a Planning Permit for the Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage in the Commercial 1 Zone at Lot 1 on TP 850877X Murray Valley Highway Swan Hill for the following reasons:

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SECONDED Cr Young

The Motion was put and CARRIED 5 / 0



ROY COSTA PLANNING & DEVELOPMENT

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

Our Ref: 21-147
Your Ref:

30 May 2022

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

Dear Tamara,

**PLANNING APPLICATION
USE & DEVELOPMENT OF A SERVICE STATION
LOT 1 TP 850877X MURRAY VALLEY HIGHWAY SWAN HILL**

This submission has been prepared on behalf of our clients, being the owners of the subject land situated at Lot 1 TP 850877X Murray Valley Highway, Swan Hill.

The application is seeking a planning permit for the use and development of a service station upon the subject land.

SUBJECT SITE & SURROUNDS

The subject site is located on the eastern side the Murray Valley Highway on the southern side of the Swan Hill Township.

The site has a frontage to the Murray Valley Highway of 632.06 metres, with the overall site being 1.911ha in area.

The subject land is vacant.

To the north of the site and west of the site (on opposite side of the highway) exists commercial development, with the land zoned Commercial 1 Zone.

To the east of the site is the existing railway line with residential housing on the other side of the railway line.

The railway line is zoned Transport Zone 1 (TRZ1), with the Murray Valley Highway zoned Transport Zone 2 (TRZ2).

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)
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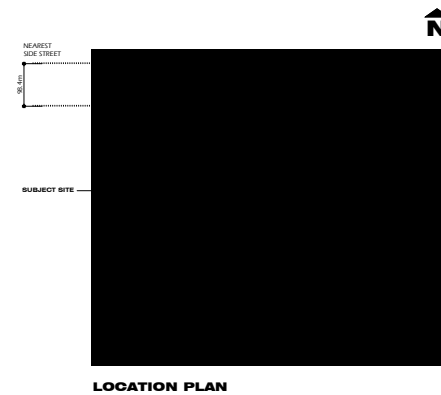
PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)
Rokar Pty. Ltd. ACN 087 497 685 Trading As Roy Costa Planning & Development



Cover & Drawing Schedule

Drawing Schedule

Dwg Number	Dwg Name
A01	Cover & Drawing Schedule, Location Plan
A02	Existing Conditions Plan & Planning Overlays
A03	Site Plan
A04	Site Enlargement Plan
A05	Landscape Plan
A06	Swept Turning Circle Paths
A07	Floor Plan
A08	Elevations
A09	Colour / Material Schedule, Pylon Sign Elevation



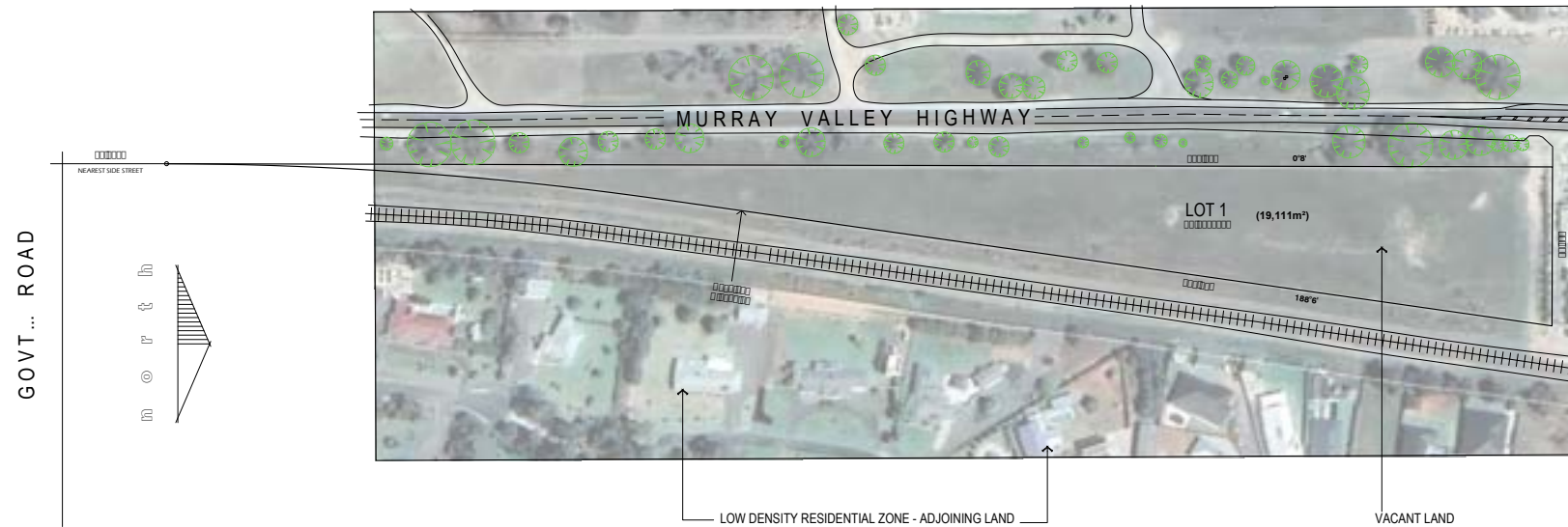
PROPOSED SERVICE STATION

RCPD

A01

LOT 1 TP 850877X MURRAY VALLEY HIGHWAY, SWAN HILL - VICTORIA 3585





EXISTING CONDITIONS PLAN

SCALE 1:1000



ZONING - COMMERCIAL 1

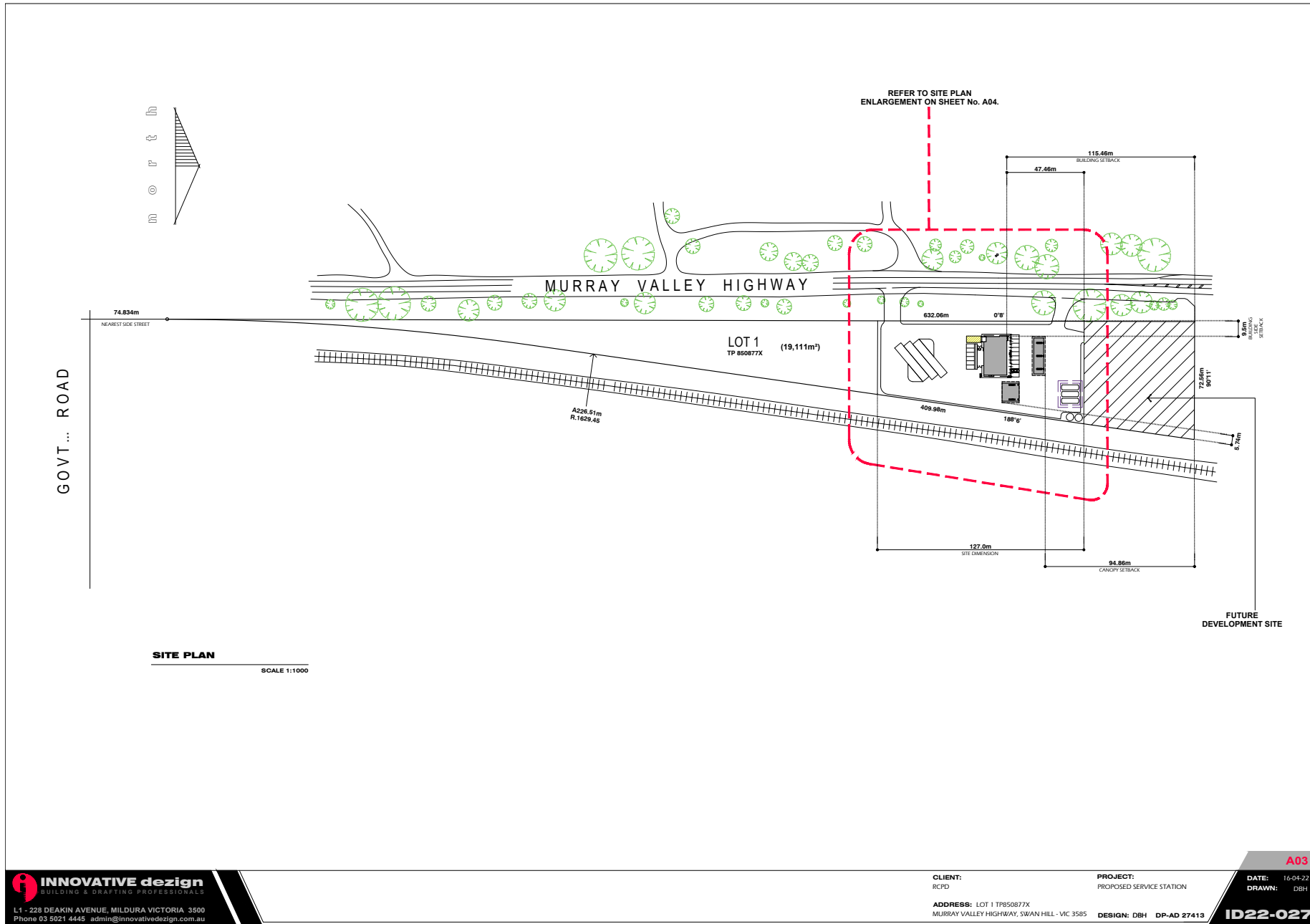


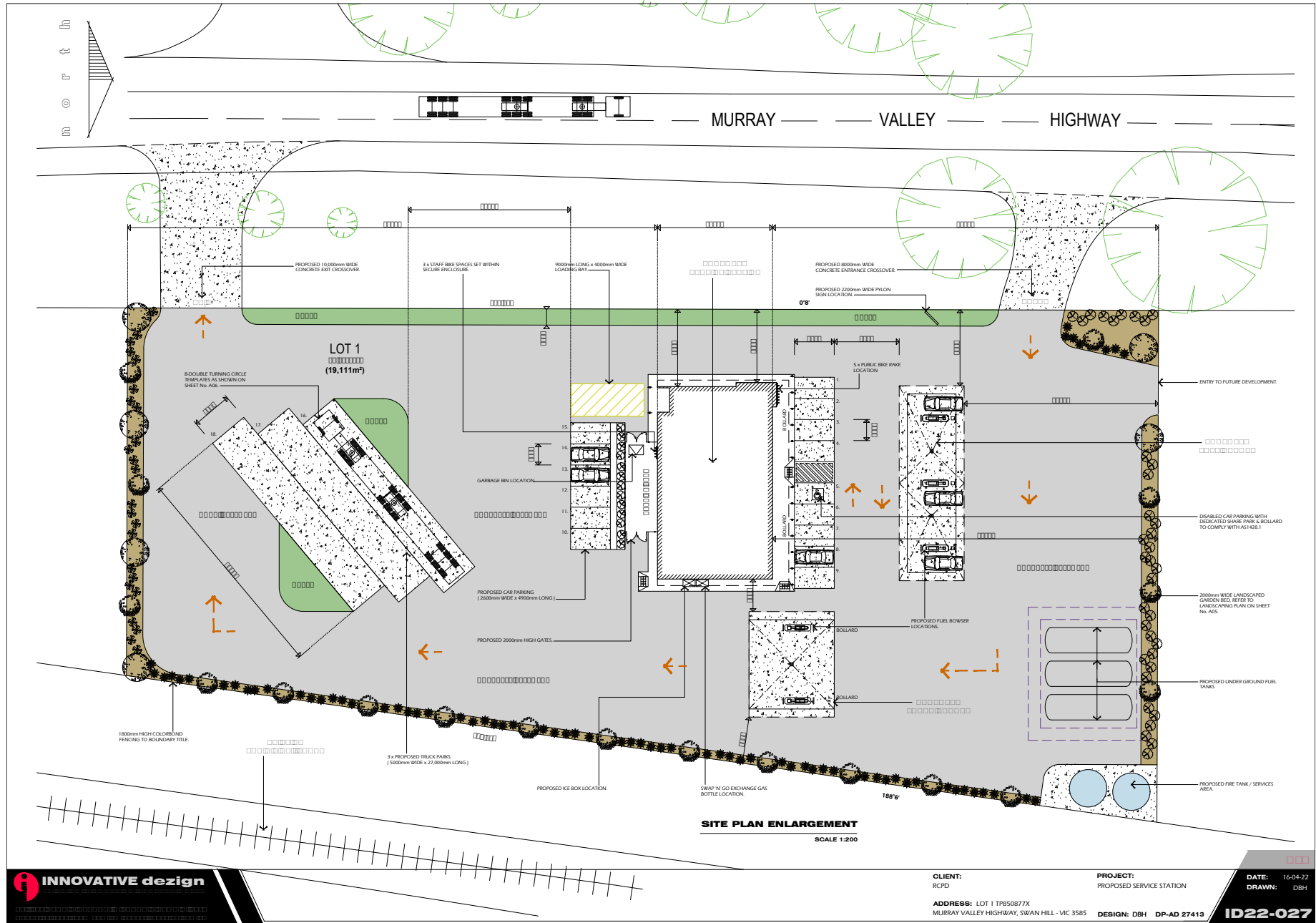
SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



NO OVERLAYS EXIST

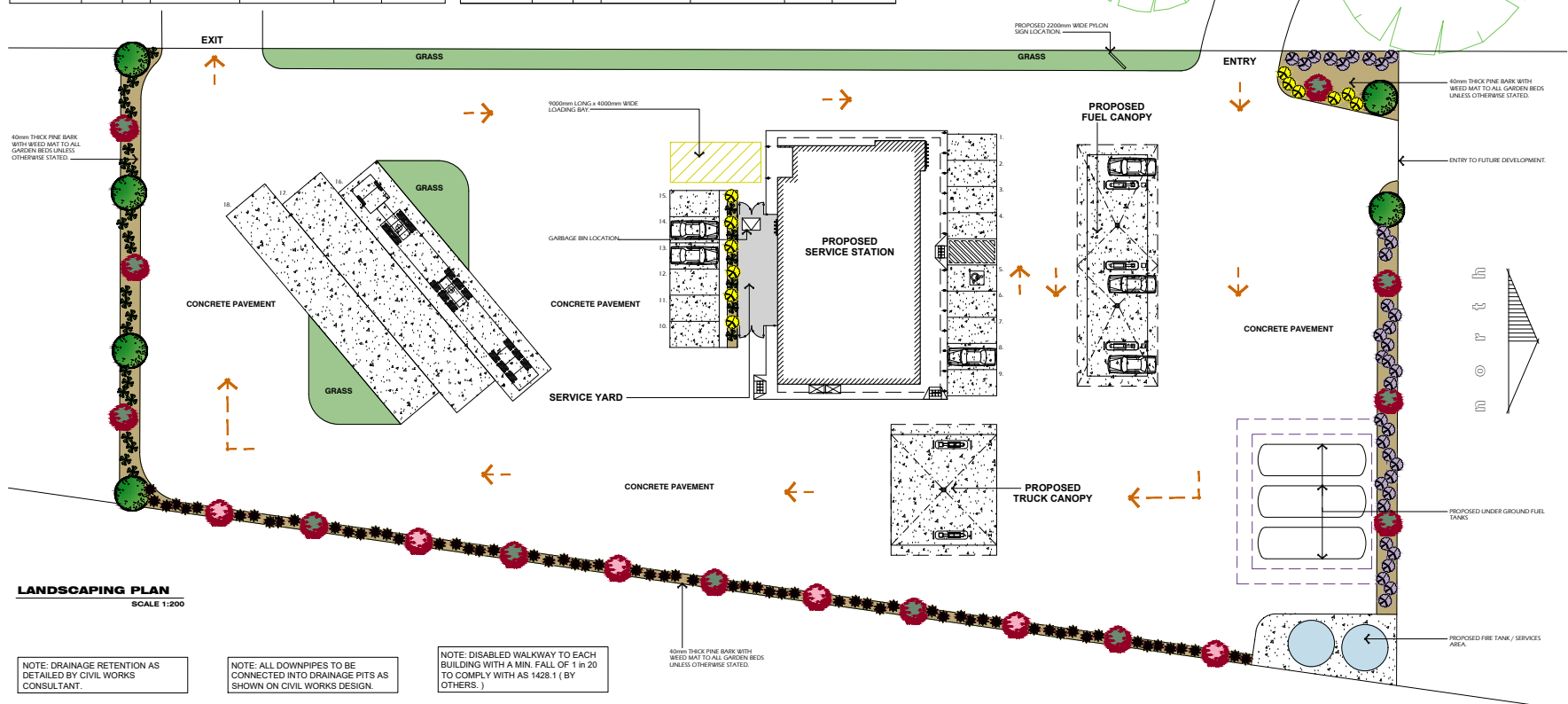
PLANNING OVERLAYS





LANDSCAPE SCHEDULE

IMAGE	SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE SIZE	IMAGE	SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE SIZE
		(6)	FRAXINUS GRIFITHII	EVERGREEN ASH	250mm	8.0m			(12)	COLEONEMA PULCHRUM AUREA	GOLDEN DIOSMA	130mm	2.0m
		(6)	FRAXINUS RAYWOOD	CLARET ASH	250mm	20.0m			(54)	ACACIA FIMBRIATA DWARF CRIMSON BLUSH	CRIMSON BLUSH WATTLE	130mm	1.5m
		(12)	LAGERSTROEMIA INDICA	CREPE MYRTLE	200mm	6.0-8.0m			(30)	LOMANDRA LONGIFOLIA	LONG LEAVED MAT-RUSH	130mm	1.0m
		(36)	LAVANDULA INDICA	LAVENDER	130mm	0.8m				SIR WALTER BUFFALO	GRASS	N/A	N/A



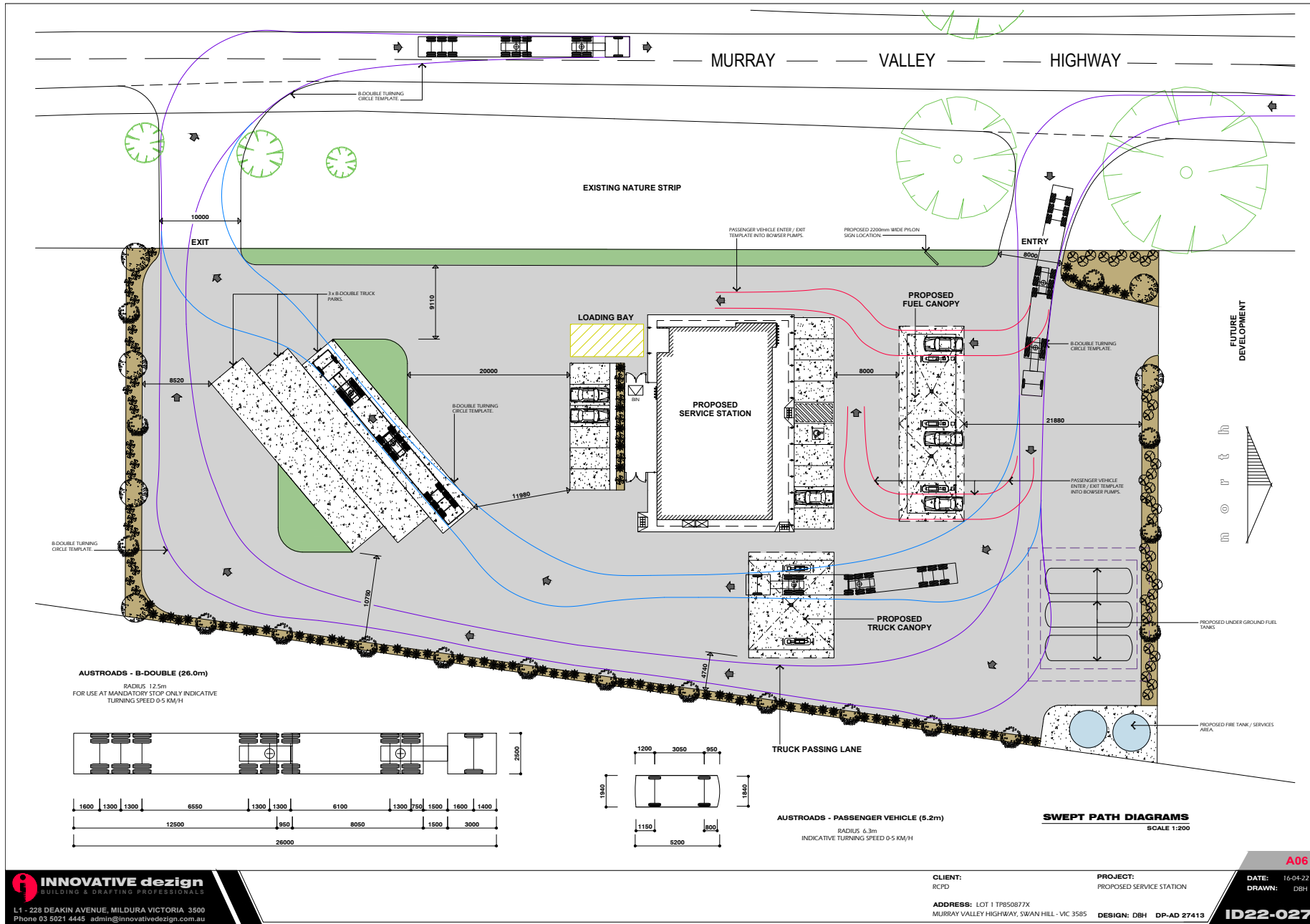
LANDSCAPING PLAN
SCALE 1:200

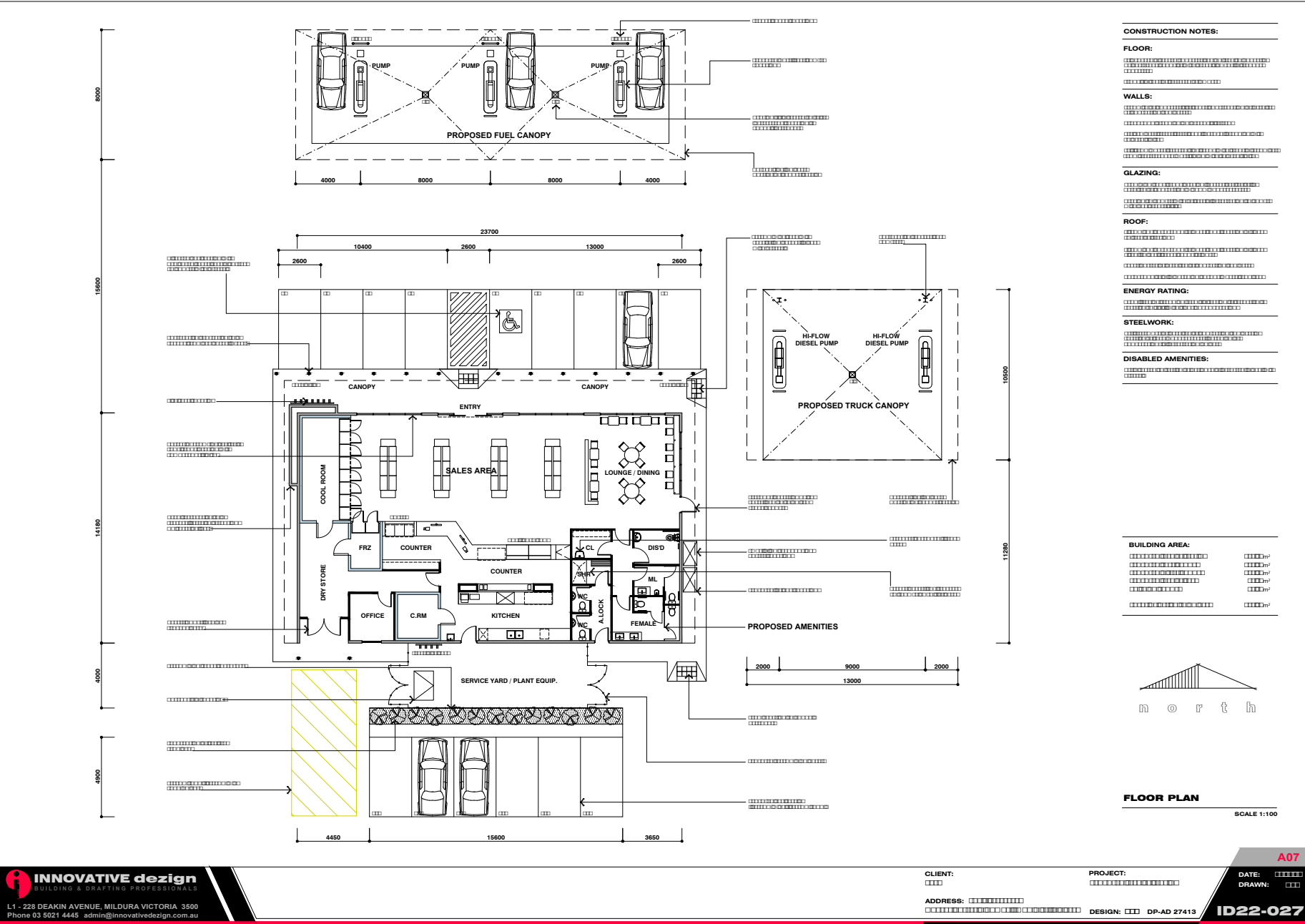
NOTE: DRAINAGE RETENTION AS
DETAILED BY CIVIL WORKS
CONSULTANT.

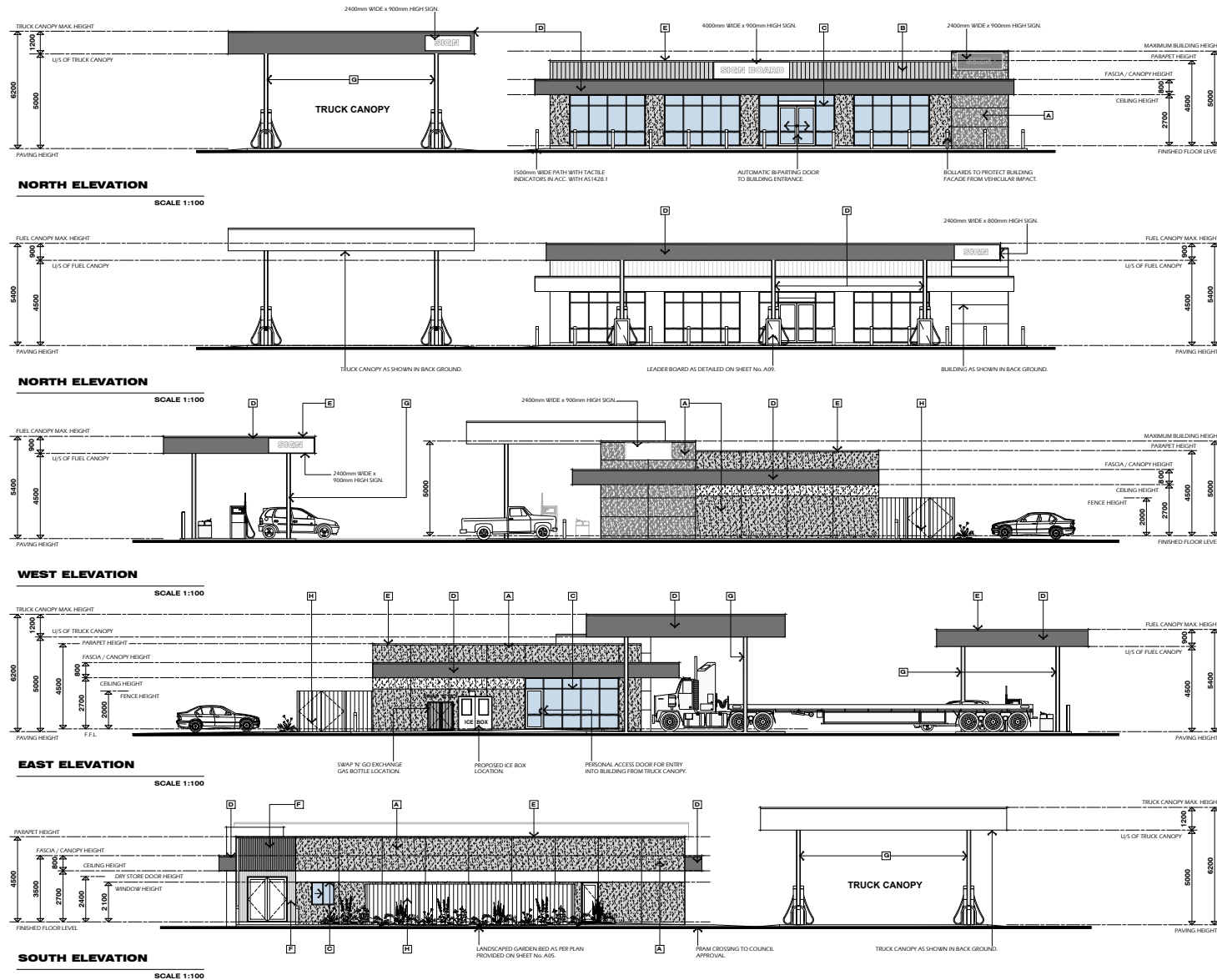
NOTE: ALL DOWNPIPES TO BE
CONNECTED INTO DRAINAGE PITS AS
SHOWN ON CIVIL WORKS DESIGN.

NOTE: DISABLED WALKWAY TO EACH
BUILDING WITH A MIN. FALL OF 1 IN 20
TO COMPLY WITH AS 1428.1 (BY
OTHERS)

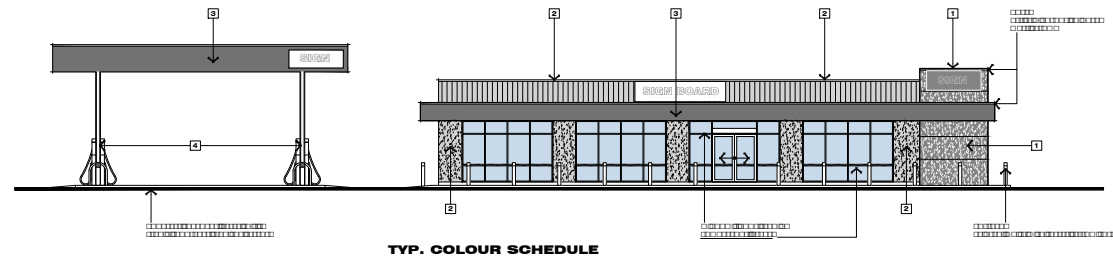
40mm THICK PINE BARK WITH
WEED MAT TO ALL GARDEN BEDS
UNLESS OTHERWISE STATED.











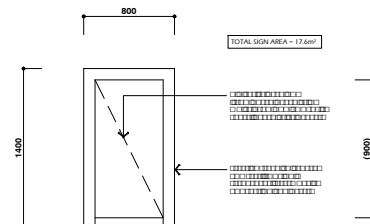




MATERIAL SCHEDULE	
A	150mm THICK REINFORCED CONCRETE TILT PANEL WITH PAINTED FINISH.
B	CERAMIC TILE STREET STYLE EDGE COLORED CLADDING WITH PAINTED FINISH.
C	ALUMINUM CAPRAL NARROWLINE 400 SERIES SHOP FRONT GLAZING WITH POWDERCOAT FINISH.
D	ALUCOBOND CLADDING ON ALUCOW SYSTEM TO TRUCK FUEL & BUILDING CANOPIES.
E	0.42mm BMF COLOREBOND TRIMMER ROOF SHEETING @ 2 DEGREE PITCH.
F	0.42mm BMF COLOREBOND WALL SHEETING FIXED DIRECTLY TO WALL SUBSTRATE.
G	STRUCTURAL STEELWORK WITH ENAMEL PAINTED FINISH TO ALL EXPOSED AREAS AS DETAILED BY CONSULTING ENGINEER.
H	2000mm HIGH COLOREBOND FENCING INSTALLED TO MANUF. SPECIFICATION.

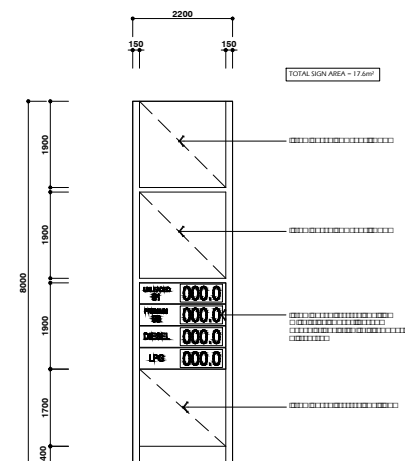


No.	COLOUR SCHEDULE
1.	 
2.	 
3.	 
4.	 



LEADER BOARD - ELEVATION

SCALE 1:20



PYLON SIGN - ELEVATION

SCALE 1:50



**VEGETATION ASSESSMENT AND NET LOSS REPORTING –
5630 MURRAY VALLEY HIGHWAY SWAN HILL**



**Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway
Swan Hill**

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Version 2, 16th April 2021

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Cover Photo: Looking north along the road reserve from the southern end of the proposed development.

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1. INTRODUCTION

Gold Label (2011) Pty. Ltd. are the landholders of 5630 Murray Valley Highway Swan Hill and are proposing a commercial development on the property.

The proposal has two access points off the highway and road widening/construction required to meet minimum VicRoads safety standards, which will likely result in some vegetation removal on the eastern road reserve of the Murray Valley Highway (Ben Mobilio pers. Comm. 2021).

In February 2021, Hamilton Environmental Services (HES) was engaged to undertake a vegetation assessment of the proposed vegetation loss.

Dr. Steve Hamilton undertook a field evaluation of the proposed works area on the 12th March 2021, and this report presents the findings from these investigations.

2. BACKGROUND

2.1 Site Location, Description and History

The proposed works area is found 2.3 km south of the township of Swan Hill on the eastern road reserve of the Murray Valley Highway south of Pental Island Road (Vicroads 586 J9; Fig. 2-1).



Figure 2-1 Aerial image of the location of the assessed area shown bounded by a solid red line and highlighted by an arrow (Image from Google Earth 2021).

The eastern road reserve, adjacent with the triangular freehold parcel of 5630 Murray Valley Highway Swan Hill, was fully assessed – this is an area of 1.12 ha with a length of 570 m length and 20 m width (see Fig. 2-2).

This assessed area is a mixture of patches of the indigenous tree Black Box (*Eucalyptus largiflorens*) in the north and south of the assessed area, one individual indigenous Buloke tree (*Allocasuarina*

luehmannii), and scattered individuals and small patches of the indigenous shrub Weeping Pittosporum (*Pittosporum angustifolium*), and planted/naturalised exotic trees and shrubs, and planted non-indigenous native trees and shrubs.

The site has clearly been impacted by a range of disturbances, such as road and table drain construction, slashing, weed control, vehicle compaction and rubbish dumping, and while the ground layer is seasonally dominated by a range of opportunistic annual introduced species, notwithstanding the disturbance there is a uniform and significant indigenous ground layer across the whole assessed area, such that most of the assessed area is a native vegetation *Patch* based on the perennial indigenous understorey cover, whether there are indigenous trees and shrubs present or otherwise. This indigenous understorey is noticeably more diverse under the two Black Box patches with the presence of a range of indigenous shrubs.

The road reserve, or at least the table drain and its immediate environs, clearly supports surface water for much of the winter/spring, based on the presence of some indigenous species that are notably only present with seasonal inundation.

The Functional Plan for the proposed development is shown in Fig. 2-3.

Planning Approval for a service road and subdivision on the freehold land has previously been granted by Swan Hill Rural City Council (Ben Mobilio pers. comm. 2021).

On this basis as previously indicated, the focus of this report is the impact of the development on the native vegetation on the eastern road reserve of the Murray Valley Highway with the construction of two access points off the highway and road widening/construction required to meet minimum design standards (Ben Mobilio pers. comm. 2021).

To this end, both Figures 2-2 and 2-4 show that while the entire frontage of the road reserve was assessed, the likely development footprint on the eastern road reserve of 0.170 ha (1,700 m²) is confined to the northern half of the eastern road reserve of the Murray Valley Highway adjacent to the freehold property.

2.2 Bioregion and Ecological Vegetation Class

The assessed sections of proposed works are wholly within the Murray Fans Bioregion (Department of Environment, Land, Water and Planning [DELWP] 2021a).

In Victoria, DELWP have developed an on-line mapping layer that categorises pre-1750 and 2005 natural vegetation communities into Ecological Vegetation Classes (EVCs), and have developed EVC Benchmark Statements for each of these EVCs that represent the best known example of this EVC.

Pre-1750 Ecological Vegetation Class (EVC) mapping suggests that prior to European settlement, the vegetation of the of the proposed road works area would have been wholly Riverine Chenopod Woodland EVC (EVC 824; Bioregional Conservation Status [BCS] Endangered)(DELWP 2021a and 2021b).

Ground-truthing of the remnant vegetation on-site, and the landscape position of the site, indicates that the EVC was likely to be as mapped, and the mapping has therefore been assumed to be accurate.

The EVC Benchmark Statement for this EVC can be found in Appendix B.

2.3 Land Tenure and Planning Scheme

The assessed section of the Murray Valley Highway is wholly *Road Zone – Category 1* with no overlays (DELWP 2021d).

The adjacent freehold property is Lot 1 TP850877 (Council Property Number 7260) within the Parish of Castle Donnington, Swan Hill Rural City, with no overlays (DELWP 2021d).

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill



Figure 2-2 Aerial imagery of the location of the assessed area and the likely development footprint on the freehold property and the eastern road reserve (Image from ESRI Australia 2021).

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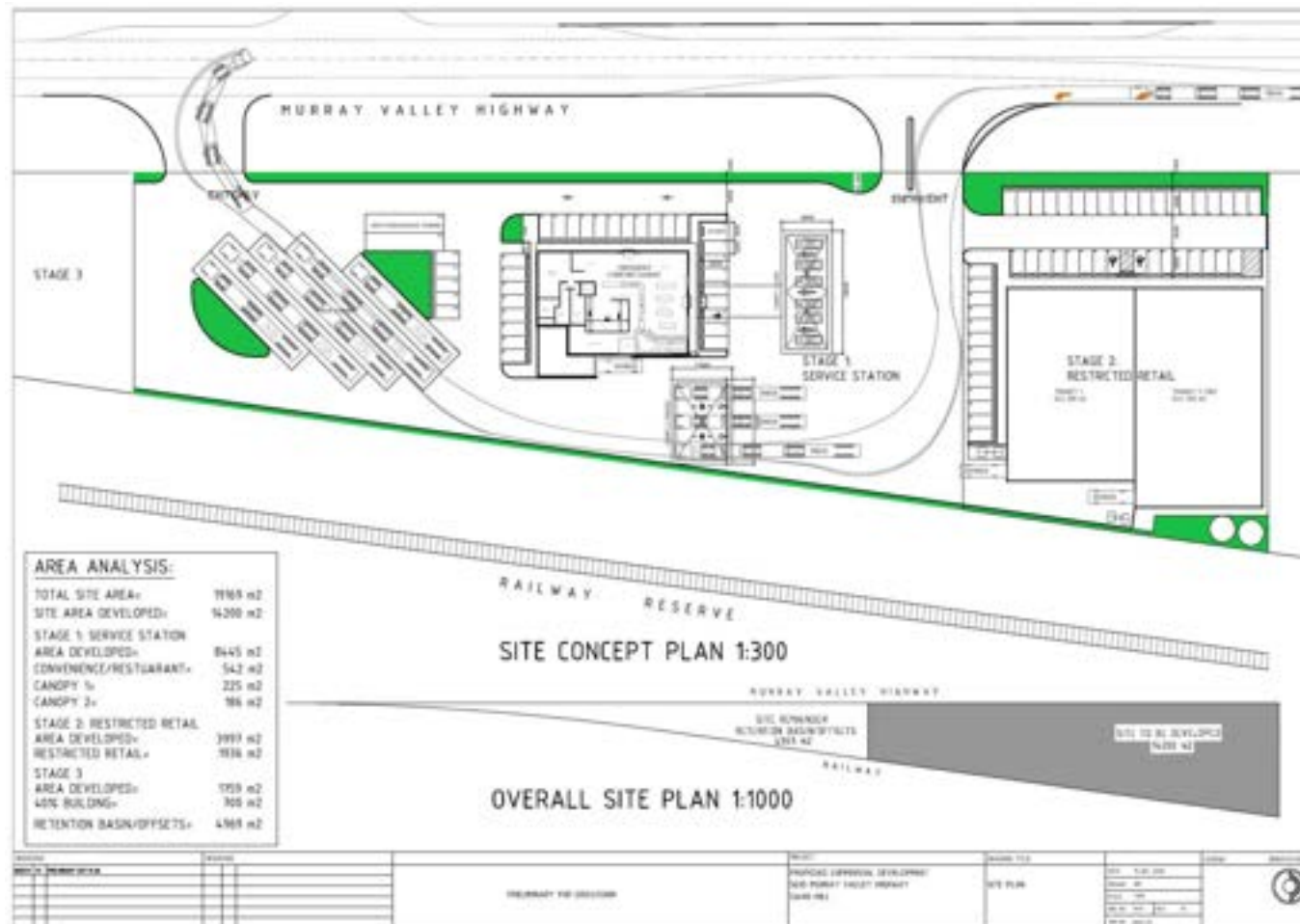


Figure 2-3 Functional Plan for the proposed commercial development on the Murray Valley Highway (Ben Mobilio pers. comm. dated 15th December 2020).

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill



Figure 2-2 Close-up aerial imagery of the likely development footprint on the freehold property and the eastern road reserve (Image from ESRI Australia 2021).

3. METHOD

3.1 Desktop Review

The following desktop information was gathered:

- Aerial imagery;
- Planning information;
- Both pre-1750 and current EVC mapping;
- Relevant EVC benchmark documents;
- Threatened species sightings within a 10 km radius of the site using the Victorian Biodiversity Atlas, NatureKit and the EPBC Act Matters of National Environmental Significance search tool.

Following assessments, derived Vegetation lists were checked against reference lists of rare and threatened species in Victoria (Department of Sustainability and Environment [DSE] 2009 and 2013, and Department of Environment and Primary Industries [DEPI] 2014).

3.2 Site Assessment

Dr. Steve Hamilton assessed the proposed works area on the 12th March 2021.

Air temperatures were between 30 and 32°C on the day of assessment; the sky was clear, and winds were calm (Bureau of Meteorology 2021).

Vegetation across the assessed road reserve was evaluated over a total period of 1 hour, with the following assessments undertaken:

- Compilation of a detailed flora species list, including the attribution of cover/abundance to each species;
- The individual recording of any significant trees (i.e. > 3 m in height) across the site, including their geo-location by GPS, diameter at breast height (dbh), their health, and presence of hollows;
- A *Patch* of native vegetation is either: an area of vegetation where at least 25 % of the total perennial understorey plant cover is native, or any area with three or more native canopy trees where the drip line of each tree touches the drip line of at least one other tree, forming a continuous canopy, or any mapped wetland included in the current wetlands map, available in DELWP systems and tools and these areas were mapped (DELWP 2017), and these areas were mapped;
- A *Scattered Tree* is a native canopy tree that does not form part of a *Patch*, e.g. is > 3 m in height within an area where overall canopy cover for a group of < 3 trees is less than 20 % (DELWP 2017);
- A Vegetation Quality Assessment (DSE 2004) was completed if any *Patches* were defined in order to determine the potential Net Loss under the *2017 Native Vegetation Removal Guidelines*;
- Recording and location of any specific instances related to land management, such as noxious weed or pest animal infestations, etc.;
- Digital images across the sites taken from geo-located points.

One hundred and five (105) images were taken during the assessments.

3.3 Taxonomy

Specimens were identified using the *Flora of Victoria* (Walsh and Entwisle 1994, 1996 and 1999), and *Flora of Victoria* On-line (Royal Botanic Gardens Victoria 2021).

4. FIELD ASSESSMENT

4.1 Vegetation

The inventory of species noted across the assessed section of the eastern road reserve of the Murray Valley Highway is recorded in Appendix A.

A total of 47 vascular plant species were recorded across the assessed site; 14 of these species were introduced (including 10 that are planted) and 24 indigenous (one planted).

Buloke and Pink Bindweed were present on the assessed site, and both are categorised as *Endangered* in Victoria (DEPI 2014).

Victorian Biodiversity Atlas, NatureKit and Matters of National Environmental Significance searches revealed that there were records of thirty two (32) threatened flora recorded or likely to occur within a 10 km radius of the proposed clearance area; likelihood analysis based on the extent of site disturbance and modification, and available habitat of the assessed area indicates that none of these species are likely to be found on-site (DELWP 2019c, Department of Agriculture, Water and Environment [DAWE] 2021; Appendix D). It is highly unlikely that any of these species would be found or would recruit into the site given: (a), its relative disconnectedness in the landscape, (b), several of these species would never been found in this EVC and habitat, (c), the extent of disturbance across the site, and (d), the length of time since the species was last recorded (Appendix D).

Matters of National Environmental Significance searching also identified that the nationally endangered *Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions*, *Weeping Myall Woodlands* and the *Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia* communities, and the critically endangered *Natural Grasslands of the Murray Valley Plains* community could occur within a 10 km radius of the sites (DAWE 2021). The assessed site is clearly a former and modified Black Box woodland and is not one of these threatened communities.

As indicated previously, the assessed area is a mixture of patches of the indigenous tree Black Box in the north and south of the assessed area, one individual indigenous Buloke tree, and scattered individuals and small patches of the indigenous shrub Weeping Pittosporum (there are two dense patches of the shrub – dense probably from suckering – found in the north of the assessed site), and planted/naturalised exotic trees and shrubs, and planted indigenous and non-indigenous native trees and shrubs, such as Desert Ash, European Olive, River She-oak, Swamp Mallet, Prickly-leaved Paperbark, Bracelet Honey-myrtle, Yellow Gum, Salmon Gum, Kurrajong, Hakea Wattle and Silver Gimlet (Appendix A).

The site has clearly been impacted by a range of disturbances, such as road and table drain construction, slashing, weed control, vehicle compaction and rubbish dumping, and while the ground layer is seasonally dominated by a range of opportunistic annual introduced species such as Sweet Vernal Grass, Wild Oat, Common Heliotrope, Treasure Flower, Water Couch, Barley Grass, Prickly Lettuce, Plantain, Wild Sage, London Rocket and Milk Thistle (75 % projective foliage cover counting cured annual plant material), notwithstanding the disturbance, there is a uniform and significant indigenous ground layer across the whole assessed area comprising species such as Ruby Saltbush, Variable Sida, Fuzzweed, Sago Bush, Short-leaf Bluebush, Cotton Fireweed, Pink Bindweed, Rough Spear-grass, Balcarra Grass, Curly Windmill Grass, Rigid Panic and Brown-backed Wallaby-grass (25 % projective foliage cover; Appendix A), such that most of the assessed area is a native vegetation *Patch* based on the perennial indigenous understorey cover, whether there are indigenous trees and shrubs present or otherwise.

This indigenous understorey is noticeably more diverse under the two Black Box patches with the additional presence of a range of indigenous shrubs and forbs, such as Creeping Saltbush, Chocolate Lily, Frosted Goosefoot, Climbing Saltbush, Pointed Twin-leaf and Quena (up to 40 % projective

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foliage cover; Appendix A).

The introduced perennial species Horehound and African Boxthorn are also found in patches under planted or remnant tree cover (Appendix A).



Plate 4-1 Views of the northern and central section of the assessed road reserve vegetation: Trees 36, 37 and 38 (and two dense patches of Weeping Pittosporum from the freehold block (top left), Trees 28, 39 and 40 from the freehold block (top right), Trees 40 and 18 from the Highway (middle left), Trees 41 and 42 from the Highway (middle right), Trees 9 and 10 from the Highway (bottom left), and Trees 6 and 19 from the Highway (bottom right). Selected trees are numbered in white. Approximate boundary of likely development footprint shown as red lines.

The likely disturbance footprint on the road reserve does include parts of the northern Black Box patch and some open areas that are also a native vegetation *Patch* (see Fig. 2-4).

As indicated, the road reserve, or at least the table drain and its immediate environs, clearly support

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surface water for much of the winter/spring, based on the presence of some indigenous species – Nardoo and Nitre Goosefoot - that are notably only present with seasonal inundation (Appendix A).



Plate 4-2 Views of the central and southern section of the road reserve vegetation. Note that none of these trees/shrubs are proposed for clearance: Trees 31 and 34 from the freehold block (top left), Trees 7 and 44 from the freehold block (top right), Trees 44 and 45 from the Highway (middle left), Trees 16, 26, 27 and 45 from the Highway (middle right), Trees 26 and 45 from the Highway (bottom left), and Tree 17 from the Highway (bottom right). Selected trees are numbered in white.

4.2 Fauna

There was only one species of fauna observed or their presence inferred during the assessment - Noisy Miner. This aggressive indigenous honeyeater tends to dominate disturbed locations and will

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

competitively exclude most other birds of its size and smaller.

Feral Cats, Red Foxes and domestic/semi-domestic dogs are also likely to frequent the assessed site, and the presence of these predators across the assessed area severely limits the range of indigenous fauna that can potentially occupy it.

Notwithstanding the partial clearing and modification of the assessed site, despite the proximity of the site to the Little Murray River (350 m) it is poorly connected in the landscape; there is no continuous vegetation along the Murray Valley Highway in either direction of the assessed site.

The low diversity of fauna observed is not surprising given:

- Historic disturbance to the road reserve, in regard to impacts of road construction, establishment of the table drain, compaction by vehicles, slashing of grasses and weed control on the fringe of the reserve, planted of exotic and non-indigenous native trees and shrubs, frequent highway noise and dumping of rubbish;
- Regular disturbance in the freehold land adjacent to the assessed site, resulting in a highly simplified vegetation structure and understorey diversity, with no woody vegetation regeneration;
- While there were some scattered large trees with abundant hollows and some more recent recruits across the assessed site, the site contains minimal shrub layer, and while there is indigenous ground layer vegetation across the whole site, the ground layer is dominated by introduced species, resulting in a simplified vegetation structure and understorey diversity;
- There is no fallen wood left on the ground and only one standing dead tree. The lack of fallen timber would limit reptiles and some bird species residency;
- The poor connectivity within the landscape;
- The presence of domestic/semi-domestic dogs, Red Fox and feral cat populations.

Victorian Wildlife Atlas and Matters of National Environmental Significance searches revealed twenty nine (29) significant fauna species previously recorded within 10 km of the property (excluding aquatic dependent fauna; DELWP 2021c, DAWE 2021; Appendix D). The likelihood of the presence of these species and their likelihood of utilisation of the assessed site was considered and rated based on the prevailing habitat and habitat quality of the site, the habitat preferences for the species, the limited landscape connectivity, currency of known records for species, and the composition and structure of the indigenous vegetation (Appendix D). On this basis, it was considered that the available habitat – specifically the patch of trees in the northern section of the assessed area - were still appropriate for seven species that may still utilise the site – Azure Kingfisher, Black Falcon, Black-eared Cuckoo, Brown Treecreeper, Diamond Firetail, Hooded Robin, Painted Honeyeater, Spotted Harrier, Squirrel Glider, South-eastern Long-eared Bat and Spotted Harrier. As the site has been heavily modified, is not well connected to intact woodland or forest habitats, many recorded species have not been observed for over 100 years, and the site does not contain riparian, mallee or sandy rise habitat, the other 22 species are unlikely to be present (Appendix D).

4.3 Significant Trees

The forty five (45) trees were assessed across the whole road reserve, and all of these were measured and geo-located.

Clearly, all of those in the southern half of the assessed area are not to be impacted by the proposed development.

The characteristics of all 45 trees can be seen in Appendix C, and their location can be seen in Figures 4-1 to 4-3.

Of these 45 assessed trees:

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- Trees 2 (a Buloke), Trees 28, 29, 36 and 37 (all Weeping Pittosporum) and Trees 38 to 45 (all Black Box) are remnant indigenous trees (13 trees);
- All of the other 32 assessed trees are planted/naturalised exotic trees (Trees 3, 9 to 12), planted indigenous trees (Trees 30 to 32), or planted non-indigenous native trees or shrubs (Trees 1, 4 to 7, 13 to 27, and 33 to 35);
- Trees 1, 3, 7, 11 to 17, 21 to 27, 31 to 35, and 43 to 45 (25 trees) are outside of the likely development footprint in the southern half of the assessed area;
- Of the assessed trees, 18 trees are likely losses with the proposed development on the road reserve:
 - Remnant indigenous Trees 2, 28, 29, 36, 37, 39, 40 and 41 (8 trees), of which Tree 40 is a Large Tree according to the EVC benchmark for Riverine Chenopod Woodland EVC (40 cm diameter at 1.3 m height; see Appendix B);
 - Planted indigenous Tree 30, naturalised exotic Trees 9 and 10, and planted non-indigenous native trees and shrubs Trees 4 to 6, 8, and 18 to 20 (10 trees);

Generally, planted indigenous, non-indigenous native and exotic vegetation can be cleared without a Planning Permit as an exemption under Clause 52.17 of the Local Planning Provisions (see below):

Planted vegetation	<p>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</p> <p>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</p>
---------------------------	--

However, of the 8 planted trees outlined above that are likely losses with the proposed development, there is considerable uncertainty as to when they were planted, and whether they were planted using public funds (Ben Mobilio pers. comm. 2021). The basis to the planting of these trees needs to be determined, and if planted using public funds, written permission obtained from the agency that provided the funding is required before their removal.

Under the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) there are two categories of native vegetation: *Scattered Trees* or *Patches*.

A *Patch* of native vegetation is either: an area of vegetation where at least 25 % of the total perennial understorey plant cover is native, or any area with three or more native canopy trees where the drip line of each tree touches the drip line of at least one other tree, forming a continuous canopy, or any mapped wetland included in the current wetlands map, available in DELWP systems and tools and these areas were mapped (DELWP 2017).

A *Scattered Tree* is a native canopy tree that does not form part of a *Patch* (DELWP 2017).

All of the eight indigenous trees proposed for loss are within one long-linear designated native vegetation *Patch* of 0.175 ha proposed for loss – utilising the provided development layout - that is based on the perennial understorey vegetation according to the definition (DELWP 2017), and there are no proposed *Scattered Tree* losses.

Construction projects that involve earthworks or soil disturbance can cause indirect losses of native vegetation that are retained during construction due to root damage and soil modification within the zone where roots occur. Of particular concern is the longer-term impact of soil compaction and excavation (e.g. trenching for pipelines) close to trees and the effects of this on immediate and longer-term tree health. The DSE (now DELWP) has provided guidance and clarity on this issue, and has defined an acceptable distance for tree retention in order to prevent indirect losses of native vegetation during

and after construction activities as a guiding principle. These designated *Tree Protection Zones* (TPZs) should be implemented for the duration of construction activities (DSE 2011) as part of the development conditions.

A TPZ is a specific area above and below the ground, with a radius 12 times the Diameter at Breast Height (dbh; 1.3 m) of any individual tree; the TPZ of trees should be no less than 2 m or greater than 15 m, and it is recommended that physical barriers be erected to delineate the TPZ during construction activities (DSE 2011). Should a development impinge on the TPZ area for > 10 % of its area, the tree shall be considered a loss, and will have to be offset (DSE 2011).

Indigenous trees 38 and 42, that are adjacent to the likely development footprint, will be retained without the need for offset, as their TPZs are impinged by < 10 % of the area.

Planted trees 6, 20 and 21, that are also adjacent to the likely development footprint, will also be retained.

Care will need to be taken during construction to ensure that the TPZs of all retained trees are not impinged.

4.4 Patches

There are eight indigenous trees proposed that are within one long-linear designated native vegetation *Patch* of 0.175 ha proposed for loss – utilising the provided development layout - that is based on the perennial understorey vegetation according to the definition (DELWP 2017), and there are no proposed *Scattered Tree* losses.

Within this patch, Tree 40 is a Large Tree according to the EVC benchmark for Riverine Chenopod Woodland EVC (40 cm diameter at 1.3 m height; see Appendix B), and additionally one Buloke tree (Tree 2) is a loss, and this species is categorised as *Endangered* in Victoria (DEPI 2014).

The location of this *Patch* can be seen in Figures 4-1 to 4-3.

4.5 Vegetation Quality Assessment

There is one defined native vegetation *Patch* – of a total extent of 0.175 ha - identified across the proposed works area according to the definition (DELWP 2017) that are proposed losses.

The Habitat Quality of the proposed clearance *Patch* can be ascertained using the Vegetation Quality Assessment method (DSE 2004), and the assessed *Patch* was evaluated using this methodology by Steve Hamilton (VQA Competency HH129).

The Habitat Score for the *Patches* was 35 (see Table 4-1). This score strongly reinforced observations made in the field that this patch:

- is defined wholly because of understorey perennial cover and in part, tree cover;
- maintains considerable shrub and ground layer indigenous diversity;
- maintains one Large Tree;
- maintains a predominantly introduced-derived litter layer;
- maintains no fallen wood on the ground and few standing dead trees;
- is poorly connected within the landscape (landscape context).

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill



Figure 4-1 Aerial image of the assessed road reserve area, showing the location of the assessed trees. The designated native vegetation *Patch* proposed for loss is also shown (Image from ESRI Australia 2021).

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Figure 4-2 Aerial image of the northern section of the assessed road reserve area, showing the location of the assessed trees. Trees are numbered according to the table in Appendix D. The designated native vegetation *Patch* proposed for loss is also shown (Image from ESRI Australia 2021).

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Figure 4-3 Aerial image of the southern section of the assessed road reserve area, showing the location of the assessed trees. Trees are numbered according to the table in Appendix D. The designated native vegetation *Patch* proposed for loss is also shown (Image from ESRI Australia 2021).

Table 4-1 Calculated Habitat Score for the defined *Patch* along the assessed area of the proposed road reserve clearance (DSE 2004).

Patch	1
EVC ¹	Riverine Chenopod Woodland
Approximate area (ha)	0.175
Large trees	10
Tree canopy cover	5
Understorey	10
Lack of weeds	0
Recruitment	3
Organic litter	4
Logs	0
Landscape Context Score	3
Habitat Score	35

1. EVC is Ecological Vegetation Class, from DELWP (2021a).

5. NET GAIN AND LOSS REPORTING

5.1 Quantification of losses

As indicated in Sec. 4.3, There are eight indigenous trees proposed that are within one long-linear designated native vegetation *Patch* of 0.175 ha proposed for loss – utilising the provided development layout - that is based on the perennial understorey vegetation according to the definition (DELWP 2017), and there are no proposed *Scattered Tree* losses.

Within this patch, Tree 40 is a Large Tree according to the EVC benchmark for Riverine Chenopod Woodland EVC (40 cm diameter at 1.3 m height; see Appendix B), and additionally one Buloke tree (Tree 2) is a loss, and this species is categorised as *Endangered* in Victoria (DEPI 2014).

Eight planted trees are also proposed losses, and while planted trees can often be removed without permit under Clause 52.17 of the Local Planning Provisions, there is considerable uncertainty as to when they were planted, and whether they were planted using public funds (Ben Mobilio pers. comm. 2021). The basis to the planting of these trees needs to be determined, and if planted using public funds, written permission obtained from the agency that provided the funding is required before their removal.

5.2 Avoid and Minimise

As previously indicated, the focus of this report is the impact of the development on the native vegetation on the eastern road reserve of the Murray Valley Highway with the construction of two access points off the highway and road widening/construction required to meet minimum design standards (Ben Mobilio pers. comm. 2021). Because of the need to conform to these standards, there is little flexibility available to in terms of the location and dimensions of the two access roads to the proposed development, given the dimensions and shape of the freehold parcel, and the need to locate the development in the north of the parcel. Therefore, there is no flexibility to avoid the Black Box patch in the north of the site to a significant extent.

However, this restriction of disturbance being restricted to the northern half of the road reserve does result in the 27 assessed trees in the southern half of the road being avoided, and two of the indigenous trees in the northern half of the road reserve that are adjacent to the likely development footprint, being retained without the need for offset, as their TPZs are impinged by < 10 % of the area.

Furthermore, planted trees 6, 20 and 21, that are also adjacent to the likely development footprint, will also be retained.

5.3 Offset requirements

Mapping files outlining the habitat scoring and precise location of the *Patch* proposed for clearance for the road works has been submitted, after scenario-testing, to the EnSym NVR Team Support in the outlined format to clarify the requirements for offset to develop the application (Appendix F; DELWP 2021e); the report received on the 31st March 2021 provides the following assessment:

- The outlined proposed clearance was assessed as being an Intermediate Assessment Pathway;
- The *Location Category* for the losses are mapped as *Location 2*;
- The total extent of the clearance is 0.175 ha composed of one native vegetation *Patch*, which contain 1 Large Tree;
- A General Offset of 0.058 General Habitat Units (GHUs) is required for the proposed clearance based on a 1.5x multiplier, with 1 Large Tree;
- There are no Specific Offsets;
- The Offset Site must be within the Mallee Catchment Management Authority catchment (or Local Government Area – Swan Hill Rural City Council);
- The Offset must have a minimum overall Strategic Biodiversity Value of 0.206.

6. MEETING THE OFFSET REQUIREMENT

A third party offset quote from Vegetation Link that satisfies the offset requirements is shown in Appendix G.

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7.1 Personal Communication

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APPENDIX A FLORA INVENTORY OF PROPOSED ROAD WORKS AREA

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Vascular flora has been recorded for presence within assessed native vegetation *Patches*, using a cover-abundance scale that is shown in the Table immediately below.

An asterisk denotes an introduced species.

Each plant species present were assessed for cover-abundance using the scale outlined below. Nomenclature and taxonomy of plants based variously on Walsh and Entwisle (1994, 1996 and 1999).

Visual assessment of cover/abundance	
Symbol	Description
+	Rare, cover < 5%
1	Uncommon, cover < 5 %
2	Very common, cover < 5 % or cover 5-25 % with any number of individuals
3	Cover 25-50 % with any number of individuals
4	Cover 50-75 % with any number of individuals
5	Cover 75-100 % with any number of individuals

Common name	Scientific name	Lifeform [#]	Road Reserve
Hakea Wattle (planted)	<i>Acacia hakeoides</i>	T/MS	1
Buloke	<i>Allocasaurina luehmannii</i>	T	+
Sweet Vernal Grass	<i>Anthoxanthum odoratum</i> *	MTG	2
Creeping Saltbush	<i>Atriplex semibaccata</i>	MS	2
Brown-backed Wallaby-grass	<i>Austrodanthonia duttoniana</i>	MTG	+
Balcarra Grass	<i>Austrostipa nitida</i>	LTG	+
Rough Spear-grass	<i>Austrostipa scabra</i>	MTG	2
Wild Oat	<i>Avena fatua</i> *	LTG	2
Kurrajong (planted/naturalised)	<i>Brachychiton populneus</i> *	T	2
River She-oak (planted)	<i>Casuarina cunninghamii</i> *	T	+
Frosted Goosefoot	<i>Chenopodium desertorum</i>	MH	2
Nitre Goosefoot	<i>Chenopodium nitrariaceum</i>	MS	+
Pink Bindweed	<i>Convolvulus erubescens</i>	SC	2
Chocolate Lily	<i>Dichopogon strictus</i>	MTG	1
Climbing Saltbush	<i>Einadia nutans</i>	SS	1
Ruby Saltbush	<i>Enchylaena tomentosa</i>	MS	2
Curly Windmill Grass	<i>Enteropogon acicularis</i>	MTG	2
Silver Gimlet (planted)	<i>Eucalyptus campaspe</i> *	T	+
Black Box	<i>Eucalyptus largiflorens</i>	T	2
Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *	T	2
Swamp Mallet (planted)	<i>Eucalyptus spathulata</i> *	T	2
Desert Ash (planted)	<i>Fraxinus angustifolium</i> *	T	+
Treasure Flower	<i>Gazania rigens</i> *	MH	1
Common Heliotrope	<i>Heliotropium europaeum</i> *	SH	2
Barley Grass	<i>Hordeum leporinum</i> *	MTG	2
Prickly Lettuce	<i>Lactuca serriola</i> *	LH	2
African Boxthorn	<i>Lycium ferocissimum</i> *	MS	1
Short-leaf Bluebush	<i>Maireana brevifolia</i>	MS	2

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Common name	Scientific name	Lifeform [#]	Road Reserve
Hakea Wattle (planted)	<i>Acacia hakeoides</i>	T/MS	1
Sago Bush	<i>Maireana pyramidata</i>	MS	2
Horehound	<i>Marrubium vulgare</i> *	MS	+
Common Nardoo	<i>Marsilea drummondii</i>	GF	2
Bracelet Honey-myrtle (planted)	<i>Melaleuca armillaris</i> *	MS	+
Prickly-leaved Paperbark (planted)	<i>Melaleuca styphelioides</i> *	MS	+
European Olive (naturalised)	<i>Olea europea</i> *	MS	2
Water Couch	<i>Paspalum distichum</i> *	MNG	2
Weeping Pittosporum	<i>Pittosporum angustifolium</i>	MS	2
Plantain	<i>Plantago lanceolata</i> *	MH	2
Pointed Twin-leaf	<i>Roepera apiculata</i>	MH	1
Curled Dock	<i>Rumex crispus</i> *	LH	1
Wild Sage	<i>Salvia verbanacea</i> *	MH	2
Cotton Fireweed	<i>Senecio quadridentatus</i>	MH	2
Variable Sida	<i>Sida corrugata</i>	SH	2
London Rocket	<i>Sisymbrium irio</i> *	LH	+
Quena	<i>Solanum esuriale</i>	SS	+
Milk Thistle	<i>Sonchus oleraceus</i> *	LH	1
Fuzzweed	<i>Vittadinia cuneata</i>	MH	1
Rigid Panic	<i>Walwhalleya proluta</i>	LTG	2

[#] abbreviations for lifeform for indigenous species are T = tree, MS = medium shrub, LH = large herb, MH = medium herb, SH = small herb, LTG = large tufted graminoid, MTG = medium tufted graminoid, MNG = medium non-tufted graminoid.

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APPENDIX B EVC BENCHMARK DESCRIPTION

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Department of
Sustainability and
Environment

EVC/Bioregion Benchmark for Vegetation Quality Assessment

Murray Fans bioregion

EVC 103: Riverine Chenopod Woodland (*syn.* Black Box Chenopod Woodland)

Description:
Eucalypt woodland to 15 m tall with a diverse shrubby and grassy understorey occurring on most elevated riverine terraces. Confined to heavy clay soils on higher level terraces within or on the margins of riverine floodplains (or former floodplains), naturally subject to only extremely infrequent incidental shallow flooding from major events if at all flooded.

Large trees:

Species	DBH(cm)	#/ha
<i>Eucalyptus argilliflora</i>	40 cm	5/ha

Tree Canopy Cover:

%cover	Character Species	Common Name
10%	<i>Eucalyptus argilliflora</i>	Black Box
	<i>Acacia stenophylla</i>	River Coobah

Understorey:

Life form	#Spp	%Cover	LF code
Immature Canopy Tree		5%	IT
Medium Shrub	3	30%	MS
Small Shrub	5	25%	SS
Prostrate Shrub	1	1%	PS
Medium Herb	5	5%	MH
Small or Prostrate Herb*	5	10%	SH
Medium to Small Tufted Grassoid	2	5%	MTG

* Largely seasonal life form

Total understorey projective foliage cover 50%

LF Code **Species typical of at least part of EVC range** **Common Name**


MS	<i>Atriplex nummularia</i>	Old-man Saltbush
MS	<i>Chenopodium rubricoccum</i>	Nitre Goosefoot
MS	<i>Eremophila divaricata</i> ssp. <i>divaricata</i>	Spreading Emu-bush
SS	<i>Sclerolaena tricuspidata</i>	Streaked Copperbush
SS	<i>Encalypta tomentosa</i> var. <i>tomentosa</i>	Ruby Saltbush
SS	<i>Atriplex lindleyi</i>	Flat-top Saltbush
SS	<i>Atriplex spinescens</i>	Hedge Saltbush
PS	<i>Sclerolaena brachyptera</i>	Short-wing Saltbush
MH	<i>Dinadia rudens</i> ssp. <i>rudens</i>	Nodding Saltbush
MH	<i>Calceophorus sanderi</i>	Pale Beauty-heads
MH	<i>Semecia glaucanthus</i>	Slender Groundnut
MH	<i>Brachyscome lineariloba</i>	Hard-head Daisy
SH	<i>Daphne crassifolium</i> ssp. <i>clavellatum</i>	Rounded Noon-flower
SH	<i>Maireana pentagona</i>	Hairy Bluebush

Recruitment:
Continuous

Organic Litter:
5% cover

Logs:
5m/0.1 ha.

Ecological Vegetation Class bioregion benchmark



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EVC 103: Riverine Chenopod Woodland (*syn.* Black Box Chenopod Woodland) - Murray Fans bioregion

Weediness:

LF Code	Typical Weed Species	Common Name	Invasive	Impact
T	<i>Olea europaea subsp. europaea</i>	Olive	low	high
MS	<i>Lythrum ferocissimum</i>	Boxthorn	low	high
LH	<i>Sisymbrium erysimoides</i>	Smooth Mustard	high	high
LH	<i>Chenopodium</i> spp.	Barley-grass	high	low
LH	<i>Gutierrezia densa</i>	Gutierrezia	high	high
LH	<i>Opuntia</i> spp.	Prickly Pear	low	high
LH	<i>Sisymbrium</i> spp.	London Mustard	high	high
LH	<i>Psilocaulon granulicaulis</i>	Noon-flower	high	high
MH	<i>Limnium sinuatum</i>	Notch-leaf Sea-lavender	high	high
MH	<i>Limnium latifolium</i>	Winged Sea-lavender	high	high
MH	<i>Trifolium arvense</i> var. <i>arvense</i>	Hare's-foot Clover	high	low
MH	<i>Mesembryanthemum nodiflorum</i>	Ice-plant	high	high
MH	<i>Carrichtera annua</i>	Ward's Weed	high	high
MH	<i>Marrubium vulgare</i>	Horsehound	high	high
MH	<i>Carpobrotus aculeatus</i>	Angled Pigface	low	high
MH	<i>Silene apectata</i> var. <i>apetala</i>	Sand Catchfly	high	low
MH	<i>Medicago</i> spp.	Medic	high	low
MH	<i>Oxalis pes-caprae</i>	Sourrob	high	high
MH	<i>Silene gallica</i>	French Catchfly	high	low
MH	<i>Silene nocturna</i>	Mediterranean Catchfly	high	low
SH	<i>Mesembryanthemum crystallinum</i>	Common Ice-plant	high	high
MTG	<i>Vulpia bromoides</i>	Squirrel-tail Fescue	high	high
MTG	<i>Lolium rigidum</i>	Wimmera Rye-grass	high	low
MTG	<i>Alphadellus fistulosus</i>	Onion Weed	high	high
MNG	<i>Bromus rubens</i>	Red Brome	high	high
MNG	<i>Vulpia myuros</i>	Rat's-tail Fescue	high	low
MNG	<i>Bromus</i> spp.	Brome	high	high
MNG	<i>Sclerurus barbatus</i>	Arabian Grass	high	low
SC	<i>Asparagus asparagoides</i>	Bridal Creeper	high	high

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APPENDIX C ASSESSED TREE CHARACTERISTICS

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Tree number	Common name	Scientific name	Diameter ¹	Tree location ²	
				Easting	Northing
1	River She-oak (planted)	<i>Casuarina cunninghamii</i> *		732811	6083575
2	Buloke	<i>Allocasuarina luehmannii</i>	30/18/20	732818	6083771
3	Desert Ash (planted)	<i>Fraxinus sp.*</i>		732810	6083602
4	Swamp Mallet (planted)	<i>Eucalyptus spathulata</i> *		732817	6083792
5	Prickly-leaved Tea-tree (planted)	<i>Melaleuca styphelioides</i> *		732818	6083708
6	Yellow Gum (planted)	<i>Eucalyptus leucoxylon</i> *		732820	6083825
7	Yellow Gum (planted)	<i>Eucalyptus leucoxylon</i> *		732809	6083491
8	Bracelet Honey-myrtle (planted)	<i>Melaleuca armillaris</i> *		732815	6083746
9	European Olive (planted)	<i>Olea europea</i> *		732818	6083860
10	European Olive (planted)	<i>Olea europea</i> *		732818	6083857
11	European Olive (planted)	<i>Olea europea</i> *		732813	6083635
12	European Olive (planted)	<i>Olea europea</i> *		732809	6083535
13	Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *		732812	6083635
14	Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *	< 3 m height	732811	6083625
15	Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *		732812	6083563
16	Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *		732806	6083451
17	Salmon Gum (planted)	<i>Eucalyptus salmonophloia</i> *		732807	6083407
18	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732819	6083879
19	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732816	6083784
20	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732813	6083697
21	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732814	6083687
22	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732813	6083661
23	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732810	6083621
24	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732810	6083610
25	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732808	6083481
26	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732808	6083442
27	Kurrajong (planted)	<i>Brachychiton populneus</i> *		732807	6083430
28	Weeping Pittosporum	<i>Pittosporum angustifolium</i>		732827	6083897
29	Weeping Pittosporum	<i>Pittosporum angustifolium</i>	< 3 m height	732821	6083885
30	Hakea Wattle (planted)	<i>Acacia hakeoides</i> *	< 3 m height	732822	6083850
31	Hakea Wattle (planted)	<i>Acacia hakeoides</i> *	30/25	732809	6083528
32	Hakea Wattle (planted)	<i>Acacia hakeoides</i> *		732806	6083455
33	Swamp Mallet (planted)	<i>Eucalyptus spathulata</i> *	90	732812	6083624
34	Swamp Mallet (planted)	<i>Eucalyptus spathulata</i> *	< 25 x6	732809	6083516
35	Silver Gimlet (planted)	<i>Eucalyptus campaspe</i> *	45/30	732809	6083551
36	Weeping Pittosporum	<i>Pittosporum angustifolium</i>		732827	6083938
37	Weeping Pittosporum	<i>Pittosporum angustifolium</i>		732826	6083919
38	Black Box	<i>Eucalyptus largiflorens</i>	40	732819	6083928
39	Black Box	<i>Eucalyptus largiflorens</i>	30 (dead)	732821	6083901
40	Black Box	<i>Eucalyptus largiflorens</i>	110/38	732821	6083892
41	Black Box	<i>Eucalyptus largiflorens</i>	25/20/10	732820	6083869
42	Black Box	<i>Eucalyptus largiflorens</i>	35	732820	6083867
43	Black Box	<i>Eucalyptus largiflorens</i>	70 (dead)	732809	6083538

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Tree number	Common name	Scientific name	Diameter ¹	Tree location ²	
				Easting	Northing
44	Black Box	<i>Eucalyptus largiflorens</i>	65/30/30/20/25	732804	6083471
45	Black Box	<i>Eucalyptus largiflorens</i>	35/30	732804	6083461

1. Diameter at breast height over bark in cm (dbh; at 1.30 m above ground);
2. Location data are northings and eastings of MGAz54 coordinates.

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APPENDIX D EPBC AND VICTORIAN THREATENED SPECIES AND LIKELIHOOD OF OCCURRENCE

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List of threatened flora species recorded by the Victorian Biodiversity Atlas and NatureKit in a 10 km radius around the site, and by Matters of National Environmental Significance search of the district, their status, and their likelihood of occurrence on the sites (DELWP 2021c; DAWE 2021).

Scientific name	Common Name	Victorian status ¹	Commonwealth status ²	Records within 10 km ³	Last record ⁴	Appropriate habitat ⁵	Likelihood of presence ⁶
<i>Acacia ancistrophylla</i> var. <i>lissophylla</i>	Dwarf Myall	v		1	1917	Yes	Highly unlikely
<i>Acacia melvillei</i>	Yarran	v,L		2	1918	Yes	Highly unlikely
<i>Acacia oswaldii</i>	Umbrella Wattle	v,L		4	2003	Yes	Unlikely
<i>Asperula gemella</i>	Twin-leaf Bedstraw	r		5	1999	No	Highly unlikely
<i>Atriplex lindleyi</i> ssp. <i>lindleyi</i>	Flat-top Saltbush	k		1	1870	Yes	Highly unlikely
<i>Atriplex pseudocampanulata</i>	Mealy Saltbush	r		1	1890	Yes	Highly unlikely
<i>Austrostipa metatoris</i>	A spear-grass		V	0		Yes	Highly unlikely
<i>Brachyscome readeri</i>	Reader's Daisy	r		2	1888	Yes	Highly unlikely
<i>Bromus arenarius</i>	Sand Brome	r		1	1870	No	Highly unlikely
<i>Caladenia tensa</i>	Rigid Spider-orchid	v	E	0		No	Highly unlikely
<i>Dactyloctenium radulans</i>	Finger Grass	r		1	1971	Yes	Unlikely
<i>Lepidium monoplacoides</i>	Winged Peppergrass	e,L	E	1	1890	Yes	Highly unlikely
<i>Leptorhynchos orientalis</i>	Annual Buttons	e,L		1	1870	Yes	Highly unlikely
<i>Leptorhynchos waitzia</i>	Button Immortelle	v		1	1889	No	Highly unlikely
<i>Leucochrysum molle</i>	Soft Sunray	v,L		1	1870	Yes	Highly unlikely
<i>Maireana cheelii</i>	Chariot Wheels	v,L	V	3	2006	No	Highly unlikely
<i>Myoporum montanum</i>	Waterbush	r		3	2000	Yes	Unlikely
<i>Nymphoides crenata</i>	Wavy Marshwort	v,L		5	1905	Yes	Highly unlikely
<i>Orobancha cernua</i> var. <i>australiana</i>	Australian Broomrape	v		1	1870	Yes	Highly unlikely
<i>Poa drummondiana</i>	Knotted Poa	r		1	1890	No	Highly unlikely
<i>Podolepis aristata</i> ssp. <i>affinis</i>	Grey Podolepis	r		2	1870	No	Highly unlikely
<i>Ptilotus sessilifolius</i>	Crimson Tails	k		1	2006	No	Highly unlikely
<i>Ranunculus undosus</i>	Swamp Buttercup	v		5	1999	Yes	Possible
<i>Scaevola depauperata</i>	Skeleton Fan-flower	e		1	1870	No	Highly unlikely

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

Scientific name	Common Name	Victorian status ¹	Commonwealth status ²	Records within 10 km ³	Last record ⁴	Appropriate habitat ⁵	Likelihood of presence ⁶
<i>Senecio behrianus</i>	Stiff Groundsel	e,L	E	3	1916	Yes	Highly unlikely
<i>Senecio cunninghamii</i> var. <i>cunninghamii</i>	Branching Groundsel	r		7	1999	Yes	Unlikely
<i>Senecio platylepis</i>	Toothed Groundsel	r		1	1889	No	Highly unlikely
<i>Sporobolus caroli</i>	Yakka Grass	r		2	2016	Yes	Unlikely
<i>Swainsona murrayana</i>	Slender Darling-pea	e,L	V	4	1997	Yes	Unlikely
<i>Swainsona phacoides</i>	Dwarf Swainson-pea	e,L		3	1890	Yes	Highly unlikely
<i>Templetonia egena</i>	Round Templetonia	v		5	1890	Yes	Highly unlikely
<i>Vittadinia condyloides</i>	Club-hair New Holland Daisy	r		3	1890	Yes	Highly unlikely

1. x = presumed extinct in Victoria; e = endangered in Victoria; v = vulnerable in Victoria; r = rare in Victoria; k = insufficiently known in Victoria; L = listed under the *Flora and Fauna Guarantee Act* (from DEPI 2014).
2. CE = critically endangered nationally; E = endangered nationally; V = vulnerable nationally (DAWE 2021);
3. As recorded in the Victorian Biodiversity Atlas (DELWP 2021c);
4. As recorded for the species in the Victorian Biodiversity Atlas (DELWP 2021c);
5. Determination based on known habitat preferences for the species and the assessed habitat characteristics of the site, from Royal Botanic Gardens Victoria (2021) and Walsh and Entwisle (1994, 1996 and 1999);
6. Based on known habitat preferences for the species and the assessed habitat characteristics of the site, known records for the species, and their proximity and time of record.

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

List of threatened fauna species recorded by the Victorian Biodiversity Atlas and NatureKit in a 10 km radius around the site, and by Matters of National Environmental Significance search of the district, their status, and their likelihood of occurrence on the subject land (DELWP 2021b and 2021c; DAWE 2021).

Scientific name	Common Name	Victorian status ¹	Commonwealth status ²	Records within 10 km ³	Last record ⁴	Appropriate habitat ⁵	Likelihood of presence ⁶
<i>Ceyx azureus</i>	Azure Kingfisher	nt		5	2018	Yes	Possible
<i>Ninox connivens</i>	Barking Owl	e,L		1	1970	Yes	Highly unlikely
<i>Pogona barbata</i>	Bearded Dragon	v		2	2019	Yes	Highly unlikely
<i>Falco subniger</i>	Black Falcon	v,L		16	2018	Yes	Possible
<i>Chalcites osculans</i>	Black-eared Cuckoo	nt		1	2016	Yes	Possible
<i>Antigone rubicunda</i>	Brolga	v,L		1	2017	Yes	Unlikely
<i>Climacteris picumnus</i>	Brown Treecreeper	nt		19	2007	Yes	Possible
<i>Cinclosoma castanotum</i>	Chestnut Quail-thrush	nt		1	1896	Yes	Highly unlikely
<i>Oreoica gutturalis</i>	Crested Bellbird	nt L		1	1896	Yes	Highly unlikely
<i>Geopelia cuneata</i>	Diamond Dove	nt,L		3	2017	Yes	Unlikely
<i>Dromaius novaehollandiae</i>	Emu	nt		3	1981	Yes	Highly unlikely
<i>Sminthopsis crassicaudata</i>	Fat-tailed Dunnart	nt		1	1943	Yes	Highly unlikely
<i>Falco hypoleucos</i>	Grey Falcon	e,L	V	1	1978	Yes	Unlikely
<i>Pomatostomus temporalis</i>	Grey-crowned Babbler	e,L		13	2018	Yes	Highly unlikely
<i>Coracina maxima</i>	Ground Cuckoo-shrike	v,L		1	1979	Yes	Highly unlikely
<i>Litoria raniformis</i>	Growling Grass Frog	e,L	V	0		No	Highly unlikely
<i>Phascolarctos cinereus</i> (combined populations of Qld, NSW and the ACT)	Koala		V	0		No	Highly unlikely
<i>Turnix velox</i>	Little Button-quail	nt		18	2017	Yes	Highly unlikely
<i>Hieraetus morphnoides</i>	Little Eagle	v,L		18	2018	Yes	Possible
<i>Lophochroa leadbeateri</i>	Major Mitchell's Cockatoo	v,L		2	1892	Yes	Highly unlikely
<i>Leipoa ocellata</i>	Malleefowl	e,L	V	1	1913	No	Highly unlikely

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

Scientific name	Common Name	Victorian status ¹	Commonwealth status ²	Records within 10 km ³	Last record ⁴	Appropriate habitat ⁵	Likelihood of presence ⁶
<i>Grantiella picta</i>	Painted Honeyeater	v,L	V	0		Yes	Highly unlikely
<i>Pedionomus torquatus</i>	Plains-wanderer	v,L	CE	1	1948	No	Highly unlikely
<i>Todiramphus pyrrhopygius</i>	Red-backed Kingfisher	nt		4	1979	Yes	Highly unlikely
<i>Polytelis anthopeplus</i>	Regent Parrot	v,L	V	0		Yes	Unlikely
<i>Myiagra cyanoleuca</i>	Satin Flycatcher		MTS	0		No	Highly unlikely
<i>Nyctophilus corbeni</i>	South-eastern Long-eared Bat	e,L	V	0		Yes	Possible
<i>Chlamydera maculata</i>	Spotted Bowerbird	ce,L		2	1932	Yes	Highly unlikely
<i>Circus assimilis</i>	Spotted Harrier	nt		18	2018	Yes	Possible

1. x = presumed extinct in Victoria; e = endangered in Victoria; v = vulnerable in Victoria; r = rare in Victoria; k = insufficiently known in Victoria; L = listed under the *Flora and Fauna Guarantee Act* (from DEPI 2014).
2. CE = critically endangered nationally; E = endangered nationally; V = vulnerable nationally (DAWE 2021);
3. As recorded in the Victorian Biodiversity Atlas (DELWP 2021c);
4. As recorded for the species in the Victorian Biodiversity Atlas (DELWP 2021c);
5. Determination based on known habitat preferences for the species and the assessed habitat characteristics of the site, from various State and Commonwealth conservation advice and listings, recovery plans, etc.;
6. Based on known habitat preferences for the species and the assessed habitat characteristics of the site, landscape connectivity of the site, known records for the species, and their proximity and time of records.

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

**APPENDIX E NATIVE VEGETATION REMOVAL
REPORT (DELWP) 31st MARCH 2021**

Native vegetation removal report

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report **is not an assessment by DELWP** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Date of issue: 31/03/2021
Time of issue: 3:22 pm

Report ID: HAE_2021_021

Project ID	5630_Murray_Valley_Highway_Swan_Hill_GDA94
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Assessment pathway

Assessment pathway	Intermediate Assessment Pathway
Extent including past and proposed	0.175 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.175 ha
No. Large trees proposed to be removed	1
Location category of proposed removal	Location 2 The native vegetation is in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map). Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for a rare or threatened species.

1. Location map



Native vegetation removal report

Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

General offset amount¹	0.058 general habitat units
Vicinity	North Central Catchment Management Authority (CMA) or Swan Hill Rural City Council
Minimum strategic biodiversity value score ²	0.206
Large trees	1 large tree

NB: values within tables in this document may not add to the totals shown above due to rounding

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

¹ The general offset amount required is the sum of all general habitat units in Appendix 1.

² Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

Native vegetation removal report

Next steps

Any proposal to remove native vegetation must meet the application requirements of the Intermediate Assessment Pathway and it will be assessed under the Intermediate Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

This *Native vegetation removal report* must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) for a full list of application requirements. This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- A description of the native vegetation to be removed (met unless you wish to include a site assessment)
- Maps showing the native vegetation and property
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defensible space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- An offset statement that explains that an offset has been identified and how it will be secured.

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Melbourne 2021

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

www.delwp.vic.gov.au

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This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes.

Appendix 1: Description of native vegetation to be removed

All zones require a general offset, the general habitat units each zone is calculated by the following equation in accordance with the Guidelines:

General habitat units = extent x condition x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The general offset amount required is the sum of all general habitat units per zone.

Native vegetation to be removed

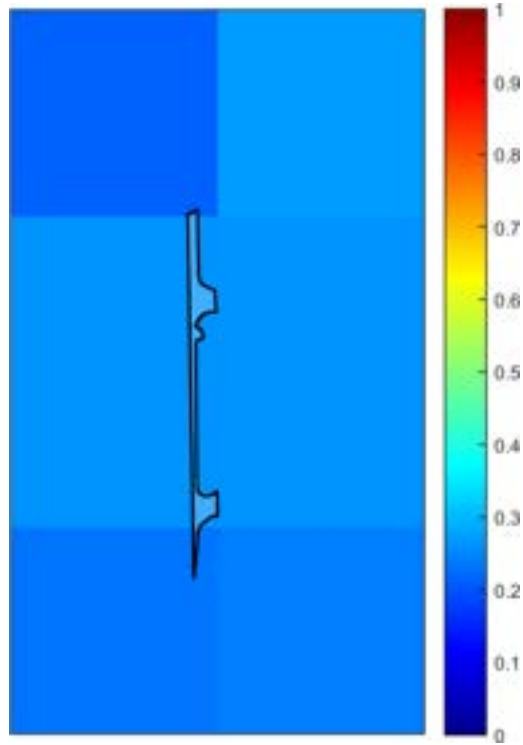
Information provided by or on behalf of the applicant in a GIS file							Information calculated by EnSym					
Zone	Type	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
1-A	Patch	muf_0103	Endangered	1	no	0.350	0.175	0.175	0.258		0.058	General

Appendix 2: Information about impacts to rare or threatened species' habitats on site

This is not applicable in the Intermediate Assessment Pathway.

Appendix 3 – Images of mapped native vegetation

2. Strategic biodiversity values map



3. Aerial photograph showing mapped native vegetation



4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.

Vegetation Assessment and Net Loss Reporting – 5630 Murray Valley Highway Swan Hill

APPENDIX F THIRD PARTY OFFSET QUOTE FROM VEGETATION LINK

vegetationlink

Our reference: VLQ-6670

Your reference: 5630 Murray Valley Highway,
Swan Hill

1 April 2021

Steve Hamilton
Hamilton Environmental Services
Hammys2345@bigpond.com

Dear Steve

RE: Quotation for the supply of native vegetation credits

Vegetation Link is an accredited offset provider with the Department of Environment, Land, Water & Planning (DELWP). We offer a specialised brokerage service to enable permit holders and developers to identify suitable native vegetation credits to meet their planning permit offset requirements.

Based on the information you have provided, I understand you require the following native vegetation offset:

Offset type	Attributes	General habitat units (GHU)	Min. strategic biodiversity value (SBV)	Large trees
General	North Central CMA	0.058	0.206	1

To meet your offset requirements, you can purchase native vegetation credits from a third party as per the option quoted below¹. This quotation is valid for 14 days, subject to credit availability and landholder pricing.

CTA Trade pathway – offset site located in the Loddon Shire Council area (approx. 2-3 week turnaround from acceptance of quote)

Cost of native vegetation credits – invoiced by DELWP	\$4,560.00
Transaction fees – invoiced by Vegetation Link	\$1,020.00
Total (ex. GST)	\$5,580.00
Total (inc. GST)	\$6,138.00

If you would like to purchase credits, let us know that you accept the quote and return the attached **purchaser details form** by email. Upon receipt of the form, we will begin the trade process. Further details of the process for credit allocation is in the FAQ below.

Should you have any queries, please do not hesitate to contact us on 1300 VEG LINK (1300 834 546) or email offsets@vegetationlink.com.au.

Sincerely,



Lisa Gormley
Biodiversity Offset Broker

¹ Note that the transaction fee includes DELWP NVOR transfer and allocation fees and a Vegetation Link fee

Vegetation Link Pty Ltd
ABN: 92 169 702 032
www.vegetationlink.com.au

1300 VEG LINK (1300 834 546) | offsets@vegetationlink.com.au | PO Box 10 Castlemaine VIC 3450



FAQs

What is a third party offset?

A third party offset is an offset site owned by another landowner who manages and protects native vegetation on their land. Landowners who establish these offset sites are required to:

- Enter into a Landowner Agreement for the specified offset site. A landowner agreement is in perpetuity and is binding upon the current and future landowners of the site. It permanently restricts use of the site for many purposes.
- Implement a detailed 10-year Management Plan endorsed by the DELWP Native Vegetation Offset Register to manage and improve the biodiversity values of the site.

How is the price of native vegetation offset credit (GHUs, GBEUs etc.) determined?

Landowners who own offset sites set their own price for native vegetation credits. They determine the price based on numerous factors. This includes but not limited to site establishment, the cost to manage the site in perpetuity (e.g., maintain fencing, control pest species), foregone use cost, and administrative costs. Depending on how the site is registered, the credit fee may be paid to either DELWP or directly to the landowner.

Further information about the work some of our landowners are doing can be found on the [Vegetation Link website](#).

What is the process after I accept the quote?

After you accept the quote and return the purchaser table, the following steps will be undertaken:

1. We will set up a contract between the parties involved and send the contract out for signing by all parties.
2. Once the contract is signed by all parties, invoices will be issued for the fees listed in the quotation. We will send you two invoices, one for our transaction fee invoiced by Vegetation Link and one for the credit fee, usually to be paid to DELWP or the landowner. We recommend providing remittances for your payments.
3. Once payments are received, Vegetation Link will send you an allocated credit extract from the Native Vegetation Offset Register and your executed contract as evidence that you have purchased the offset.

How long will the process take? When will I get my credits?

Generally, the process from quote acceptance to having evidence of allocated credits takes between 2-6 weeks. This is dependent on a range of factors including the type of landholder agreement, contract types and organisational workflows. We work as quickly as possible to get your credits to you within this time period.

We note that you cannot remove vegetation until you have been given permission by the Responsible Authority (usually the council that has issued your permit).



What happens if I don't have a permit yet?

- When people are buying credits before a permit is issued, the following three options are most common:
- You can pay for the offsets before the planning permit is available, and then the offsets are allocated to the permit when it is available. This will incur an additional \$50 fee from DELWP. When considering this option, it is important to realise that your estimated offset requirements may be different than the actual permit requirements.
- You can wait for the planning permit to be approved first and then request a quote to meet the requirements in your permit. Should credits be available, you can then start the offset purchase process. We then use the planning permit number for allocating the credits. Allocating credits to the permit is evidence that you have purchased your offset.
- You can request a quote to confirm availability and to get an idea of the cost of offsetting before you apply for a permit. Once you receive the planning permit you can request an updated quote. It is at this point that you can then go through the offset purchase process.

We cannot guarantee credit availability until a) contracts are executed, or b) credits have been held via a pending trade lodged with DELWP Native Vegetation Offset Register.

We cannot guarantee price until a) a quote has been accepted within 14 days, and b) a Credit Trading Agreement is signed within 21 days, and c) the invoice for the credits is paid within 28 days of the date the invoice is issued.

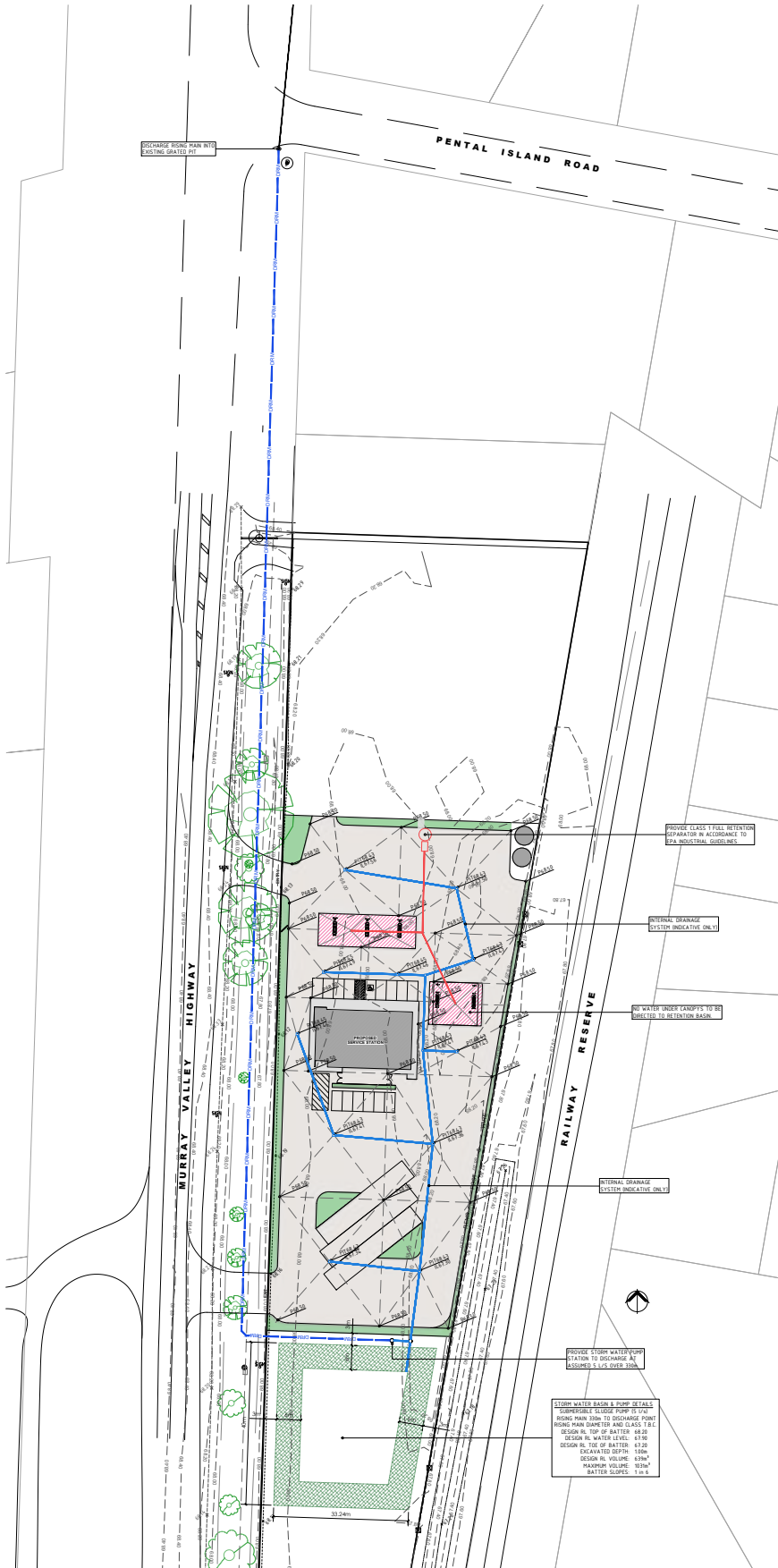
If I sign the contract, does that mean I MUST pay for the credits?

Yes, you have entered into a contract agreeing to pay for the offset credits therein and are required to pay for those credits. The credits must be paid for within 28 days of the date of the invoice.

Can you hold the credits for me, as I want to pay later?

We are unable to hold credits for later payment. Please also see 'What happens if I don't have a permit yet?' above.

For further information, see [our website](#) or the [DELWP website](#).



NOTES

GENERAL

ALL OFF-PIPE PIPES ARE TO BE 'HEAVY DUTY'.
 DRAINAGE PIPES TO BE BEDED IN ACCORDANCE WITH SWAN HILL RURAL CITY COUNCIL STANDARD DRAWINGS & SPECIFICATIONS.

CONTRACTOR TO ENSURE THAT NO PIPES ARE DAMAGED DURING CONCRETE PAVEMENT WORKS.

NO VARIATION FROM THE DRAINAGE LAYOUT WILL BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL FROM DESIGN ENGINEER. ANY VARIATION WILL RESULT IN THE APPROPRIATE PIPE WORK BEING REPEATED AND REINSTALLED IN ACCORDANCE TO THIS PLAN AT FULL COST OF THE CONTRACTOR.

ANY CHANGE MUST BE APPROVED BY THE DESIGN ENGINEER PRIOR TO PIPES BEING INSTALLED.

THE LOCATION OF UNDERGROUND SERVICES SHOWN ARE INDICATIVE ONLY. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL AUTHORITIES TO DETERMINE THE LOCATION OF UNDERGROUND SERVICES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORKS.

ANY CLASH OF WORKS WITH A SERVICE IS TO BE REPORTED TO THE ENGINEER IMMEDIATELY.

THE CONTRACTOR SHALL ENSURE THAT SERVICES ARE FULLY PROTECTED DURING CONSTRUCTION.

ANY SERVICES DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE.

UNDERGROUND & LEVELS

ALL UNDERGROUNDS ARE IN METRES UNLESS SHOWN OTHERWISE. ALL SEWER BASIN SHOWN ARE TO BACK OF SEWER UNLESS OTHERWISE SHOWN. ALL LEVELS SHOWN ARE TO AUSTRALIAN HEIGHT DATUM, TBM AS NOTED ON THE PLAN.

CONCRETE BASE NOTES

THE STABILISED BASE SHOULD BE MOISTURE CONDITIONED TO WITHIN 85-100% OF THE STANDARD OPTIMUM MOISTURE CONTENT AND COMPACTED TO AT LEAST 98% OF THE MAXIMUM DRY DENSITY DETERMINED BY THE STANDARD COMPACTION TEST IN ACCORDANCE WITH AUSTRALIAN STANDARD AS3600 5.11.

DRIVEWAYS

ROAD SPRING PERMIT REQUIRED FROM RELEVANT AUTHORITY BEFORE CONSTRUCTION OF DRIVEWAY OR ANY BUILDING WORKS WITHIN LOT.

UNDERGROUND

ALL UNDERGROUND TO BE REINSTATED AS REQUIRED

DRAINAGE RETENTION CRITERIA			
Area	Area	Area	Area
Retention on concrete, to tank	400 m²		
Drainage on concrete	80 m²		
Concrete on earth excavation	5 m³		
Tin or concrete on earth	5 m³		
Drainage on earth excavation	5 m³		
Retention on concrete	420 m²		

DRAINAGE RETENTION CATCHMENTS			
Area No.	Area	Max Depth	Volume
1/1 (Basin)	241 m²	0.30m	72m³
1/2 (Drainage)	933 m²	0.30m	280m³
			352m³

PROVIDE MINIMUM 5 L/S PUMP TO DISCHARGE TO EXISTING DRAINAGE SYSTEM AT PENTAL ISLAND ROAD.

NOTES

THIS PLAN IS CONCEPTUAL ONLY.
 THIS PLAN IS ONLY TO BE USED AS A BASIS OF A FULL CIVIL ENGINEERING DRAINAGE DESIGN.

ALL LEVELS ARE INDICATIVE ONLY AND HAVE ONLY BEEN USED TO CALCULATE DRAINAGE RETENTION AVAILABLE.

DRAINAGE BASIN SHOWN AS 10m DEEP IS INDICATIVE ONLY AND SUBJECT TO CHANGE AS PART OF FINAL LAYOUT AND DETAILED DESIGN.

EARLE CIVIL
 PO Box 2247 MILDURA 3620
 jason@ecivil.com.au
 Mobile: 0818 576 589

CLIENT	RCPD.		
SITE	LOT 1 TP 850877X MURRAY VALLEY HIGHWAY SWAN HILL, VICTORIA		
TITLE	DRAINAGE CONCEPT PLAN		
SCALE	1:500	DATE	28/10/2022
REVISION	EC220203	REVISION	PLN2022049
DESIGNED BY	JCE	CHECKED BY	A



5630 Murray Valley Highway Service Station Development Swan Hill

Traffic Impact Assessment Report

Client:

Roy Costa Planning and Development

Project No. 220087

Final: 12/09/2022

1st Floor 132 Upper Heidelberg Road Ivanhoe Vic 3079
PO Box 417 Ivanhoe Vic 3079 Ph: (03) 9490 5900
www.trafficworks.com.au



DOCUMENT CONTROL RECORD

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Document Control				
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Project Number		220087		
Client		Roy Costa Planning & Development		
Client Contact		Roy Costa		
Rev	Date Issued	Revision Details / Status	Prepared by	Reviewed by
Draft	5/09/2022	For review by client	Bob Citroën	Kate Kennedy
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ATTACHMENT A – SITE PLANS

ATTACHMENT B – SWEPT PATH DIAGRAMS



1 EXECUTIVE SUMMARY

It is proposed to establish a service station with a convenience store/fast food outlet on vacant land at No 5630 Murray Valley Highway, Swan Hill. Trafficworks Pty Ltd has been engaged to prepare a Traffic Impact Assessment Report to support a Planning Permit Application for the development to the Rural City of Swan Hill (the Council).

This assessment has concluded that:

1. with no crash history the section of highway along the subject property frontage operates safely and requires no urgent remedial treatment
2. peak hour entering traffic anticipated to be generated by the development 10 years post opening equates to 15 left turns from the north and 7 right turns from the south
3. Austroads sight distance requirements are satisfied in both directions from the proposed site exit driveway onto the Murray Valley Highway
4. on-site car parking provision exceeds Planning Scheme requirements
5. provision for disabled car parking satisfies statutory requirements
6. the nature of the development does not require provision for bicycle parking
7. the site layout caters for the internal circulation by all anticipated vehicle types
8. no highway lighting is required to accompany the proposed development.

Providing the design is suitably amended in accordance with the noted recommendations, there are no traffic engineering reasons that prevent the proposed development from proceeding.

A summary for the subject site and the proposed redevelopment is shown below.

Address	(Lot 1, TP850877) 5630 Murray Valley Highway, Swan Hill
Zoning	Commercial 1 Zone (C1Z)
Proposed development	Service station with convenience store/fast food outlet
Road Network	Murray Valley Highway managed by DoT <ul style="list-style-type: none"> • 2020 AADT – 7,000 vpd • 2032 Peaks – 440 vph (one-way)
Traffic Generation	<ul style="list-style-type: none"> • peak traffic volume of 22 vehicles per hour (vph)
Recommendations	<ol style="list-style-type: none"> 1. that access to the development from the Murray Valley Highway be provided with a Type AULs short auxiliary left turn lane treatment and a Type CHRs short channelised right turn lane, with the northern departure merging with the widening at MacNeill Court. Turn lanes in both treatments should be 3.5 m wide. 2. that the design of the Type AULs and CHRs treatments incorporates provision for continued access to the adjacent property 3. that the depth of parking bays 1 to 9 along the shop frontage be increased to 5.4 m 4. that the layout design of the exit driveway be reviewed to accommodate the left turn exit movement by trucks without encroachment into the opposing traffic lane 5. that the current transition between the 70 and 90 km/h speed limits be relocated approximately 110 m further south.

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1.1 References

Technical references used in the preparation of this report include the following:

- Austroads *Guide to Road Design, Part 3 – Geometric Design 2016* (referenced as AGRD3)
- Austroads *Guide to Road Design, Part 4 – Intersections and Crossings, General 2017* (AGRD4)
- Austroads *Guide to Road Design, Part 4A – Unsignalised and Signalised Intersections 2017* (AGRD4A)
- Austroads *Guide to Traffic Management, Part 6: Intersections, Interchanges and Crossings 2017* (AGTM6)
- VicRoads Supplement to Austroads *Guide to Road Design, Part 4A* (VS AGRD4A)
- Department of Transport *Open Data Portal* for casualty crash history and traffic volume data on roads near the proposed development
- The *Swan Hill Planning Scheme*
- Local Government Infrastructure Design Association's *Infrastructure Design Manual (IDM)*, Version 5.30 released 24 March 2020
- Australian/New Zealand Standard, *Parking Facilities - Part 1: Off-street Parking* - AS/NZS 2890.1:2004
- Australian/New Zealand Standard, *Parking Facilities - Part 6: Off-street Parking for People with Disabilities* - AS/NZS 2890.6:2004.

The assessment is based on the following information made available by the client:

- Plans for a Proposed Service Station, Murray Valley Highway, Swan Hill prepared by Innovative Design, project ID22-027, dated 16/04/22 as follows:
 - Drawing A01 – Cover & Drawing Schedule
 - Drawing A02 – Existing Conditions and Overlays
 - Drawing A03 – Site Plan
 - Drawing A04 – Site Plan Enlargement (reproduced in Attachment A)
 - Drawing A05 – Landscaping Plan
 - Drawing A06 – Swept Path Diagrams
 - Drawing A07 – Floor Plan
 - Drawing A08 & A09 - Elevations
- Request for further information for Planning Permit No. PLN2022049 from the Council dated 25 July 2022.



2 INTRODUCTION

Trafficworks Pty Ltd has been engaged to prepare a Traffic Impact Assessment Report to support a planning permit application for a service station and convenience store/fast food outlet development at 5630 Murray Valley Highway, Swan Hill. Referral of the Planning Permit Application to Department of Transport (DoT) resulted in a requirement for it to be accompanied by a Traffic Impact Assessment Report that addresses traffic and access issues, including:

- predicted traffic generation
- impacts on the arterial road network, noting the location is at the transition from 70 km/h to 90 km/h speed zones
- impacts on nearby intersections and access points
- assessment of turn lane warrants
- identification of mitigating works.

This report aims to satisfy the DoT requirements.

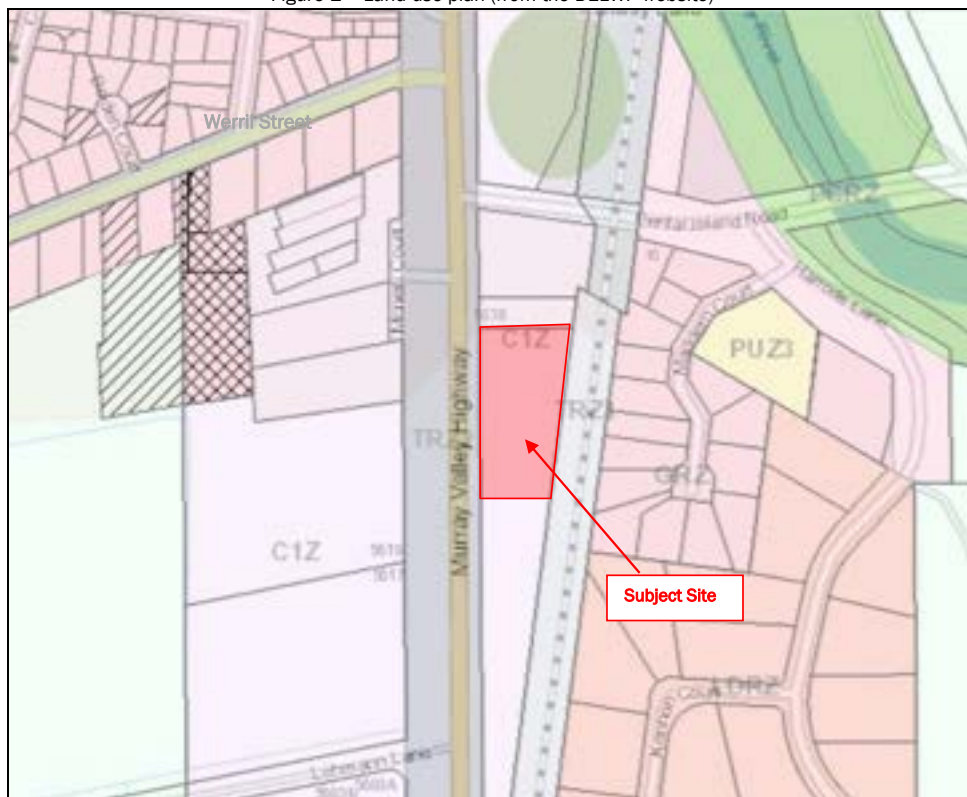


3 EXISTING CONDITIONS

3.1 Land use

The subject property is included in the Commercial 1 Zone (C1Z) under the Swan Hill Planning Scheme, as is abutting land to the north and to the west of the highway (refer Figure 1). The site abuts the Bendigo-Piargil Rail line in the State Transport Infrastructure Zone (TRZ1) to the east and the Murray Valley Highway is included in the Principal Road Network Zone (TRZ2) along the western property boundary. The land is currently vacant.

Figure 1 – Land-use plan (from the DELWP website)



3.2 Road network

The Murray Valley Highway (B400) is a State Arterial Road, managed by the Department of Transport (DoT). It provides for long distance travel along the State's northern border, between Corryong in the east and Mildura to the west. Along the western boundary of the subject property the two-lane two-way highway carriageway is located slightly to the east of centre in a 60 m reservation on a straight and flat north-south alignment, configured as follows (also refer Photos 2 & 3):

- 7.0 m seal carriageway (2 x 3.5 m wide traffic lanes)
- 2.0 m wide unsealed shoulders

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Immediately north of the site the highway widens out to provide a channelised southbound right turn lane into McNeill Court - a section of service road providing access to commercial developments along the west side of the highway. This widening continues further north to transition into a median for the divided cross section through Swan Hill north of Werril Street.

Development along the east side of the highway comprises a residence abutting the subject site at No. 5638 (noted on the plan for redevelopment) and a Toyota dealership to the north at No. 5646. Both these developments have direct highway access.

Photo 1: View to the north along Murray Valley Highway at the proposed entry to the subject property showing commencement of widening for the turn lane into McNeill Court to the left. The abutting residence and Toyota dealership beyond are seen to the right (all photos sourced from Google Streetview via NearMap under licence).



Photo 2: View to the south along Murray Valley Highway at the subject property frontage (to left). Note the change of speed limit from 70 km/h to 90 km/h downstream.





3.3 Traffic & speed environment

The most recent traffic information obtained from the DoT website indicates 2020 estimated Murray Valley Highway two-way traffic volumes of 7,000 vehicles per day (vpd), with 1,200 commercial vehicles (17% CVs). The data indicates a 50/50 directional split of 3,500 vpd. Based on the rule-of-thumb that peak hour traffic can be estimated as approximately 10% of average daily traffic, anticipated one-way peak hour volumes on the Murray Valley Highway are estimated to be in the order of 350 vehicles per hour (vph).

The DoT listing for Murray Valley Highway indicates a compound growth rate of 2.0% per annum. Applying this growth rate to the above values for the period 2020 to 2032 (till 10 years post completion of the development) would indicate two-way volumes on the Murray Valley Highway in the order of 8,880 vpd, with corresponding peak hour volumes of 440 vph in each direction.

Located at the southern fringe of Swan Hill, the signed speed limit on the Murray Valley Highway changes at the site frontage from 90 km/h to the south, reducing to 70 km/h north from the approximate midpoint of the subject site. This matter is discussed further in Section 5.5.

3.4 Crash history

The DoT's *Open Data Portal* provides records of all injury crashes reported to Police in the most recent five years of available data (January 2017 to December 2021). Interrogation of the database indicates that no crashes occurred during this period on the highway between Lehman Lane (250 m to the south) and Werril Street (300 m to the north), excluding these intersections, i.e. at a mid-block location within 200-300 m from the development.

Conclusion 1: with no crash history the section of highway along the subject property frontage operates safely and requires no urgent remedial treatment.

3.5 Pedestrians and cyclists

No footpath is provided along the highway south of Werril Street, 300 m to the north of the subject site and no on-road or off-road bicycle facilities are provided in the vicinity.

3.6 Public transport

The three times daily PTV coach service between Bendigo and Mildura stops at the Swan Hill Railway Station. This service is only suitable for long distance travel.

There is no public transport service within Swan Hill that would provide a convenient alternative mode of access to the subject site. This matter is not considered further in this report.



4 DEVELOPMENT DESCRIPTION

4.1 Proposed development

As shown in the Site Plan Enlargement (reproduced in Figure A1 of Attachment A), the development involves the following:

- a service station building of 336 m² in the centre of the site which has an area of 8,170 m²
- a canopy with 3 two-sided car fuel dispensers
- a separate canopy with 2 diesel dispensing bowsers
- 15 car parking spaces (including 1 disabled access space)
- 3 truck parking spaces capable of accommodating B-Doubles.

Site access is to be provided by way of:

- an entry-only driveway from the Murray Valley Highway adjacent to the northern site boundary, catering for left turn entry from the north and right turn entry from the south
- an exit-only driveway adjacent to the southern site boundary permitting left and right turn exit movements.

4.2 Traffic and parking generation

4.2.1 Traffic

The RTA *Guide to Traffic Generating Developments, Version 2.2A, October 2002*, is a reference normally used for the establishment of traffic generation rates based on empirical data collected for a variety of land uses. Section 3.6.2 of this Guide provides traffic generation data for *Service Stations with Convenience Stores* that indicates evening peak trip generation for these establishments can be estimated using the formulae:

1. Evening peak hour trips = 0.66 A(F)

or

2. Evening peak hour trips = 0.04 A(S) + 0.3 A(F)

Where: A(S) = area of site (8,170 m²)

A(F) = gross floor area of
convenience store (336 m²)

Applied to the subject establishment, trip generation is estimated to be in the range 222 vph (from formula 1) to 428 vph (from formula 2). The RTA traffic generation range is considered to be an over-estimate of traffic generation for the site area and the nature of the convenience sales involved (refer to further discussion below).

Discussion

From Section 3.3 of this report, total peak hour traffic on the Murray Valley Highway at 2032 is estimated to be 890 vph (10% of 8,880 vpd). The above trip generation estimates from the RTA *Guide* would suggest that the traffic generated by the establishment equates to between 25%



(222/890) and 48% (428/890) of total passing traffic. This equates to some 111 to 214 vehicles entering and departing the site in the peak hour (or more than one vehicle movement every 20-30 seconds). This is regarded as unrealistically inflated.

A research paper by D J Hunter entitled New Generation Service Station Attraction was presented at the Institution of Professional Engineers New Zealand (IPENZ) conference in 1992. The Hunter paper identified an appropriate proportion of passing traffic which enters service stations. The percentage was derived from a survey of 17 service stations in Christchurch, New Zealand. It showed that 2.5% of passing traffic on the frontage road is attracted to the premises. This would equate to 22 vph (or 11 entering and 11 departing) movements in the peak hour for the subject development.

In an earlier response to a Planning Application for another regional service station site at Heathcote, DoT indicated that it considered the New Zealand traffic generation rate as providing values that were too low and suggested that a generation rate of 3.19 vph per bowser be used¹. Applied to the 3 x 2 fuel dispensing bowzers (excluding the diesel outlets) at the proposed development this would equate to 19 trips per hour in the peak hour, approximating the Hunter estimate.

Table 2: Summary of traffic generation estimates.

Method	Peak hour trips	% of through traffic
RTA Guide	222 – 428 vph	25% - 48%
Hunter research paper	22 vph	2.5%
RRV (O'Brien Traffic surveys)	19 vph	2.1%

The volume estimates for the outlet obtained through the more conservative Hunter calculation have been applied to this development in the assessment that follows.

There is no other fuel outlet and no commercial development offering convenience food along the Murray Valley Highway to the south of the site. To the north the nearest convenience food outlet is the mixed business opposite Rankin Street (1.15 km north) and the McDonalds restaurant at Gray Street (1.43 km north). The nearest fuel outlet is the BP service station before Burke Street 1.57 km north of the site but along the west, inbound, side of the highway, with the next service station on the east side at Pritchard Street at the northern entrance to Swan Hill, 2.8 km north of the site.

On the basis that the site is the last fuel stop for traffic departing Swan Hill to the south, and that access for northbound traffic may be difficult at peak travel times, a 70/30 split has been assumed for arrivals from the north and south respectively, or 15 vph (22 x 0.7) from the north and 7 vph (22 x 0.3) from the south in the peaks at the proposed establishment.

Conclusion 2: peak hour entering traffic anticipated to be generated by the development 10 years post opening equates to 15 left turns from the north and 7 right turns from the south.

¹ Based on 15 minute empirical surveys conducted by O'Brien Traffic in 2016.



4.2.2 Parking

Parking provision for the convenience store development on the site is indicated on the plans to comprise a total of 15 x 90° right-angle car spaces (including 1 disabled access bay), nine along the front of the building and six at the rear.



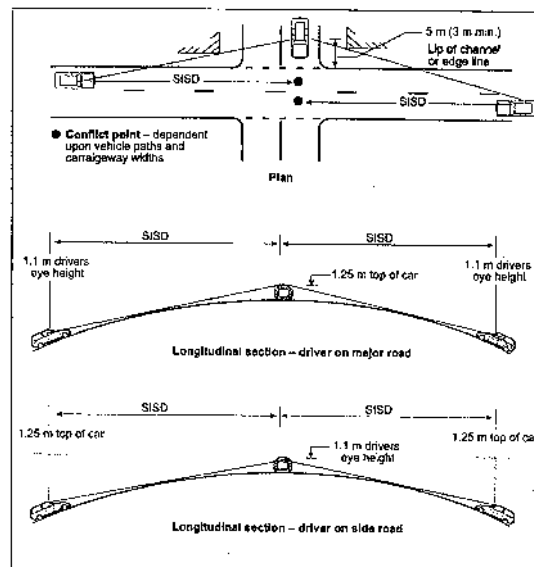
5 ASSESSMENT

The impacts of the development on the adjacent road network are primarily related to the need to provide adequate visibility at the access points for safe ingress/egress and to accommodate low-speed turning manoeuvres by vehicles accessing the development. These impacts are quantified below with appropriate mitigating works being considered. Parking provision and on-site vehicle movements are also reviewed in this report.

5.1 Sight distance

The visibility criterion normally required by RRV for safe access to the arterial road network is Safe Intersection Sight Distance (SISD). This is nominated in the AGRD4A as the minimum distance which should be provided on the road at a minor intersection or significant traffic generating development (refer to Section 3.2.2 in AGRD4A) and provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle from the minor access approach moving into a collision situation (e.g. in the worst case, stalling across the traffic lanes) and to decelerate to a stop before reaching the collision point (refer Figure 2 below).

Figure 2: Safe Intersection Sight Distance (SISD). Source: Figure 3.2 from AGRD4A.



Note that the VicRoads Supplement VS AGRD4A requires sight lines to be measured at a 7.0m (5.0m minimum) offset from the conflict point that is taken as the centre of the respective traffic lane.

The minimum SISD criterion specified in Table 3.2 of AGRD4A requires clear visibility for a desirable minimum distance of 248 m for a design speed of 100 km/h (speed limit + 10km/h) from the south or 151 m for a design speed of 70 km/h from the north, adopting a general reaction time R_T of 2 seconds and from a driver's position at 5.0 m (3.0 m minimum) from the edge of traffic lane.



It is noted that the VicRoads Supplement to AGRD4A requires visibility along a rural highway to be established from a driver positioned 7 m (5 m min) from the potential collision point, i.e. centre of respective traffic lane, and this criterion has been used to assess SISD along the Murray Valley Highway. No grade corrections are necessary on the flat profile of the Murray Valley Highway.

SISD for trucks should also be considered along the Murray Valley Highway. SISD for trucks can be established from SSD (stopping sight distance) for trucks (given in Table 5.6 AGRD03) plus 3 seconds reaction time. This equates to SISD for trucks of 235 m for an 90 km/h approach speed², and 163 m for 70 km/h.

These SISD requirements along the Murray Valley Highway are satisfied with clear sight lines in excess 300 m available to the north and south from the proposed property exit driveway (refer Photos 3 & 4).

Photo 3: View to the south from the proposed exit driveway for the subject site showing compliance with Austroads SISD criteria.



Photo 4: View to the north from the proposed exit driveway for the subject site showing compliance with Austroads SISD criteria



² The design speed for trucks is the posted speed limit



Conclusion 3: Austroads sight distance requirements are satisfied in both directions from the proposed site exit driveway onto the Murray Valley Highway.

5.2 Impacts on existing road network

5.2.1 Traffic volumes

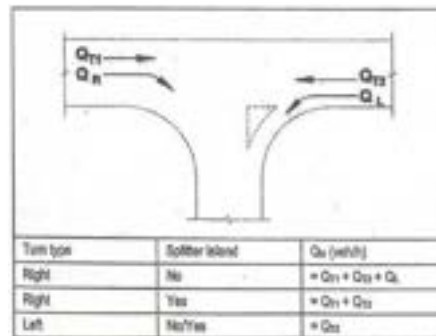
Separate turn lanes are normally provided to avoid congestion and/or delays to through traffic and to improve safety for traffic movements at intersections and significant access points, such as the entry driveway to the proposed development. The type of turn treatment is determined, based on speed environment and the combination of through and turning traffic volumes. Figure 3.25(b) of AGTM6 (reproduced in Figure 4) is used for the selection of treatment types at locations with a design speed of between 70 km/h and 100 km/h.

In the following sections of this report, these criteria have been applied to the proposed property access connection to Murray Valley Highway.

From Section 3.3 of this report, one-way traffic volumes in Murray Valley Highway 10 years post completion of the development are expected to be in the order of 440 vph during the daily peak hours.

Superimposed over these peak traffic flows are entry movements to the development. From Section 4.2.1 these are estimated to represent 22 vph entry movements, split 15 vph left turns from the north and 7 vph right turns from the south. These volumes have been used to derive the Q_L and Q_R values in Table 3.

Figure 3: Major Road Traffic (AGTM6, Fig 3.26)



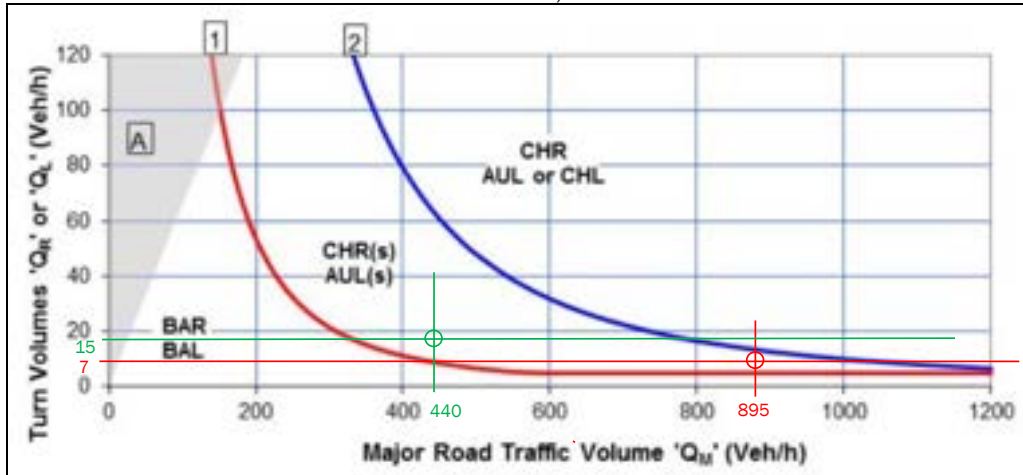
Using Figure 3.26 from the AGTM6 (reproduced in Figure 3), the major road traffic parameters Q_M can be established as set out in Table 3 that reflect the worst-case conditions at the service station entry for left and right turns during peak periods.

Table 3: Peak hour turn parameters at 2029 for use in Figure 4

Major Road	Minor Access	Left Turn	Right Turn	Thru Q_T		Q_M Left Turn	Q_M Right Turn
		Q_L	Q_R	Q_{T1}	Q_{T2}	$Q_M = Q_{T2}$	$Q_M = Q_{T1} + Q_{T2} + Q_L$
Murray Valley Highway	Site entry	15	7	440	440	440	895



Figure 4: Warrants for turn treatments at intersections with design speed $>70\text{km/h}$ / $>100\text{km/h}$ (Source: Figure 3.25(b) in AGTM6)



5.2.2 Treatments

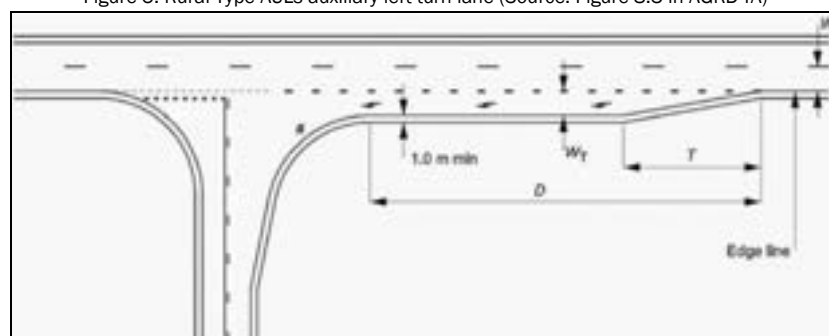
Applying the values from Table 3 to the graph in Figure 4, it can be concluded that the development will require the provision of a Type CHRs short channelised right turn lane and a Type AULs short auxiliary left turn lane to safely cater for customer turn movements into the site from the Murray Valley Highway during peak travel times.

Left Turn Movements

A rural Type AULs left turn lane treatment is described in Section 8.2.2 and Figure 8.3 of AGRD4A (reproduced in Figure 5 below). Dimensions of such a treatment can be established from the notes accompanying Figure 8.3 as follows:

- Design speed $V = 70\text{ km/h}$ (speed limit on north approach)
- Through lane width $W = 3.5\text{ m}$ (existing lane width)
- Turn lane width $W_T = 3.0\text{ m}$ minimum but increased to 3.5 m for use by trucks and caravans
- Diverge/deceleration length $D = 35\text{ m}$ (from Table 8.2 for $V = 70$)
- Taper length $T = 20\text{ m}$ (from Table 8.2 and included in D)

Figure 5: Rural Type AULs auxiliary left-turn lane (Source: Figure 8.3 in AGRD4A)



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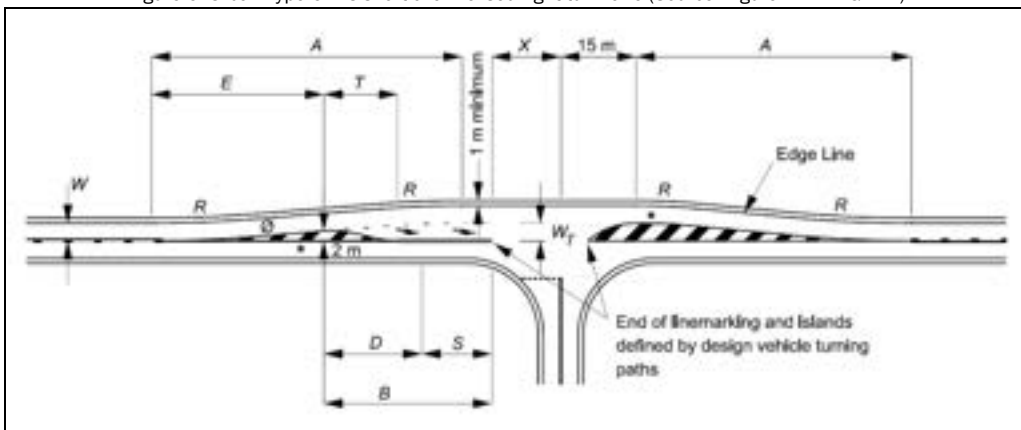


Right Turn Movements

A rural Type CHRs short channelised right turn lane treatment is described in Section A 7.5 and Figure A 7 of AGRD4. (reproduced in Figure 6 below). Dimensions of such a treatment can be established from the notes accompanying Figure A30 as follows:

- Design speed $V = 100$ km/h (speed limit + 10 km/h on south approach)
- Through lane width $W = 3.5$ m (existing lane width)
- Turn lane width $W_T = 3.5$ m desirable for turns by trucks
- Diverge/deceleration length $D = 70$ m (from Table A 4 for design speed of 100 km/h)
- Lateral movement length $A = 85$ m (from Table A 4 for design speed of 100 km/h)
- Distance from start of taper to 2.0 m width $E = 50$ m (from $2A/W_T$ and rounded)
- Taper length $T = 30$ m (from Table A 4 and included in D)
- Storage length $S = 19$ m (length of one semi-trailer)
- Clearance to centre of entry $X = 10 - 15$ m
- Total length on approach is 155 m ($E + D + S + X$).

Figure 6: Urban Type CHRs short channelised right-turn lane (Source: Figure A 7 in AGRD4)



The departure merge treatment would normally be 100 m long ($A + 15$). However, to cater for the proximity of the southbound right turn treatment at MacNeill Court, the pavement widening at the site entry should be maintained to merge with that at MacNeill Court, thereby creating a continuous 40 m long three lane cross-section between the two opposing right turns, that then extends further north to Werril Street.

Recommendation 1: that access to the development from the Murray Valley Highway be provided with a Type AULs short auxiliary left turn lane treatment and a Type CHRs short channelised right turn lane, with the northern departure merging with the widening at MacNeill Court. Turn lanes in both treatments should be 3.5 m wide.

5.2.3 Additional design considerations

It is noted that the adjacent residential property to the north, at 5638 Murray Valley Highway, has an established access driveway at the boundary fence to the subject site (see Photo 5). The



design detail for the left turn lane and driveway entry to the subject site will need to incorporate this adjacent driveway and the painted median between the opposing right turn lanes may need to incorporate a gap in the pavement markings to facilitate right turn entry and exit movements to this driveway.

Photo 5: Adjacent driveway to No 5638 that will need to be incorporated into the access design.



It is further noted that the plans indicate future redevelopment of this residential site. As such, any access arrangements may only be temporary, with the ultimate access to the new adjacent development not known at this stage.

Recommendation 2: that the design of the Type AULs and CHRs treatments incorporates provision of continued access to the adjacent property.

5.3 Parking

Quantity

Table 1 to Clause 52.06-5 of the Planning Scheme nominates the following parking rates applicable to this development:

- Convenience shop (>80m² FA) – 10 spaces per premises (applicable to the proposed establishment)

This requirement is satisfied by the provision of 15 car spaces shown on the current Site Plan Enlargement (refer Figure A1 in Attachment A and Section 4.2.2).

Conclusion 4: on-site car parking provision exceeds Planning Scheme requirements.



Design of on-site parking

The criteria contained in Figure 2.2 of AS/NZS 2890.1 *Parking Facilities, Part 1: Off-street Parking* for user class 3 – short term are as follows:

Bays at 90°	Width A	= 2.6 m
	Depth C	= 4.8 m (unconstrained) or 5.4m (to high kerb or wall)
	Aisle width	= 5.8 m minimum

The car parking bay dimension shown on the Site Plan Enlargement are A = 2.6 m and C = 4.9 m, thereby complying with the standards. However, those at the shop frontage are constrained by bollards that do not permit the 600 mm kerb overhang. As such, the bay depth of spaces 1 to 9 should be increased to 5.4 m. The 8.0 m aisle width allows for this adjustment.

Recommendation 3: that the depth of parking bays 1 to 9 along the shop frontage be increased to 5.4 m.

Disabled parking

AS/NZS 2890.6 *Off-street Parking Provision for People with Disabilities* does not specify the proportion of on-site parking that should be set aside for disabled users in Australia, although Table B1, for use in New Zealand, specifies not less than 2 accessible car parking spaces in the first 50 spaces.

Disabled parking is referenced in the Building Code of Australia where a rate of 1 – 2% is normally considered appropriate.

The Site Plan Enlargement nominates one accessible parking bay flanked by an access space. This arrangement complies with the standards.

Conclusion 5: provision for disabled car parking satisfies statutory requirements.

Bicycles

Table 1 to Clause 52.34 of the Planning Scheme contains rates for bicycle parking. This clause does not include a rate for bicycle parking at service stations and only specifies bicycle parking rates for the category of 'shop' where the leasable floor area exceeds 1,000 m². As such, it is not considered necessary to include provision for bicycle parking as part of this development.

Conclusion 6: the nature of the development does not require provision for bicycle parking.

5.4 Internal circulation

The Site Plan Enlargement indicates that circulation through the site is intended to be in a clockwise direction with the northern driveway serving as an entry only and the southern driveway as an exit only. Signing and pavement markings throughout the site will need to reinforce this mode of circulation.



Circulation of a B99 car through the car canopy and to the exit is satisfactory (refer swept path plots in Figures B1 & B2 of Attachment B).

An 8.8 m service vehicle can successfully access the delivery dock area (refer Figures B3 & B4).

Circulation of a B-Double through the truck canopy and to the exit is also satisfactory (Figures B5 to B10) but requires the exit driveway apron to be flared out to satisfactorily cater for the left turn exit movements of trucks (refer Figure 7).

Figure 7: Proposed driveway modifications for left turn exit movements by trucks



Conclusion 7: the site layout caters for the internal circulation by all anticipated vehicle types.

Recommendation 4: that the layout design of the exit driveway be reviewed to accommodate the left turn exit movement by trucks without encroachment into the opposing traffic lane.

5.5 Other matters

Street lighting

There is no street lighting along the Murray Valley Highway at the site, with the nearest lighting provided by a single flag light at the MacNeill Court intersection. It is expected that the development will include lighting of the concourse and advertising to identify the businesses and mode of entry to the site. Highway lighting is not considered necessary for safety or security.

Conclusion 8: no highway lighting is required to accompany the proposed development.

Speed zoning

As noted earlier, the speed zone transitions from the 70 km/h into the town to 90 km/h to the south occurs at the midpoint of the site frontage, or approximately 125 m south of the MacNeill Court intersection. The subject development, including the provision of new turn lanes, changes the highway driving environment. As such, a southerly extension of the 70 km/h zone of some 110 m is considered warranted to incorporate the extended three lane treatment, both driveways to the subject site and the driveway entrance to the John Deere dealership diagonally opposite.

Recommendation 5: that the current transition between the 70 and 90 km/h speed limits be relocated approximately 110 m further south.



6 CONCLUSIONS & RECOMMENDATIONS

The foregoing traffic assessment of the proposed service station and convenience store development at 5630 Murray Valley Highway, Swan Hill has concluded that:

1. with no crash history the section of highway along the subject property frontage operates safely and requires no urgent remedial treatment
2. peak hour entering traffic anticipated to be generated by the development 10 years post opening equates to 15 left turns from the north and 7 right turns from the south
3. Austroads sight distance requirements are satisfied in both directions from the proposed site exit driveway onto the Murray Valley Highway
4. on-site car parking provision exceeds Planning Scheme requirements
5. provision for disabled car parking satisfies statutory requirements
6. the nature of the development does not require provision for bicycle parking
7. the site layout caters for the internal circulation by all anticipated vehicle types
8. no highway lighting is required to accompany the proposed development.

The assessment has recommended that the following matters be addressed in a review of the development plans:

1. that access to the development from the Murray Valley Highway be provided with a Type AULs short auxiliary left turn lane treatment and a Type CHRs short channelised right turn lane, with the northern departure merging with the widening at MacNeill Court. Turn lanes in both treatments should be 3.5 m wide
2. that the design of the Type AULs and CHRs treatments incorporates provision for continued access to the adjacent property
3. that the depth of parking bays 1 to 9 along the shop frontage be increased to 5.4 m
4. that the layout design of the exit driveway be reviewed to accommodate the left turn exit movement by trucks without encroachment into the opposing traffic lane
5. that the current transition between the 70 and 90 km/h speed limits be relocated approximately 110 m further south.

Providing the design is suitably amended in accordance with the above recommendations, there are no traffic engineering reasons that prevent the proposed development from proceeding.



ATTACHMENT A – SITE PLAN ENLARGEMENT

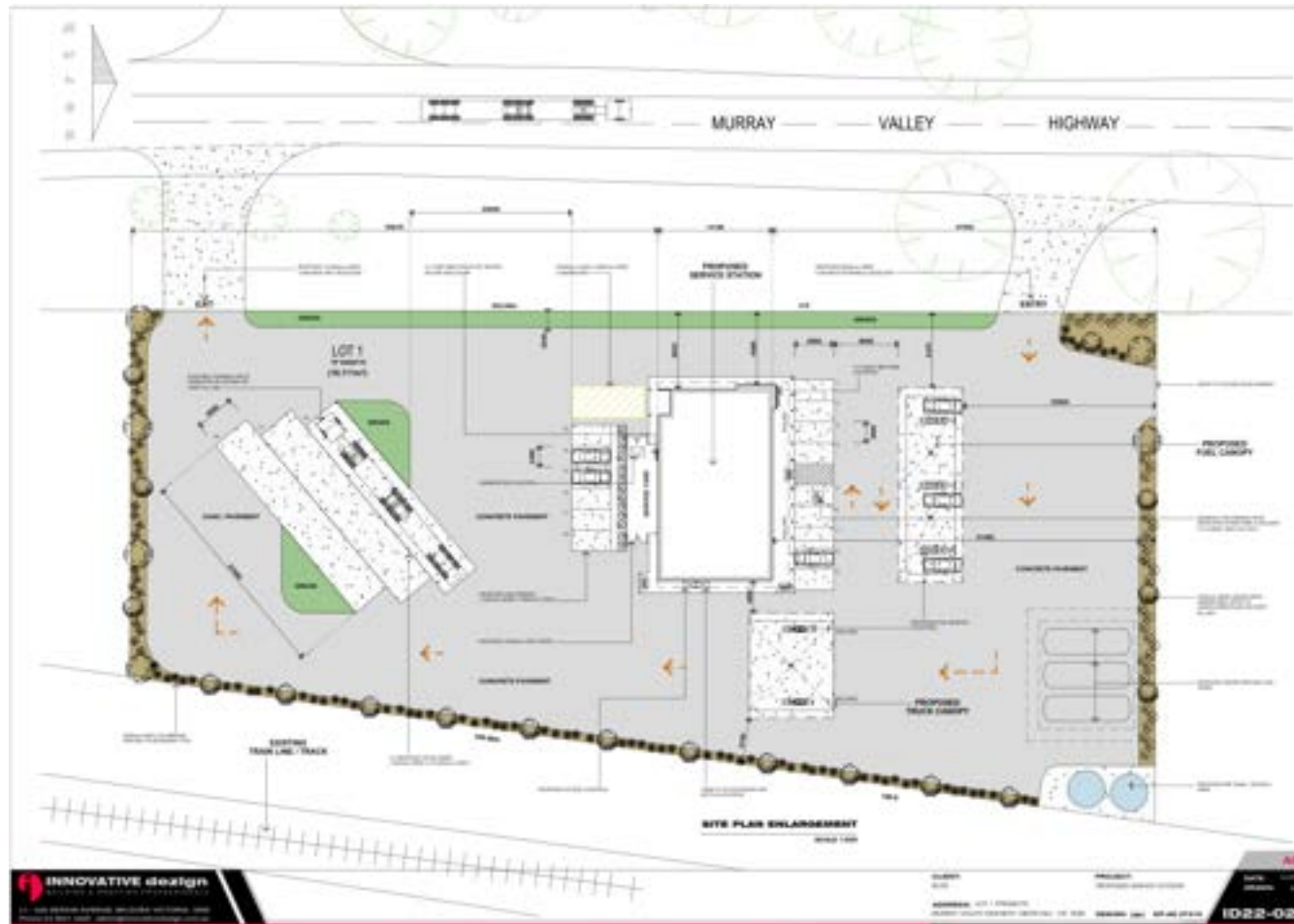


Figure A1: Site Plan Enlargement for development at 5630 Murray Valley Highway, Swan Hill

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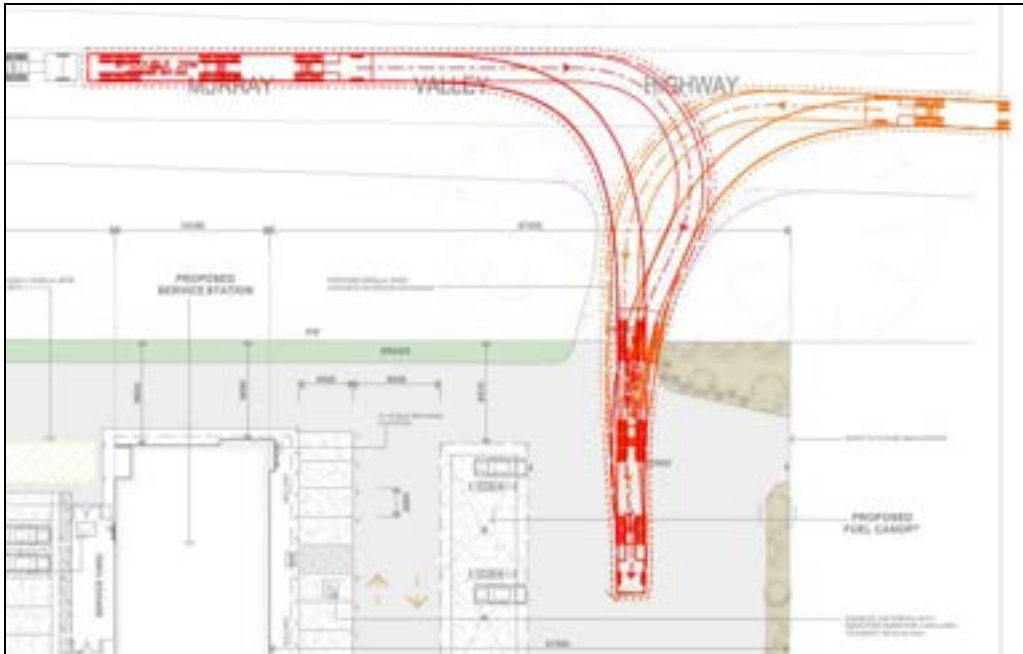


Figures B3 & B4: Swept path plots for 8.8 m service vehicle accessing the delivery dock.

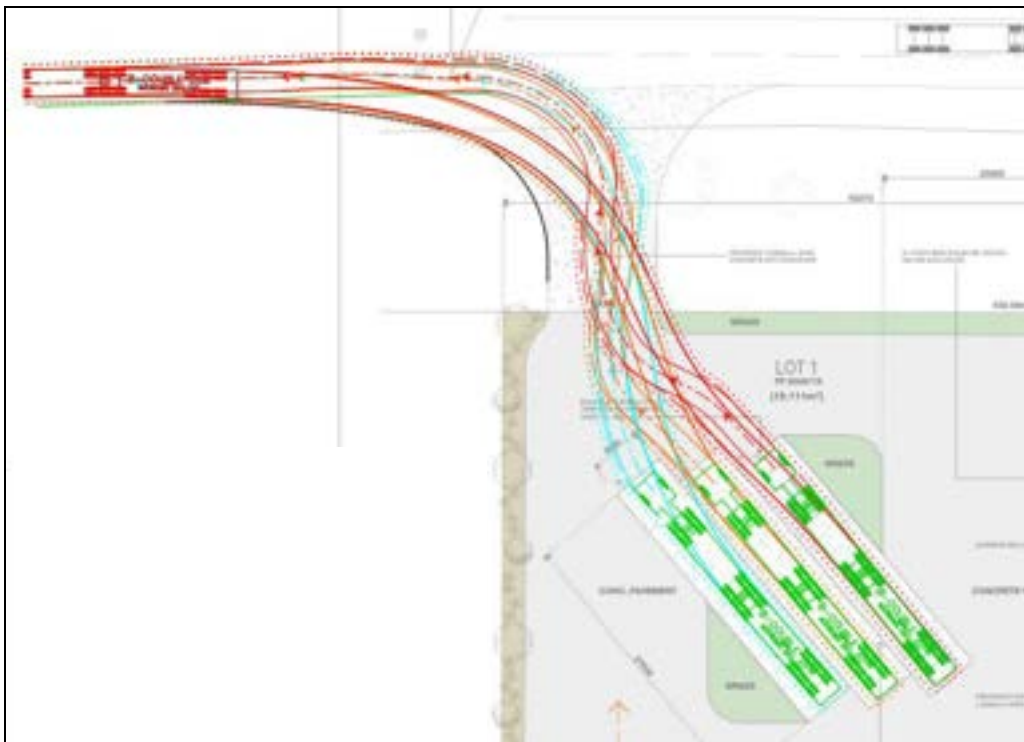
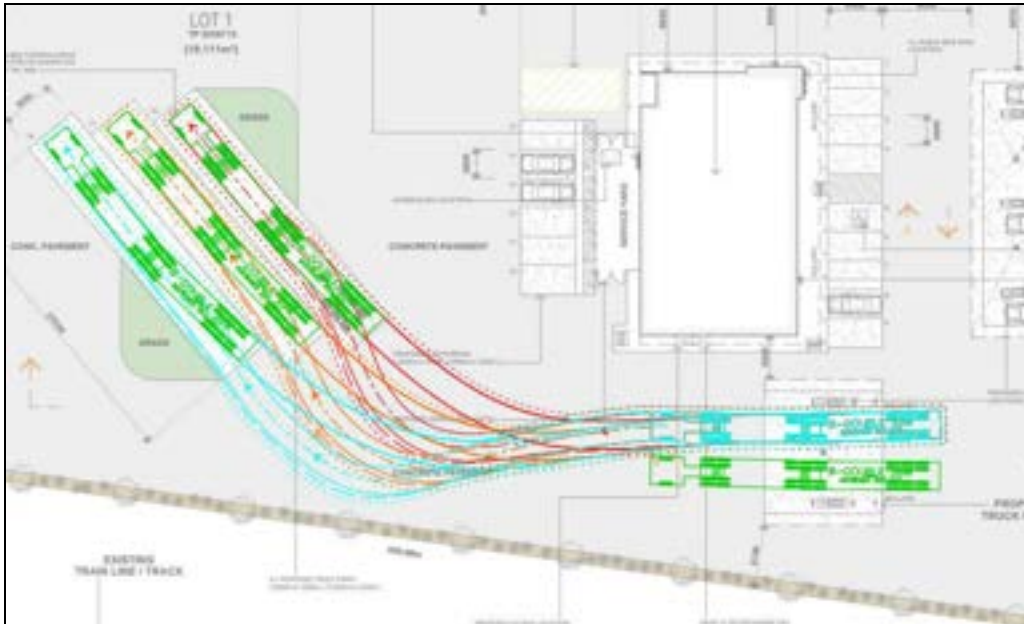




Figures B5 to B10: Swept path plots for B-Double circulating through the site.



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Objection to a Planning Permit

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

Who is objecting?

Name:

Address:

Phone:

Email:

What application do you object to?

Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

We wish to object to the development of Lot 1 TP 850877 on the Murray Valley Highway, Swan Hill as this would closely back onto our home in Maddern Court.

Reasons being the noise that we believe the new 24hour Service station and truck stop would create would be unacceptable to us.

Also we have a problem with the lighting that would be emitted from the service station signs and flood lighting.

We also believe the increased traffic this new development will create, will make it even harder to be able to turn onto the highway from Pental Island Road.

Already this intersection can be can be very busy at certain times of the day.

Swan Hill at this stage already has an over supply of Service Stations and I don't think you can justify another one being built.

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DX30166 Swan Hill
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Objection to a Planning Permit

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

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I object to this application for the following reasons:

A large colony of gray faced flying foxes live in the large gum trees on our property. Their scientific name is *pteropus poliocephalus* - they are endangered and their numbers are dwindling due to the recent bushfires and habitat being reduced. They have only been here for the last 5 years or so and return every summer for the fruit season.

They are nocturnal feeding on the fruit of the gums and other fruit trees. They have been found in the trees directly behind the proposed development in River Oaks Drive. I am concerned that the extra noise, lighting and traffic will affect their feeding and endanger them more.

Please consider this project very carefully Thank You

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Reasons for your objection

I object to this application for the following reasons:

Too close to residential homes.

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Reasons for your objection

I object to this application for the following reasons:

I believe the value of our property in the adjacent subdivision of River Oaks will be adversely affected by the increase in noise, lighting, smell & proximity to a property on the EPA register.

The impact of fumes on the older generation & children residing in our subdivision is also a concern.

My main objection revolves around the subsequent increase in traffic that this service station would obviously create.

The intersection of the Murray Valley Highway & Pental Island Road (one which I travel through at least twice a day) is already congested & dangerous.

The short distance around this intersection already includes a railway crossing, narrow bridge, bus route, disabled facility requiring many taxi drop-offs daily, staff car parking outside Toyota, many farm vehicles on the way to rural properties & a highway with a 70km speed limit. This is not taking into account the future changes to the vacant land on this corner, which is earmarked for development. It is already VERY busy &

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difficult to negotiate much of the time. Attracting more traffic to this area would be dangerous unless changes were made to that intersection.



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Reasons for your objection

I object to this application for the following reasons:

The value of our properties will be devalued due to noise, lighting, increased traffic and smell and could be in the EPA register when the property is sold in the future.

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The Objection:

Reasons for your objection

I object to this application for the following reasons:

Hellier McFarland is acting on behalf of residents from 12 properties affected by the proposal.

Please see attached letter of objection.

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Hellier McFarland

Development Consultants Town Planners Land Surveyors

ABN 17 006 790 450

Level 2, 1911 Malvern Road, Malvern East, VIC 3145

PO Box 1206, Darling, VIC 3145

Tel: 03 9532 9951

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4 April 2023

Our Ref. Number: 13620P

Statutory Planning
Swan Hill Rural City Council
45 Splatt Street
Swan Hill, VIC, 3585

Dear Sir/Madam,

OBJECTION TO PLANNING PERMIT APPLICATION PLN2022049

Lot 1, TP850877 Murray Valley Highway, Swan Hill

Proposal: Use and Development of a Service Station, Creation of Access to a Road Transport Zone 2, and Installation of Signage

I refer to the Notice of Application for Planning Permit received in relation to the above planning application and wish to lodge an objection on behalf of the following residents:

The application-site an elongated triangle shaped lot with a western boundary frontage to the Murray Valley Highway of 632.06m (vegetation report states 570m in length), a northern boundary of 72.56m, a rear eastern boundary of 226.51m and a total site area of 1.911ha.

It is proposed to use and develop the site for a service station comprising a café and dine in facilities, truck stop and car parking, operating 24 hours daily, as well as the creation of access to the Murray Valley Highway.



FS520319

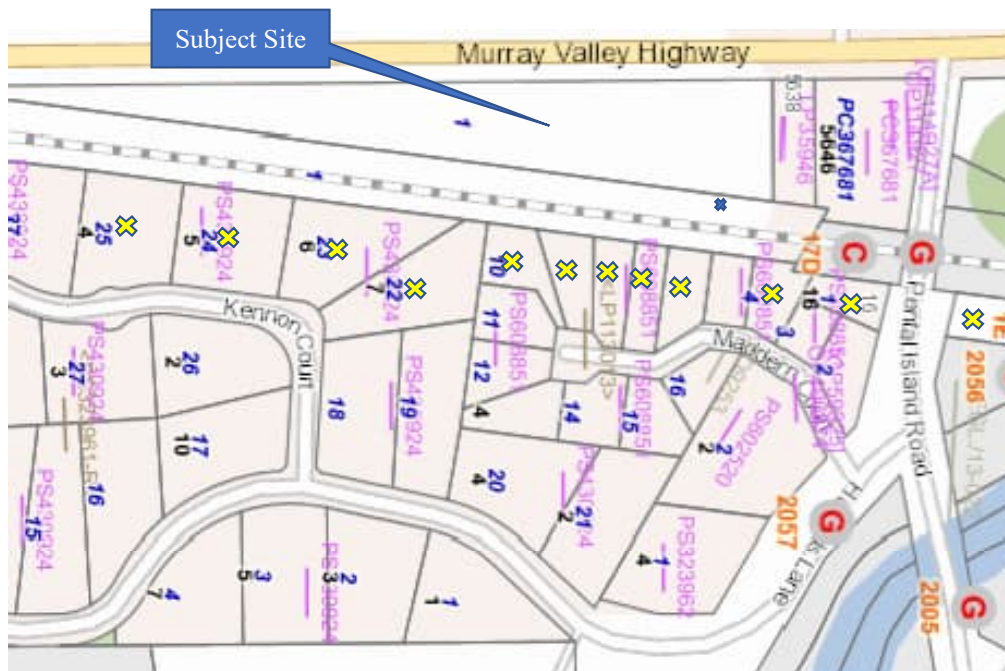
Liability limited by a scheme approved under Professional Standards Legislation.

We note that it is also intended to remove native vegetation from within the road reserve, however, removal in order to provide access to the site is exempt under Clause 52.17.7 Native Vegetation of the Swan Hill Planning Scheme.

Our clients reside in Maddern Court, Kennon Court and Pental Island Road located to the east of the subject site in residential estates separated from the property by a 35m wide railway reserve. Many of our clients' properties back onto the railway reserve with the subject site located on the other side.

Properties located in Maddern Court are included in the General Residential 1 Zone and properties in Kennon Court and surrounds are located in the Low Density Residential Zone.

We preface this objection by asserting that the planning application is lacking in essential information to enable a more comprehensive review of the proposal and its potential impacts on nearby residential amenity. In this case, we take no issue with the removal of native vegetation from the tree reserve as it is to be offset by replacement plantings in the vicinity and will have no direct bearing on our clients. We are, therefore, primarily focussed on the amenity impacts to our clients' properties.



Location of our Clients

By way of background, the subject site is located in a Commercial 1 Zone as is the land extending northwards that is developed with vehicle sales and hire uses. A service station is a non-specified, section 2 use in the Commercial 1 Zone, requiring a permit. The site is also affected by a Specific Controls Overlay Schedule 1. This control implements the Goulburn-Murray Water: Connections Project and is not relevant to this proposal.

Grounds of Objection

1. The planning application lacks sufficient information to carry out a comprehensive assessment of the potential amenity impacts to nearby residential properties.

We have undertaken an assessment of the proposal and identified a number of areas and concerns where the proposal is lacking, which will result in unreasonable detriment to nearby residential properties and should therefore not receive Council support in its current form.

The following information is missing or requires clarification:

- The proposal has failed to provide an acoustic assessment or explain how noise from the site will be mitigated.
- The proposal has failed to provide a lighting assessment to gauge the potential impact of light spillage, brightness and glare from the development on nearby residential properties.
- No information has been provided on the nature or management of air-borne emissions.
- The proposal has failed to provide a Waste Management Plan.
- The proposal has failed to provide an onsite Management Plan.
- It is unclear as to whether the proposed fascia signs on the sales/cafe building and on the canopies over the fuel bowzers are to be illuminated or non-illuminated.
- It is unclear as to the future purpose of the northern section of the site that is to remain vacant which is contrary to the orderly and proper planning of the site. The development plans identify it as 'future development site', however, the vegetation report shows it as 'Stage 2 Restricted Retail' with two tenancies and car parking.
- How will land not required for immediate use be maintained?
- Little information has been provided about the nature of goods and services to be sold or hired from the site noting that the definition of Service Station in the Swan Hill Planning Scheme states that it may include:
 - *Selling of motor vehicle lubricants, accessories or parts;*
 - *Selling of food, drinks and other convenience foods;*
 - *Hiring of trailers;*
 - *Servicing or washing of motor vehicles, and*
 - *Installation of motor vehicle accessories or tools.*

2. The proposed use and development fails to have appropriate regard to the requirements of the Commercial 1 Zone.

The proposal fails to demonstrate appropriate regard to key requirements of the Commercial 1 Zone designed to protect nearby residential amenity as follows:

Clause 34.02-2 Use of Land

The clause states that:

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

Hellier McFarland

Page 3

- *Transport of materials, goods or commodities to or from the land.*
- *Appearance of any building, works or materials.*
- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

A 24 hour, seven day a week operation is proposed. No Management Plan or Waste Management Plan has been prepared, therefore it is possible that waste collection and delivery vehicles including fuel tankers, could visit the site at any time of the day or night, disturbing the reasonable expectation of quiet enjoyment of our clients' homes in a residential area within a rural township.

The canopies over the fuel bowsers rising to 5.4m and 6.2m are likely to be highly illuminated throughout the night, dominating views from our clients' outdoor private open space areas. No details have been provided in relation to the level of illumination or form of lighting to be installed and no assessment made as to how this will impact nearby residential properties.

No acoustic report has been provided to assess the level of noise to be generated by the proposed use. Noise from trucks, cars, delivery vehicles including potential early morning fuel tanker deliveries, customers and plant and equipment operating 24 hours a day have not been evaluated. Our clients' backyards are located only 35m away with no intervening buildings or structures other than proposed 1.8m high Colourbond fencing on the site to mitigate the carriage of unreasonable noise levels to these residential properties.

Concerns are raised in relation to emission of fumes and vapours associated with the fuel storage and kitchen. The application documentation provides no reassurance that EPA requirements will be met, what these are or how they would be enforced.

Clause 34.01-6 Application Requirements

The proposal fails to demonstrate adequate regard to the following requirements of the clause:

Use

An application to use land must be accompanied by the following information, as appropriate:

- *The purpose of the use and the types of activities which will be carried out.*
More detail is required regarding the nature of proposed activities, both within the site and on vacant land to be developed in the future. A mechanical car wash, for example, would exacerbate amenity concerns.
- *The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.* As discussed elsewhere.
- *The means of maintaining land not required for immediate use.* No details provided with the application.
- *If an industry or warehouse:*

- *The type and quantity of goods to be stored, processed or produced.*
- *Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.*
- *Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.*
- *The likely effects on adjoining land, including air-borne emissions and emissions to land and water.*

Buildings and Works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- *A plan drawn to scale which shows:*
 - *The boundaries and dimensions of the site.*
 - *Adjoining roads.*
 - *The location, height and purpose of buildings and works on adjoining land.*
 - *Relevant ground levels.*
 - *The layout of existing and proposed buildings and works.*
 - *All driveway, car parking and loading areas.*
 - *Proposed landscape areas.*
 - *All external storage and waste treatment areas.*
 - *Areas not required for immediate use.* Unclear. This is contrary to proper and orderly planning.
- *Elevation drawings to scale showing the colour and materials of all buildings and works.*
- *Construction details of all drainage works, driveways, vehicle parking and loading areas.*
- *A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.* The landscape plan is lacking sufficient detail to undertake an appropriate assessment.

Decision Guidelines

The proposal has failed to demonstrate adequate regard to:

- *The interface with adjoining zones, especially the relationship with residential areas.* Whilst the site has not direct residential interface, residential properties are only located 35m away with only an open railway reservation in between. Amenity impacts should therefore be considered.
- *The interim use of those parts of the land not required for the proposed use.* This is completely unclear and does not provide for the proper and orderly planning of the land.

- *The storage of rubbish and materials for recycling.* One bin area is shown that does not appear to be adequate to cater for all waste generated by the site and no Waste Management Plan has been provided to justify this provision or explain how waste will be managed on site or collected.

3. The proposal will result in unreasonable noise impacts to nearby residential amenity.

The proposal is contrary to the objective of Clause 13.05-1S Noise Management of the Planning Scheme which is *to assist the management of noise effects on sensitive land uses*. Relevant strategies seek to ensure that community amenity and human health is not adversely impacted by noise emissions.

No acoustic report has been prepared as noted previously and no acoustic fencing is proposed to be installed along the eastern boundary. Acoustic fencing of a scale and design that protects nearby amenity and privacy should be provided.

It is unclear, due to the lack of information accompanying this application whether relevant EPA standards addressing noise from service stations to sensitive land uses will be achieved.

It appears that noise may be channelled to the north and east by the orientation of the sales/café building rather than facing the north or south and using the rear wall to contribute to acoustic insulation. Noise from the use will be further exacerbated by the location of the kitchen service yard for rubbish and plant equipment to the south of the building, the location of the bowzers, and vehicle access along the eastern boundary bringing trucks, cars and delivery vehicles closer to residents. Other sources of noise will come from customers and the use of fuel bowzers etc. at all hours.

The proposed 24 hour operation, seven days a week is considered to be unreasonable given the proximity of a residential area. Fuel tanker deliveries are a particular concern in terms of noise with no delivery hours proposed and is likely to occur late at night or in the early hours of the morning to limit conflict with traffic and users of the service station. As such, times for fuel tanker deliveries and other major sources of noise should be tightly restricted in any service station located in close proximity to residential properties.

Any future intensification of use such as the installation of a mechanical car wash will add to noise generation from the site given that an area to the north of the service station is to be developed at a future time.

Traffic noise currently carries from the highway to the residential areas and our clients are keen to avoid any increase brought about by a service station overnight, in particular.

Whilst the residential properties back onto a railway reserve, this is a quiet rural railway line with a limited passenger service to Melbourne each day and few goods trains utilising the line. Noise from trains is therefore intermittent and does not continue at all hours of the day and night, unlike the continual noise associated with the proposed service station.

4. Light

No lighting plan has been prepared to detail the amount of type of lighting to be used throughout the site or to assess the impact of light spillage, brightness, or glare to nearby residential properties.

Service stations tend to be highly illuminated operations at night and this station proposes to be open for 24 hours a day, seven days a week.

Without adequate measures to counteract the visual impacts, lighting from the site will dominate the outdoor living areas of each of our clients to the detriment for the quiet and reasonable enjoyment of their properties.

5. Screening

The proposed landscape strip along the eastern side boundary is not dimensioned on the plans but appears to be less than 1.0m. This will not be wide enough to sustain suitable large trees and shrubs to screen the use from our clients' properties and to and reduce or filter pollutants derived from the service station use.

The landscape plan shows alternating claret ash and crepe myrtle trees to be planted along this boundary which, in ideal conditions, could reach heights of 20m and 6.0 – 8.0m respectively at maturity, however, these trees are deciduous leaving the boundary exposed to the east during several months of the year.

No landscaping at all or attempts at screening have been provided in the north-eastern corner of the site where water tanks have been located.

No maintenance details are provided on the landscape plan to provide assurance that any vegetation planted on the site will be retained and thrive once the use is established.

6. Odour, Fumes and Storage of Volatile Fuels is a Safety Hazard to nearby Residents.

The proposal has failed to demonstrate adequate regard to Clause 13.06-1 Air Quality Management which seeks *the protection and improvement of air quality*. Planning strategy seeks to ensure, where possible, that there is suitable separation should be provided between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses and to minimise air pollutant exposure to occupants of sensitive land uses through suitable siting, layout and design responses.

Clause 13.07-1S Land Use Compatibility seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. Development of land needs to be compatible and avoid or minimise off-site impacts through land use separation, siting, building design and operational measures.

Planning Objection

What are the relevant EPA standards for service stations and the storage of underground fuel (and any above ground gas) tanks located within 50m of sensitive land uses, and how will the proposal meet these? The storage of fuels on a site may increase the risk of fire or explosion, or underground storage tank leakage issues leading to contaminated soil.

There is concern that air in the immediate vicinity of service stations may be polluted with airborne particles stemming from evaporated fuel, including fuel from loading and unloading operations, refuelling, and liquid spillages and therefore harmful to local residents. There may also be potential for contamination of ground water unless properly installed, operated and monitored.

Odour and fumes from the kitchen and rubbish area may also occur unless these areas are properly cleaned and maintained.

The narrow landscape strip along the eastern boundary does not allow for layer of vegetation which may have a filtering effect on airborne pollutants to residential properties.

7. The Proposed Site Layout Will Exacerbate Amenity Impacts

Instead of assisting in the provision of screening and noise mitigation and focussing noise and light towards the highway, the siting and orientation of the sales/cafe building, location of the kitchen service yard, location of the bowser canopies setback only 4.74m from the boundary, and driveway location exposes the proposed use to the north and east where it will exacerbate light, noise, and odour impacts on the nearby residential properties as previously discussed.

8. Signage

Little information has been provided in relation to whether signs to be installed on the building and canopy fascias will be illuminated or not.

Thank you for affording us opportunity to review the application. Our clients would be interested in participating in any discussion concerning the matters that have been raised in this letter of objection prior to Council determining the application.

Yours sincerely,



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The Objection:

Reasons for your objection

I object to this application for the following reasons:

I am writing to express my strong objection to the proposed 24-hour petrol station that is planned to be built near my home. As a resident of this neighborhood, I am deeply concerned about the safety and health risks this petrol station will pose to our community.

Firstly, the proposed petrol station will increase traffic flow in the area, which could lead to traffic hazards. The roads in our neighborhood are not designed for increased traffic stopping, and the congestion caused by the petrol station will make it difficult for vehicles to maneuver safely. The safety of drivers and pedestrians will be put at risk, particularly during peak hours.

Moreover, the petrol station's operations will generate noise and light pollution, which will negatively impact the quality of life for residents in the area. The constant hum of vehicles, loudspeaker announcements, and

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beeping sounds of fuel pumps can cause sleep disturbance, reduce property value and cause inconvenience to the local community. The light pollution from the petrol station will also contribute to the degradation of our environment and disrupt the natural rhythms of the wildlife in the area.

Furthermore, the petrol station will emit harmful gases, including carbon dioxide, carbon monoxide, and nitrogen oxides, which contribute to air pollution. This pollution has negative effects on the respiratory health of people in the area, particularly children, who are more susceptible to these pollutants' adverse effects. With the increased exposure to these pollutants, the health risks to children in the community will increase.

Finally, the proposed petrol station's operations are at odds with efforts to address climate change. Fossil fuels are a significant contributor to climate change, and the proposed petrol station will increase the carbon footprint of our community. As a society, we must transition to cleaner, more sustainable forms of energy, and the construction of a new petrol station goes against this goal.

In conclusion, I strongly urge you to reconsider the proposed petrol station and find a more suitable location. The potential risks to our community's safety, health, and environment are too great, and we must prioritize the well-being of our community.



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The Objection:

Reasons for your objection

I object to this application for the following reasons:

1. Increased traffic in the area
2. Increased noise, fumes, night time lighting as the business is wanting to run 24 hours
3. It will impact our outdoor space as our outdoor area looks directly towards the site of the service station

Thank you

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I object to this application for the following reasons:

Noise ,devaluing,smell

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Reasons for your objection

I object to this application for the following reasons:

As a resident of the River Oakes Estate and owner of a block of land in Madden court, I strongly object to the proposal of a new petrol station being built at the back of Madden Crt , fronting the highway.

Firstly, the pollution in the air, at and around petrol stations, arising from the evaporation of petrol fumes could have harmful affects to surrounding and nearby urban areas. Madden court and River Oaks Estate are homes to families, several including young children. This type of air pollution can be harmful and contain chemicals such as carbon monoxide and nitrogen oxides.

Other types of pollution which might occur include soil and ground water pollution.

Although petrol station safety is supposed to be regulated there are still several issues with their placement near homes. Why take the risk, there are ample sites away from households, in Swan Hill that can facilitate such premises

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Light and noise disturbances will also occur. There will be excessive artificial light created and significant increases to noise pollution with more traffic around the area, particularly trucks with air brakes. Noise from the highway carry's throughout the estates.

The primary objection is for the health, both mental and physical, and well-being of the residents.

A secondary concern is the negative impact this may have on the value of the properties in the area. The various types of pollution emitted by petrol stations could reduce the value of real estate in this area.

Additionally, the building of a new petrol station would also impact the natural environment, with the removal of trees and vegetation, effecting bird life in the area.

For these reasons I strongly object to the proposal of a new petrol station being built at the rear of Madden Crt.

Regards



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The Objection:

Reasons for your objection

I object to this application for the following reasons:

Both my wife and I object to the proposed service station, on the Murray Valley Hwy at Swan Hill (application PLN2022049), for the following reasons:

Noise pollution; The fact that this is to be a 24 hour truck stop, so close to our house is very concerning especially given that the 3 truck parking bays are very close to our property, being at the south end of the development. It will not only be truck motors shutting down and starting up at all times of the day and night but also the releasing of air breaks and the noise from live stock such as pigs, cattle, sheep etc. in live stock carriers that will surely park there for periods of time while their drivers rest.

Air pollution; Obviously an increase in vehicle usage especially transports so close to our property, will increase the levels of toxic fumes and exhaust smoke we and others in our neighborhood are exposed to,

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putting our health at risk. Again the use of such facility by livestock transports will add to the noise of those animals to what is presently a quite up market residential area.

Light pollution; this being a 24/7 facility with 6.2m high canopies and I would expect security flood lighting, the proposed 1.8m high colour bond fence and our own existing fences will do little to keep this light out of our back yards, our outdoor entertain areas and every window on the North and West side of our house. This will also be a visual eye sore by day looking to the west of our property at a canopy or 4m high semi trailers.

Obviously, a token gesture of installing a 1.8m high colour bond fence will do little to minimise these environmental issues, all of which will have an adverse effect on valuation of all the properties in both River Oaks and Maddern Crt.

I also find the fact that there was no mention in what would have been a very considered application latter, that this was to be a 24 hour facility, quite sneaky and underhanded by the developer.

In closing I also understand that there is a proposed service station to be positioned on the corner of the Murray valley Hwy and Bombardieri lane which if approved will service the southern end of town in what is a much better location away from so many established residential properties. We are not against development, but surely there are more suitable places to have a 24/7 truck stop than beside existing residential housing.

Yours Sincerely,



Objection to a Planning Permit

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Who is objecting?

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What application do you object to?

Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

- Increase of noise from trucks from stationary to acceleration.
- Increase in light pollution?
- Health hazard to the near by residential areas as fuel pollutants can travel 100m+
- Studies show increased risk of childhood cancers -maddern court has around 22 children in this residential area.
- potential increase in crime rate to nearby residential areas with a 24hr service station.
- increase in vehicle collisions as there will be more blind spots from pental island road junction when large trucks are waiting to turn into service station.

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What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

The pollution in the air, at and around petrol stations, arising from the evaporation of petrol fumes could have harmful affects to surrounding and nearby urban areas. Madden court and River Oaks Estate are homes to families, several including young children. This type of air pollution can be harmful and contain chemicals such as carbon monoxide and nitrogen oxides.

Other types of pollution which might occur include soil and ground water pollution.

Although petrol station safety is supposed to be regulated there are still several issues with their placement near homes. Why take the risk, there are ample sites away from households, in Swan Hill that can facilitate such premises

Light and noise disturbances will also occur. There will be excessive artificial light created and significant increases to noise pollution with more traffic around the area, particularly trucks with air brakes. Noise from the highway carry's throughout the estates.

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The primary objection is for the health, both mental and physical, and well-being of the residents.

A secondary concern is the negative impact this may have on the value of the properties in the area. The various types of pollution emitted by petrol stations could reduce the value of real estate in this area.



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Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

As a new resident to Maddern Court I am strongly disappointed to this proposed plan to build a service station within close vicinity to my residence which houses 4 children all under the age of 18. I strongly object to this proposed service station going ahead as planned.

Reasons for my objection:

- air pollution that will be caused from the proposed service station within close vicinity of my personal residence.
- noise pollution that will be caused by the 24 hr service this proposed service station. By constant trucks stopping to refuel, trucks refuelling the service station and from experience in working night shifts the parking lot area that will attract young motor enthusiasts to hang out with hotted up motor vehicles with constant noise coming from these cars and radio systems.
- privacy issues with high vehicles being able to see into my yard and even into 4 of my bedroom windows

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which are constantly open to provide fresh daylight to conserve energy.

- light pollution that will be caused by signage 24 hours a day.

As I work around Swan Hill area I can only think of one other service station within close vicinity to houses and have been in communication with these houses who say the smell and constant noise is a burden to their everyday living.

- Finally the financial burden this may cause when it comes time to sell this property. This area is full of lovely quiet residents which is what attracted us to the area not only two

Weeks ago. I fear for the health and safety of not only my children but the children of every other residence in the Maddern Court area. The plan shows the proposed under ground fuel tanks within 200 metres of my residence which disturbs me no end.

In summing up I'm strongly in objection to this proposal and will be extremely disappointed as a high rate payer within the swan hill municipality if this project gets the tick of approval.

Your sincerely



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What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

We object to having the service station for many reasons. Living in Maddern Court, we will be impacted by the noise, lighting, increased traffic and most importantly the affect this could have on the health of our children with the pollution and smell of the fuel. We find this extremely worrying.

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The Objection:

Reasons for your objection

I object to this application for the following reasons:

We live in River Oaks Drive which is a low density housing estate set amongst river red gums in a tranquil river environment. We paid accordingly to be able to enjoy this lifestyle. We totally object to the noise, smell, light and pollution caused by a petrol station at our back door. The construction of this will also devalue our properties in the future. We agree there should be a petrol station on the southern exit of town but it needs to be further out away from residential living but how many petrol stations does Swan Hill really need. We have nearly a dozen fuel outlets at the moment and ONE Pub

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Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

Maddern Court is the neighbouring estate to the proposed petrol station for the south end of Swan Hill. As local residents we selected to build our forever home in a premium estate for the lifestyle it provides. A quite court location with a protective covenants to ensure a luxury home estate; an addition of a 24 hour a day petrol station will abolish the dreams and lifestyle of us & the residents.

Noise pollution from a petrol station will render our backyards useless, especially with a 24 hour a day station with overnight truck parking. Refrigeration trucks will run all night long & air conditioning (ice packs / Honda powered air conditioning) for sleeper cabs, multiple cars coming and going at all hours of the day and night. Local teenagers gathering in droves & spending time with each other and their cars (This occurs at the other end of Town at Pie Face and there can be up to 50 people at one time, multiple times a week). This will be in our back yards. The court has many families with young children, children who spend many hours outside and having trucks literally passing their backyards is a privacy breach. Many truck drivers

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park their trucks and climb the back (grain, stock create ect) to check their loads have the perfect view to look into a front & back yard of our homes. A 1.8m high fence will stop nothing.

Nosie from the trucks pulling in on their jake breaks (engine breaks) will disturb the peace of residents. Motorbike clubs gather for club rides, starting bikes up early in the morning is not the type of alarm we are looking for. We purchased land out here as it wasn't compacted with people, it offered a quite location with minimum blocks. We have no drive through traffic, we barely have any traffic, why should a nice estate be the only residential area to back onto a 24 hour petrol station?

Lights from 6m tall buildings will be streaming into our homes. Large Canopy structures will be our view. This is not something we are looking for when purchasing land in Swan Hill. Our neighbours walk out their back door and are greeted with a truck fuelling up, the truck canopy literally lines up with their alfresco. Their current view is a canopy of trees. Imagine guests staying with us, perhaps using their caravans in our backyards and feeling like they are sleeping at Luna Park. Bright lights from the parking spaces, coloured LEDS from the signs, security lights from the back of the buildings streaming over the fence. Alarms from the building and cars going off, rumbles from cars and trucks idling before leaving. Extra noise contributing to the highway sound already.

We also find it a safety issue in a few different ways.

Trying to cross the highway (back into Campbell street) from Pental Island Road can already be a challenge. Trucks parked in front of Swan Hill Toyota or Swan Hill Trailers make it hard to see what is coming south bound into town. Many Trucks, Cars with Caravans & Boats also stop on the side of the road to access Blue Sky, this can be quite a congested corner. During Harvest time this can also be quite busy with contract harvesting teams, extra grain trucks and pilot cars all coming and going, stopping on the side of the road and having slow take offs, all of this along side cars slowing down to pull into a service station will contribute to congestion & ability to drive safely. .

Imagine the struggle trying to cross the highway to head into town, when there is a truck parked on the side of the road, people pulled into Swan Hill trailers and multiple cars, trucks and trailers slowing down to turn into the service station.

Emergency services already struggle to make quick time out the highway with the current road traffic, throw in vehicles slowing down to turn and traffic backed up inbound for them to turn in as well will create issues.

Having a B Double Truck turning right from the proposed service coming back into Swan Hill, will create issue for oncoming traffic if the truck is not quick enough pulling out, they are not going to be up to speed before the police station making the flow of traffic halter.

Environmental issues are also of a concern. The smell of petrol, gas & diesel will be constant issue for us and all residents. If the whole thing goes belly up the land is unusable for many years. We are concern about spills & leakages, possible explosions. Isn't the human race trying to lower emissions, not create more? I wish to enjoy our outdoor spaces and not have to worry about smelling diesel from just over the fence.

With the proposed caravan and boats parking, will create a possible increase of pedestrians trying to cross the highway to access Blue Sky for camping and fishing needs. There is no safe way for anyone to cross the road for the short walk. Despite the research showing not incidents in this area, it wont take long for one to occur.

Noting in the paperwork that it will bring in millions of dollars to the community. Having it owned by one local

family doesn't share the millions through the town. Are they anticipating a high turn over? Is there something else we are not being told to bring in such money?

Our understanding in the proposal about south side residents wanting a petrol station this end, sounds like we were all interviewed about it. We have never once been surveyed for this, where has this information come from? We certainly do not want one on our backdoor step.

This proposal would be the only 24 hour petrol station in town with neighbouring residents extremely close by. We are located in a well sort after estate, should we of chosen to live next to a service station we would of brought elsewhere. Looking at the submitted paperwork with the satellite view, it shows half the amount of houses in the street then there currently is. Each house hold has on average 3.5 people in it, all of whom choose to live on the edge of town away from 24 hour convivences.

We feel this will devalue our properties for any future sale.

The proposal show a storm water pit, where does the storm water drain go to? Local residents have had trouble with stagnate water in last years flash flooding / rain event, they had no where for it to go and with no help from any authorities. Extra water in this area, where will this all go?

We find that this proposal will bring a great disadvantage to our lifestyle, the ambience of our street & the peace and quite living on the edge of town provides.



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What application do you object to?

Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

Worried about noise with trucks going to fill up and the fumes and smell with the petrol station being close to my house.

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What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

My wife and I object to the building of a new Service Station at Lot 1 Murray Valley Highway Swan Hill.

There are four reasons why we object, and whether or not our objection is provided for (by not allowing the projected Service Station to go ahead), these must be considered and suitable work done to alleviate the impact of the proposed development.

1. This development will have significant impact on the value of our home, and given the nature of a substantial size Service Station will cause significant Loss of Property Value to us. This is a major concern as the suburb where we are has been developed having in mind a particularly quiet upmarket suburb both at Marraboor and River Oaks.
2. There has been no attempt by the developer to provide any substantial alleviation to noise. The rear

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fence being an 1800mm high colorbond fence would do little or virtually nothing to control any noise generated on the property to anything like a reasonable level. A 3000mm high heavy timber, or precast concrete, noise barrier would be a minimum.

3. There is little evidence of any attempt to prevent light spillage from out of the property. This is significant point of concern.

4. There is no evidence of the location of the LPG Gas storage tank. Besides all other objections, this one is of crucial importance to us as there is no way that we, (and I suspect our neighbours) would allow this Service Station to be built unless the gas storage tank(s) were not put on the Murray Valley side of the property!

The fact that such a proposal has got to the point of being put out for discussion with no attempt to alleviate noise or control escape of light from the facility, is a bad omen showing no regard to neighbouring properties to start with.

Not that it has anything to do with this objection, but the idea of three more Service Stations Proposed and in Process of being built in Swan Hill as at 27/03/2023, is ludicrous. Especially seeing that one of those Service Stations is proposed around 400 - 500 metres further south down the highway at a very much more sensible location with better access and shape land and away from residential properties.



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What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

I am writing to object to the new service station on the MV Highway

My property will back onto the proposed service station and the 24 lighting will be horrible at night.

I have children with anxiety and sleeping issues and require medication to sleep.

The sound of trucks at all hours is not fair and will affect the houses in the area.

Not to mention the possibility of fridge vans running all night.

The increase of traffic in the area will put pressure on the flow of traffic. It is already dangerous trying to turn onto the highway at them moment. And putting a new service station will make it worse.

I strongly object to this project.

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The Objection:

Reasons for your objection

I object to this application for the following reasons:

We are objecting to the proposed service station on Murray Valley Highway, Swan Hill

We have live at Maddern Court for 6 years. We love living here as our court is very quite & family friendly. We are objecting on the below reasons.

1. Lights- with the service station being a 24/7 station we will have lights running all night lighting up our back yard, outdoor area, kitchen, dining & living areas.
2. Noise- on the plans for proposed station, the truck bowser is right at our backyard. The noise from trucks starting up after fueling up & driving way will be hugh. Not much fun sitting outside listening to trucks drive in & out. Also the parking area is located near our back yard too. The noise from refrigerated truck running all night will be a concern.

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3. Fumes- I have researched that fumes from petrol & diesel can travel for up to 100 meters. Not real health for our children to play in backyard with fumes all through the air. With the truck bowser at our back fence we are concerned with spillages & fumes coming over back fence. Especially in windy days the smell of diesel will overpower our home. Not nice living when you can't open your doors, sit outside or play in your back yard.

4. The height of the truck canopy is 6 meters high. Bit of an eyesore when in back yard & all you can see is said canopy.

We have also heard that there is an application for another service station on the southern end of Swan Hill. Do we really need two at this end of town? Especially one that backs onto residential homes?

If these two service stations get the green light, we will have 12 services stations in Swan Hill. Bit of overkill don't you think?



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What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

We believe the development of the service station will disturb our peaceful rural living environment that we currently experience.

From our backyard we already have clear site of the Swan Hill Toyota signage which is the furthest commercial site from our property, the service station signage and lighting would be an unsightly structure to be viewed from our back yard at a very close range.

The noise of truck brakes 24 hours a day as they approach and leave the station is another reason for objection, together with the smell of diesel from the pumps.

No doubt these factors will also impact the bird life that currently enjoy the serenity of our yard.

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The Objection:

Reasons for your objection

I object to this application for the following reasons:

Too close to residential properties.

Noise, light etc.

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The Objection:

Reasons for your objection

I object to this application for the following reasons:

We strongly oppose this service station - our property backs on to the approximate middle of the service station and will make our back outlook visually unappealing.

The service station is proposed to be open 24 hours which we believe is unacceptable in a residential area and we have three young children (as do many others in our court) that will be disturbed with noise from truck brakes in the middle of the night, as well as all day, and general noise of cars coming and going and generators operating all the time.

The smells from the petrol and diesel fumes can be damaging to our health as well as that of our pets and is unappealing. I work from home so will be subject to this all the time and I worry that at times the noise may be disruptive to my work.

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The proposed height of the fences is not high enough to block out any noise and is visually an eyesore as our back patio view would be that of the new construction.

We have bedrooms at the back of our house which will be negatively affected as the light from the signage and lights required for operation of the service station will shine directly into our property, potentially keeping us awake, particularly as it is open 24 hours.

We are concerned that the value of our property will decrease with this new industrial addition backing onto our quiet court.

We also believe the intersection between Pental Island Road and Murray Valley Highway is already difficult to cross at times and traffic will increase to make this busier and harder to navigate.



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The Objection:

Reasons for your objection

I object to this application for the following reasons:

Our property backs directly onto the proposed 24 hour service station on the Murray Valley Highway.

We object to its construction on the proposed site for the following reasons.

The noise from heavy trucks fuelling up throughout the night and on weekends would interrupt our household including our children and pets.

The light required around the site during the night would shine on our house and garden.

The smell from the petrol/diesel is a concern and the effect it will have on our pets and pool.

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Our living area, alfresco and back yard faces the proposed site. The height of the canopies will be highly visible from these areas of our property. This will change outlook from our property.

Another concern is the negative impact that a service station will have on the value of our and our neighbour's properties.

The amount of traffic on the highway has the potential to change. Currently the road does not have provisions for turning.

Finally the number of service stations currently in Swan Hill for the population is excessive and adding another service station would only add to this.



Objection to a Planning Permit

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

Who is objecting?

Name:

Address

Phone:

Email:

What application do you object to?

Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

We object to the planning permit for the service station for the following reasons -

Noise from Trucks coming and going during the night as well as the potential for Trucks to be stopped with refrigeration trailers still running during the night will disrupt what at present is a quite and peaceful neighbourhood

The smell of fuel would be always present in our neighbourhood.

The lighting the service station would require will impact our street during the night.

The construction of a service station will have negative impact on the value of properties in our neighbourhood.

Also there is currently 11 service stations in Swan Hill. I think there are ample options for fuel already

45 Splatt Street SWAN HILL VIC 3585
PO Box 488 SWAN HILL VIC 3585
DX30166 Swan Hill
Telephone: (03) 5036 2333 Fax: (03) 5036 2340
Email: council@swanhill.vic.gov.au
ABN 97435620016



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Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

We object the proposal of a new service station as it backs onto a residential area. We believe the height of the service station, lighting and 24/7 truck access, will be degrading so close to a residential area.

These types of commercial infrastructure shouldn't be built backing onto residential allotments. Thanks

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Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

Proximity to my property - noise pollution, air pollution and light pollution impacting on the wellbeing of my family and our neighbourhood. This service station will be less than 100m from my back fence. There is going to be extra vehicle traffic associated with the service station, which will bring noise and air pollution. The proposal includes truck parking bays, so we will also have the extra noise from trucks braking and pulling in. The service station will have lighting, which will be clearly seen from our yard and will impact on our right to have quiet and dark at night, as well as the light pollution impacts on the local wildlife. We are in very close proximity to the Little Murray, and the River Oaks estate supports an abundance of bird and wildlife. There is also the added risk of groundwater pollution leaching back into the river. The proposed service station is too close to residential areas and will negatively impact all of us who live in proximity to the proposed development. The increase in traffic, noise, exhaust fumes and raw petrol fumes will impact on our health and property values. If there is a need for a service station in the southern precinct of Swan Hill, then a more appropriate site away from the river and residential housing should be considered.

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Who is objecting?

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Permit application No: PLN2022049

Address of proposed permit: Murray Valley Highway Swan Hill VIC 3585

What is proposed: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage

The Objection:

Reasons for your objection

I object to this application for the following reasons:

Increased noise and traffic due to proposed 24hr facility will cause health issues due to interrupted sleep.

Health issues due to increased Nox pollution from increased traffic and heavy vehicles.

Increased risk to cancer causing benzene from fuel and oils. Leading to higher risks to cancer and liver diseases.

Fuel storage near residential area and the possibility of fire and explosion along with health issues from fuel vapours.

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This work outlines applied health impact assessment methods to quantify the mortality burden due to long term exposure to the population-weighted annual average PM_{2.5} concentration of 0.15 µg.m⁻³ attributable to CFPPs emissions (using 2013 as the baseline year), and the mortality benefits of reduced PM_{2.5} emissions from CFPPs over 2017-2042 due to potential NSW energy efficiency and renewable energy measures compared to a 'business as usual' scenario. Medium and large energy demand change scenarios were modelled to assess the impact of potential energy efficiency and clean energy measures on energy demands, CFPPs emissions and associated air quality and health benefits.

The 'business as usual' modelling of baseline emissions, air quality and health impacts accounted for the three CFPPs that ceased operation in 2014-2015, announced retirement of CFPPs in 2022-23 and 2035-36, and retirement of a CFPPs in the neighboring State of Victoria in 2017 which influenced NSW power generation.

The central estimate for the mortality burden was 31 premature deaths and 382 years of life lost. Mortality benefits for the medium and large energy demand changes were estimated as 448 and 922 life years gained respectively as a central estimate.

The results illustrate the public health benefits of energy efficiency and clean energy programs which result in a quantifiable increase in the life expectancy of the population.

Childhood cancer and residential proximity to petrol stations: a nationwide case-control study in Switzerland

Mazzei-Abba A¹, Konstantinoudis G¹, Kreis C¹, Diezi M², Ammann R³, Spycher B¹

¹Institute of Social and Preventive Medicine, University of Bern,

²University Hospital (CHUV), ³INSELSPIITAL, Bern University Hospital

TPS 761: Health effects of pollution sources and components, Johan Friso Foyer, Floor 1, August 28, 2019, 3:00 PM - 4:30 PM

Background: Exposure to benzene is a known risk factor for acute myeloid leukaemia among adults. Residential and parental exposure to benzene has also been linked with childhood leukaemia. Children living close to petrol stations are exposed to higher concentrations of benzene compared to background levels. However, few studies have investigated the associated risk of childhood cancer.

We aimed to investigate whether children living in close proximity of petrol stations are at greater risk of childhood cancers, leukaemia, and central nervous system (CNS) tumours.

Methods: We identified all cases of childhood cancer (<16 years old) diagnosed between 1985 and 2015 from the Swiss Childhood Cancer Registry and selected 10 age and sex matched controls per case from the Swiss national censuses (1990, 2000, 2010 and onward). We extracted exact geocodes of cases and controls from the SCCR and the censuses, respectively, and from the Swiss Business Census for petrol stations. Proximity to petrol stations was measured as the distance from children's homes to the nearest petrol station recorded in the last business census preceding a case's diagnosis. Odds ratios were estimated using conditional logistic regression.

Results: We identified 6,129 cases for all cancers combined, 1,880 cases of leukaemia, and 1,290 cases of CNS tumours. A total of 27 cancer cases lived in close proximity to petrol stations (<50m). The odds ratio for children living close to a petrol station compared with unexposed children (≥500m) was 1.57 (95%-CI 1.05, 2.36) for all cancers combined. We found no evidence of an association for leukaemia (OR 1.13; 95%-CI 0.52-2.47) and CNS tumours (2.06; 0.79-5.41).

Conclusions: We found evidence of an increased risk of childhood cancer (all diagnosis combined) among children living in close vicinity of petrol stations. Our study does not allow any conclusions for specific diagnostic groups.

Examining the relationship between air pollution and health inequalities in children in England using multilevel modelling

McBride P¹, Morrissey K¹, Wheeler B¹, Reis S²

¹University of Exeter Medical School, ²Centre of Ecology & Hydrology

TPS 642: Environmental justice and impacts, Exhibition Hall, Ground floor, August 26, 2019, 3:00 PM - 4:30 PM

Background: Exposure to air pollution could be responsible for up to 36,000 premature deaths in the UK annually, with the most deprived members of society facing the highest exposures due to socio-economic patterning of residential and employment opportunities. Children face an increased susceptibility to air pollution exposure and exposure can result in a range of health issues, such as stunted organ development and asthma. At least 1.1 million children in the UK currently suffer from asthma and previous research found links between poor socio-economic status, increased air pollution exposure and asthma exacerbations in children.

Methods: The Millennium Cohort Study (MCS), a birth cohort study, is linked to modelled air pollution data from the EMEP4UK model and the Index of Multiple Deprivation (IMD) at the small area level (Lower Layer Super Output Area, LSOA). The relationship between asthma (self-reported if a child suffers asthma or not), familial socio-economic status, area level deprivation and air pollution are explored using a multi-level model from birth to 11 years.

Results: Previous cross-sectional analyses of MCS data found that renting from a local authority was significantly associated with the child's chance of suffering from asthma. Furthermore, initial multilevel modelling found that 1.9% of the variance in whether or not a child suffers from asthma can be attributed to differences between LSOAs. Modelling over time will provide the opportunity to explore the causality of the health outcomes, as opposed to only exploring the association. Following more in-depth analysis, further findings shall be discussed at the conference.

Conclusion: Understanding the magnitude of individual- versus area-level deprivation on childhood asthma outcomes is important as it allows policy makers to target the optimum mix of individual and community-based health strategies that could address these risk factors.

Population-based morality data suggests remediation is only modestly effective in two Superfund counties

McDermott S¹, Davis B¹, McCarter M¹, Ortaglia A¹

¹University of South Carolina

TPS 641: Policies, interventions, communication, Exhibition Hall, Ground floor, August 28, 2019, 3:00 PM - 4:30 PM

Background: The health effects of living in proximity to both active copper and molybdenum mining as well as remediation sites were evaluated for residents of two contiguous counties in the US state of Montana. The open pit copper and molybdenum mine has been open since 1984; it operates with crushers and concentrator facilities where tons of raw ore are processed. Simultaneously, the Superfund remediation efforts were established in 1983 at the site of a closed mine and smelter.

Methods: Employing county level death certificate data obtained from the US Centers for Disease Control WONDER site, sex and age-adjusted standardized mortality ratios (SMRs) for targeted causes of death were calculated using observed versus expected mortality for both counties, and compared to the expected mortality from the remaining Montana counties.

Results: Cancers, cerebro- and cardiovascular diseases (CCVD), and organ failure were elevated for the two counties during the study period, 2000–2016, with SMRs of 1.19 (95% CI 1.10, 1.29); 1.36 (95% CI 1.29, 1.43); and 1.24 (95% CI 1.10, 1.38). Neurological conditions were not elevated for the two counties. Time trend analyses performed using Cox regression models indicate that deaths from cancers (HR =



PROPOSED PLANNING CONDITIONS

Application No: PLN2022049
Address: Murray Valley Highway Swan Hill VIC 3585
Proposal Description: Use and Development of a Service Station, Creation of Access to a Road in a Transport 2 Zone and Installation of Signage in the Commercial 1 Zone

Acoustic Report required

1. Before the development starts, an acoustic report must be provided to the Responsible Authority. The report must:
 - a. be prepared to the satisfaction of the Responsible Authority
 - b. be prepared by a suitably qualified acoustic engineer
 - c. include the following details:
 - i. Detail the noise attenuation measures (physical and/or managerial) required to ensure that the residential amenity of surrounding residential areas is not materially impacted, including compliance with the requirements of the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411.

Layout not altered

2. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.
3. The location and details of the signs, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the prior written consent of the Responsible Authority.

Landscaping

4. A landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. All species selected must be to the satisfaction of the Responsible Authority.
5. Before the use starts, the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged trees must be replaced with same species to the satisfaction of the Responsible Authority.

Road and Drainage Plans required

7. Before the development starts, road and drainage construction plans must be approved and endorsed by the Responsible Authority. The road and drainage construction plans must:



- a. be prepared to the satisfaction of the Responsible Authority
- b. be submitted in electronic form
- c. show the following details:
 - i. Drainage infrastructure
 - ii. Street lighting
 - iii. Street signs
 - iv. Street trees and other landscaping

All works constructed or carried out must be in accordance with those plans.

Acoustic Attenuation Measures

- 8. The recommendations of the acoustic report required by Condition 1 of this permit must be approved by the Responsible Authority in writing and once approved implemented to the satisfaction of the Responsible Authority prior to the completion of the development and commencement of use.
- 9. All acoustic attenuation measures required by the approved acoustic report must be implemented at all times that the use is operating to the satisfaction of the Responsible Authority.

Disturbed surfaces

- 10. Before the use starts, all disturbed surfaces on the land resulting from the works must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Section 173 Agreement

- 11. Before the use starts, the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:
 - a. All landscaping approved by planning permit PLN2022049 associated with the approved service station must at all times be maintained (including the replacement of any dead, diseased or damaged plants) by the owner/operator of the service station to the satisfaction of the Responsible Authority.
 - b. Should the land be subdivided, all landscaping remains the responsibility of the service station owner/operator and cannot be removed or modified by any other person or land owner without the written consent of the Responsible Authority
 - c. Should the service station use and development be removed from the land, this Section 173 Agreement will end.

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

Advertising signs

- 12. Before the display of advertising signs, amended plans must be approved and endorsed by the Responsible Authority. The road and drainage construction plans



must be generally in accordance with the plans submitted with the application but modified to show:

- a. Sign 01 reduced to a total advertising area not exceeding 10.0 square metres (on each side of the sign)
- b. The area of promotion signage on sign 1 (on the application plans consisting of a 4 cent discount sign) not exceeding 2.0 square metres
- c. Entry and exit signs must not include promotional content.

13. The signs must not contain any flashing lights.

14. A sign may only be illuminated during the operating hours of the use.

15. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.

16. All signs must be located within the boundary of the land.

17. The approval this permit to display advertising signs shall expire when the permission to use the land for a service station expires.

ENGINEERING DEPARTMENT

Construction management

18. Before the development starts a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:

- a. Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land, including haul routes;
- b. Measures to accommodate the private vehicles of workers/ tradespersons;
- c. Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
- d. Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
- e. Measures to minimise the generation and dispersal of dust;
- f. Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP;
- g. Arrangements for waste collection and other services to be provided during construction;
- h. Protection of water quality;
- i. Protection of existing infrastructure and landscaping.

Works on the land must be undertaken in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.



19. Before the development starts a landscape performance bond must be lodged with the Responsible Authority. The bond must be based on the endorsed landscaping plan with additional details to be provided to the satisfaction of the Responsible Authority incorporating:
- An estimate of the quantity and type of materials, watering equipment, plants etc required and;
 - A quotation from a reputable landscape contractor for the implementation of the landscaping plan identifying the costs for materials, plants and labour. The quotation is to be verified to Council's satisfaction. The bond is to comprise the verified quotation plus a 25% margin for unforeseen costs. When the works are complete to the satisfaction of the Responsible Authority, 85% of the bond is to be released. The balance is to be retained as a maintenance bond for three (3) years. If the landscaping has not been maintained to the Authority's satisfaction at the end of three years, the maintenance bond is to be applied to upgrade the landscaping.

Completion of development

20. Before the use starts, road and drainage construction as shown on the endorsed plans must be completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
21. Before the use starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Hours of operation

22. The use may operate only between the hours of 6:00am to 11:00pm daily.

Amenity

23. The use must be conducted to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected by the use or development, through the:
- Transport of materials, goods or commodities to or from the land;
 - Appearance of any buildings, works or materials;
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - Presence of vermin.
24. The on-site public address system must only be used for emergency announcements and must not be used for the purposes of audio playback.
25. Noise levels emanating from the premises must comply with the requirements of the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411.



26. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the Responsible Authority.
27. All plant and equipment shall be located or screened to the satisfaction of the Responsible Authority so that it is not visible from any public road or residential property.
28. Within one (1) month of the commencement of use, acoustic testing shall be undertaken by a suitably qualified professional to assess compliance with the requirements of the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411 (the Guidelines) and the endorsed acoustic report. The assessment shall be provided to the Responsible Authority within one (1) month of completion of testing and shall include recommendations, if required, to achieve compliance with the Guidelines and endorsed acoustic report. Any recommendations must be implemented to the satisfaction of the Responsible Authority within one (1) month of the Responsible Authorities approval of the assessment, unless an alternative timeframe is agreed in writing with the Responsible Authority.
29. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
30. All external lighting and illuminated signs must be fitted with timers and dimmers as required, to allow for control of light spill to be limited, so as to not impact on the amenity of surrounding residential properties, to the satisfaction of the Responsible Authority. Light intensity once set must not be altered except with the written consent, or at the direction, of the Responsible Authority.
31. Odours offensive to the senses of human beings must not be discharged beyond the boundaries of the premises to the satisfaction of the Responsible Authority.

Car Parking and Access Construction

32. Before the use starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must:
 - a. Be constructed.
 - b. Be properly formed to such levels that they can be used in accordance with the plans.
 - c. Be surfaced with concrete.
 - d. Be drained and maintained.
 - e. Be line marked and/or signed to indicate each car space, all access/egress routes and driveways as shown on Innovative Design Plans A04 dated 16 April 2022.
 - f. Include the installation of "NO ENTRY" signs with "NO RIGHT TURN" signs at the exits.
 - g. Include measures to manage traffic and pedestrian flows to and from car parking areas.



- h. Include detail of all loading/unloading and filling areas or 'potential spillage areas'.

to the satisfaction of the Responsible Authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes, to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority

- 33. Parking areas and access lanes must be kept available for the designated purposes at all times.
- 34. Vehicles under the control of the operator of the use or the operator's staff must not be parked on the nearby roads.
- 35. The following requirements shall apply to vehicle crossings and driveways that shall be constructed to the satisfaction of the Responsible Authority:
 - a. Vehicle crossings shall be constructed in reinforced concrete or other approved material;
 - b. New vehicle crossings to suit the proposed driveways shall be constructed;
 - c. Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated.

New Vehicle Crossing

- 36. Before the use starts, vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and must:
 - a. Be designed to comply with the sight distance requirements for the Access Driveway as detailed in AS 2890.2 for the commercial vehicular access points to the land.
 - b. Be constructed at right angles to the road, and any redundant crossing shall be removed and replaced with concrete (kerb and Channel).
 - c. Be setback a minimum of 1 metre from any side-entry pit, power or telecommunications pole, manhole cover or marker, and a minimum of 2.5 metres from the trunk of any street tree.



Redundant Crossing Removal

37. Before the use starts, all redundant vehicle crossings must be removed and (kerb and channel) reinstated to the satisfaction of the Responsible Authority.

Controlled Access Points

38. Access to the site shall only be at the nominated crossings shown on the endorsed plan. The crossings and road pavement works are to be constructed to the satisfaction of the Head, Transport for Victoria and the Responsible Authority.

Lighting of Car Park Area

39. Accessway and car parking lighting shall be provided to the satisfaction of the Responsible Authority in accordance with AS/NZS 1158.

Sediment Discharges

40. The applicant/owner must restrict sediment discharges from any construction sites within the property in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991).
41. Before the development starts, a stormwater management plan with computations for 10% and 1% AEP event, must be approved and endorsed by the Responsible Authority. The stormwater management plan must:
 - a. Be prepared to the satisfaction of the Responsible Authority.
 - b. Be submitted in electronic form.
 - c. Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.
 - d. Set out how the stormwater management system will be managed on an ongoing basis.
 - e. Demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations.
 - f. Be in accordance with Council's Infrastructure Design Manual.
 - g. Be generally in accordance with the drainage plan forming part of the application, but amended to show the following details:
 - i. All necessary computations and supporting design documentation for drainage infrastructure.
 - ii. How the land will be drained.
 - iii. Flow paths of a 1% AEP storm need to be determined and the development designed such that no private property is inundated by a 1% AEP storm.
 - iv. How stormwater is to be captured and retained on site.
 - v. Measures to enhance stormwater discharge quality from the site and protect downstream waterways. All light hydrocarbon storage or potential spillage areas must be bunded or



independently drained via an impermeable surface, ensuring no effluent or polluted water of any type enters the storm water system in accordance with EPA standards.

- vi. Stormwater from paved areas must be intercepted and drained through the site drainage network.

Drainage Works Completed

- 42. Before the use starts, all drainage works required by the approved drainage plan must be completed to the satisfaction of the Responsible Authority.

Digital Copies of Plans

- 43. A digital Autocad copy of design and co-ordination plan must be submitted to the Responsible Authority when requested.

Existing Services

- 44. Any relocation, alteration or replacement of services/utilities affected by this development must be relocated/modified in accordance with the requirements of the relevant servicing authority and the Responsible Authority, entirely at the cost of the owner/developer.

Inspections

- 45. Before the development starts, construction inspection hold points and witness points shall be identified by the applicant and agreed to by the Responsible Authority.

All Works Completed

- 46. Before the use starts, all construction works required by the approved construction plans must be completed to the satisfaction of the Responsible Authority.

Loading and unloading

- 47. The loading and unloading of goods from vehicles providing deliveries to the service station, including kiosk, must only be carried out on the land.
- 48. Fuel deliveries to the site must only take place between:
 - a. 7:00 am and 6:00 pm Monday to Friday;
 - b. 7:00 am and 1:00 pm Saturday.

Other deliveries to the site must only occur between:

- c. 7:00 am and 10:00 pm Monday to Saturday;
- d. 9:00 am and 10:00 pm Sunday and Public Holidays.

Waste collection must only occur between:

- e. 7:00 am and 8:00 pm Monday to Saturday;
- f. 9:00am and 8:00 pm Sunday and Public Holidays.



49. The permit holder must procure that the operator of the service station shall ensure that companies making deliveries or collecting waste are aware of the relevant requirements of this permit and that the operator uses its reasonable endeavours to promote compliance with same, to the satisfaction of the Responsible Authority.

Waste management

50. A waste management plan must be submitted to and approved by the Responsible Authority. The plan must provide details of a regular garbage collection service, including information regarding the type of refuse bins (including public litter bins), type/size of trucks, means of accessing bins and frequency of refuse collection, to the satisfaction of the Responsible Authority. The plan must be implemented to the satisfaction of the Responsible Authority.
51. All bins and receptacles shall be maintained in a clean and tidy condition and free from offensive odour.
52. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes shall be kept in a storage area screened from view to the satisfaction of the Responsible Authority.
53. Litter on the site must be collected at least daily and placed in waste storage bins to the satisfaction of the Responsible Authority.

No alterations

54. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
55. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

HEATH DEPARTMENT

56. The convenience store area must comply with the Food Safety Standard 3.2.3 Food Premises and Equipment, to the satisfaction the Responsible Authority.
57. Prior to the occupation of the dwelling, the dwelling must be connected to reticulated sewerage to the satisfaction of the Responsible Authority.
58. Prior to undertaking any construction works on the food premises, approval must be obtained from Council's Public Health Unit. A copy of a detailed plan of the layout of the premises, which adequately shows compliance with the Food Safety Standard
59. 3.2.3 Food Premises and Equipment must be submitted to the satisfaction of Council's Environmental Health Department.



LOWER MURRAY WATER

60. The requirements of Lower Murray Water must be met, in regard to the provision of water supply and sewerage services to the land, including payment of all associated costs prior to the Corporation agreeing to the issue of a Statement of Compliance.
61. Prior to the issue of a Statement of Compliance the owner must enter into an agreement with the Responsible Authority and Lower Murray Water made pursuant to Section 173 of the Planning & Environment Act 1987. As per Section 174, the agreement must be under seal and must bind the owner to the following covenant which also must be specified in the agreement:
- a. recognition by the owner that the lot created, when connection to sewerage is required, will be subject to a modified or “non-conventional” sewerage system;
 - b. that such modified system will include an obligation on the landowner to install a pump mechanism within the relevant allotment;
 - c. a requirement to provide to Lower Murray Water, before any works relating to the sewerage connection occur, plans to the satisfaction of Lower Murray Water of the proposed pump station and all related assets and connections;
 - d. that the landowner will be responsible for the purchase, installation, ongoing maintenance and any replacement of the individual property pump stations and related infrastructure;
 - e. that the individual pump station will be operated at the cost of the landowner, including all costs of electricity or any other maintenance or operational cost;
 - f. that normal wastewater tariffs will apply; The Responsible Authority must make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act. The owner must pay the costs of the preparation, execution and registration of the Section 173 Agreement.

THE HEAD, TRANSPORT FOR VICTORIA

62. Vehicular access from the Murray Valley Highway to the subject land must only be via the two points of access as shown in the appended plan. The northern ingress point must be entry only and the southern egress point must be exit only.
63. Prior to the commencement of use, a Functional Layout Plan (FLP) must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans date stamped 16/04/2022 and annotated Site Plan Enlargement but modified to show:
- a. A 3.5 metre wide Channelised Right short (CHRs) turn treatment in accordance with the current Austroads guidelines.
 - b. A 3.5 metre wide Auxiliary Left short (AULs) turn treatment in accordance with current Austroads guidelines.
 - c. Associated line markings for the turn lanes including a gap in the painted median.
 - d. Kerb and channel on the eastern side of the Murray Valley Highway along the frontage of the subject land.



- e. Two No Entry signs (code R2-4) to be shown on both sides of each access point within the subject land:
 - i. At the northern access facing towards the subject land; and
 - ii. At the southern access facing toward the Midland Highway.
- f. Single direction pavement arrow at both access points to the arterial road (within the subject land):
 - iii. At the northern access pointing away from the Midland Highway; and
 - iv. At the southern access pointing toward the Midland Highway.
- g. All existing table drains and stormwater drainage.
- h. All vegetation that is existing and proposed to be removed.
- i. All existing and proposed relocated services, line marking, signage, power etc.

64. Prior to the commencement of use, hereby approved, the following must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria:
- a. The construction of the CHR(s) and AUL(s) turn treatments;
 - b. All proposed signage and line marking;
 - c. A road safety audit must be undertaken by a suitably qualified road safety auditor, and any mitigating changes to the FLP as required by the Department arising out of the audit must be carried out;
 - d. Lighting Impact Assessment Report must be undertaken by a suitably qualified lighting consultant to assess the proposed signage against the Road Corporation's luminance criteria. The Lighting Impact Assessment Report must include the following:
 - i. A detailed description of the proposed signage, including location, size, orientation, dwell time, lighting specification details, dimming/control functionality, and hours of operation.
 - ii. A plan drawn to scale showing the proposed sign in elevation and plan view (including which signs are electronic and which are static).
 - iii. Photomontage images showing the proposed sign from a driver's perspective (with approximate distances) from any locations where drivers would be able to view the proposed sign.
 - iv. A classification of the existing night time lighting condition as either High District Brightness, Medium District Brightness or Low District Brightness and justification for the classification.
 - v. The proposed maximum luminance of the sign for each lighting condition, with detailed calculations provided to demonstrate compliance with the criteria outlined in the DTP Requirements and Guidelines for Illuminated Outdoor Advertising Signage. Calculations must use the definitions and methodology as described in AS4282 where relevant. A maintenance factor of 1 is to be used for all calculations.
 - vi. A certification, signed by a suitably qualified Lighting Consultant, stating that the design complies with the DTP Requirements and Guidelines for Illuminated Outdoor Advertising Signage.



65. The pylon sign must not dazzle or distract road users due to its colouring or luminosity. During the operation of the sign, the following maximum average luminance and Threshold Increment values must not be exceeded:

Daytime

- a. Maximum average luminance of greater than 6000 cd/m² - Morning and evening twilight and overcast weather
- b. Maximum average luminance of greater than 700 cd/m² Night-time

Night-time

- c. Maximum average luminance of greater than 150 cd/m²
- d. Maximum threshold increment: 20%
- e. Adaption Luminance: 0.25

66. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

VICTRACK

67. The permit holder must not, at any time:
- a. allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
 - b. store or deposit any waste, soil or other materials on the railway land.
68. The permit holder must not at any time erect lighting (permanent or temporary) that spills light onto the railway tracks, or which interferes with the visibility of signals and rail lines by train drivers. Building materials (including glass/window/ balcony treatments) or advertising signs likely to have an effect on train driver operations along the rail corridor must be shown by a reflectivity and or light study not to cause reflections or glare that may interfere with train driver operations and avoid using red, green or yellow colour schemes or shapes capable of being mistaken for train signals to the satisfaction of the Rail Operator.
69. The permit holder must at all times ensure that the common boundary with the railway land is fenced with a 1.8m paling or black chain mesh fence at the permit holder's expense to prohibit unauthorised access to the rail corridor. The replacement repair or reconstruction of any wall or screen which may be permitted to be located on or adjacent to the rail land boundary must be agreed with the Rail Operator and be finished using a graffiti resistant finish or alternative measures used to prevent or reduce the potential of graffiti.
70. The Landscaping Plans for the development shall have the following conditions:
- The development's landscaping and planting will not interfere with train driver visibility or interpretation of rail signals upon completion or in the future.
 - The development's landscaping and planting will not facilitate illegal access to railway land over boundary fence or wall via tree climbing upon completion or in the future.



- The development's landscaping and planting will not cause damage to any rail assets or infrastructure, via root or branch ingress, upon completion or in the future.

ENVIRONMENTAL PROTECTION

71. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:
 - a. The environment in the area around the premises; and
 - b. The wellbeing of persons and/or their property in the area around the premises.
72. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard
73. Pollution control devices must be installed to prevent the discharge of waste to the environment and stormwater system.
74. The permit holder must ensure that litter originating from the premises is not present beyond the boundaries of the premises.
75. Prior to the commencement of use, Vapour Recovery must be installed to ensure vapours are recovered and prevented from escaping to the atmosphere.
76. Any decommissioning of tanks must be supervised by suitably qualified professionals, as outlined in EPA Publication 888.4 Underground Petroleum Storage Systems (UPSSs) 2015 or as amended and the Australian Standards referenced therein.

PERMIT EXPIRY

77. The approval of this permit to use and develop the land will expire if one of the following circumstances applies:
 - a. The development is not started within two years of the date of this permit
 - b. The development is not completed within four years of the date of this permit
 - c. The use is not started within four years of the date of this permit
 - d. The use is discontinued for a period of two years.

The permit may be extended with the written approval of the Responsible Authority pursuant to Section 69 of the *Planning and Environment Act 1987*.

PERMIT NOTE

Responsible Authority

1. All building works associated with this development must be in accordance with the Building Act 1993, Building Regulations 2018 and the Building Code of Australia.
2. A building permit will be required for the building work associated with this development.



3. A works within the road reserve permit will be required from Council prior to commencement of any works within the road reserve area (crossovers).
4. The premises is required to be registered with Council's Public Health Services Department under the Food Act 1984.
5. The premises must comply with the Tobacco Act 1987, if any tobacco products are sold.

The Head, Transport for Victoria

6. It should be noted that the consent application will be treated as a developer funded application which requires fees and detailed plans and specifications.
 - Please email nr.admin@roads.vic.gov.au for detailed information on consent for works within the road reserve.
7. To assist in the approvals process required for the construction of the access works and associated roadworks, the following is guidance is provided:
 - Any planning permit approval received in accordance with a municipal planning scheme does not constitute consent to conduct the works under the Road Management Act 2004. Any works in the arterial road reserve designated as Transport Zone 2 (TRZ2) require a Works Within Road Reserve Permit from the Department of Transport and Planning. Section 63 and clause 16 of Schedule 7 of the Road Management Act 2004 require any person proposing to carry out works in, on, under or over an arterial road in Transport Zone 2, to obtain the consent of the Department of Transport and Planning, except where exemptions under the Act, or its Regulations (Road Management (Works and Infrastructure) Regulations 2005), apply. For the purposes of this application, the works will include the provision of
 - I. Access works
 - Please contact the Department of Transport and Planning prior to commencing any works on nr.admin@roads.vic.gov.au
 - For more information regarding working within the road reserve please visit the VicRoads website:
<https://www.vicroads.vic.gov.au/business-and-industry/design-andmanagement/working-within-the-road-reserve>, and
<https://www.vicroads.vic.gov.au/traffic-and-road-use/road-accesspermits-portal>

Lower Murray Water

URBAN WATER SUPPLY:

8. The land is located inside the Corporation's Urban Water District. Urban water is available subject to the owners meeting Lower Murray Water's conditions and requirements. A New Customer Contribution charge for Water is required. The owner is required to enter into a Backflow Prevention.

SEWERAGE:

9. The land is located inside the Corporation's Sewerage District. Sewerage is available subject to the owners meeting Lower Murray Water's conditions and requirements.

A New Customer Contribution charge for Sewer is required.



The Owner is required to enter into a trade waste agreement with LMW which will include the installation of approved pre-treatment devices to treat wastewater prior to discharge to the LMW system.

2.4 Chapman Street, Swan Hill pedestrian access gate

Directorate: Infrastructure
File Number: AST-PR-38261
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.

1.1 A modern municipality: Vibrant, connected and resilient

1.1.3 Excellent transport links to allow ease of movement

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

Officers have received a request to consider the possibility of installing a pedestrian access gate off Chapman Street Swan Hill, adjacent to Gurnett Oval.

Discussion

Council has received a request to install a pedestrian access gate in the existing high fence along Chapman Street adjacent to Gurnett Oval. The intent of this request was to facilitate improved pedestrian access to the local community who would like to walk through this area, rather than walk around Bunnings, to get to the showgrounds, College and other adjacent facilities. A copy of the area is shown in the attachments.

Prior to the Bunnings development, this area was regularly frequented by locals. However, after Bunnings was constructed, the high fencing was installed and the area was blocked off.

The oval is Crown land, and Council is the Committee of Management as appointed by the State Government. The Oval does not form part of the school grounds, however, the school does currently use the oval for sport and lunchtime activities. By installing the gate, the school community feel that this could compromise child safety standards and are not supportive of the installation unless another fence was installed adjacent to the oval to block off access.

Council does not have a formal user agreement with the school for the use of the oval.

Consultation

Officers have discussed the installation of the gate with Swan Hill College. A copy of their response is shown in the attachments.

The College's primary concern about the proposal is as follows:

- *"Facilitating public access to the Oval will likely lead to members of the public coming into contact with students using the Oval during school hours;*
- *The gate may enable and/or inadvertently encourage members of the public to enter upon school grounds without permission (school grounds are not open to the public); and*
- *The increased risk of students leaving the College during the day via the unlocked gate."*

The school have also suggested that if Council was to proceed with the pedestrian access gate, to also then consider installing a fence and gate along the boundary between the College and the Oval that could be locked to ensure that the school grounds can be secured.

The RSL Cricket Club, who are regular users of the oval during the cricket season support the idea of a gate located towards the Bunnings fence line. They indicated that it would be very convenient for the retrieval of stray balls.

Financial Implications

The installation of the pedestrian gate in the existing high fencing along Chapman Street is estimated to cost \$1,500. This could be funded by Councils building maintenance budgets.

The cost of installing a new fence and gate as requested by the school would cost approximately \$15,000. This would need to be funded from Council surplus.

Social Implications

The installation of the pedestrian access gate is to improve amenity for residents in the area, who would like to walk through this open space.

This option is not supported by Swan Hill College in isolation, and if the gate was to proceed, they would like an additional fence constructed as well.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

If Council installs the pedestrian access gate, this would be well received by the local community who like to walk in this area. However, this is not supported by the Swan Hill College and Council may receive some negative feedback.

- Attachments:**
1. Gurnett Oval 4 vjy Pyuqr 0 C 1 H 6 In Nn B 1 w [2.4.1 - 1 page]
 2. Swan Hill College gate response [2.4.2 - 1 page]

Options

1. Install the pedestrian access gate on the existing high fence along Chapman Street at a cost of \$1500 from Councils building maintenance budgets.
2. Install the pedestrian access gate on the existing high fence along Chapman Street at a cost of \$1500 and also install another fence and gate adjacent to the oval at an additional cost of \$15,000 to be funded from Council surplus.
3. Do nothing.

Recommendation/s

That Council install the pedestrian access gate on the existing high fence along Chapman Street from Councils building maintenance budgets.

CM 2023/113 Motion

MOVED Cr McKay

That Council defer the report to a later Council Meeting so further community consultation to occur.

The Motion LAPSED due to want of a seconder.

CM 2023/114 Motion

MOVED Cr Young

That Council install the pedestrian access gate on the existing high fence along Chapman Street from Councils building maintenance budgets.

The Motion LAPSED due to want of a seconder.

CM 2023/115 Motion

MOVED Cr Moar

That Council do nothing.

SECONDED Cr McPhee

The Motion was put and CARRIED 3 / 2



Hi Robyn,

Thank you for your email requesting feedback from Swan Hill College (College) about Swan Hill Rural City Council's (Council) proposal to install a gate on Chapman street to allow public access to Gurnett Oval (Oval).

Whilst the College understands that the Oval does not form part of the school grounds, and is crown land managed by the Council, students currently use the Oval for sport and lunchtime activities. The College is committed to upholding the Department Of Education's Child Safety Standards (which are available to view at <https://www2.education.vic.gov.au/pal/child-safe-standards/policy>).

Accordingly, the College's primary concern about the proposal relates to implications for child safety, specifically:

- Facilitating public access to the Oval will likely lead to members of the public coming into contact with students using the Oval during school hours;
- The gate may enable and/or inadvertently encourage members of the public to enter upon school grounds without permission (school grounds are not open to the public); and
- The increased risk of students leaving the College during the day via the unlocked gate.

If Council intends to proceed with installing a gate along Chapman Street, would Council consider installing a fence and gate along the boundary between the College and the Oval that could be locked to ensure the school grounds can be secured? Both the school and the council could have access to keys to open the gate between the College and the Oval as needed.

The School Council would very much appreciate the opportunity for ongoing consultation on this matter.

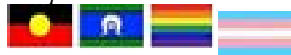
We look forward to hearing from you.

Kind Regards,

Kristen Le Gassick
Acting Principal
Swan Hill College
PH: 50364900



I acknowledge the traditional owners of the land on which I work. I pay my respects to their elders past and present and their continuing connections to land, water and community.



I choose to send emails at times that work for me. I encourage you to read, respond or action this email at a time that works best for you.

2.5 Mayoral Visit to sister cities - Yamagata and Villers-Bretonneux

Directorate: Chief Executive Officer
File Number: S16-02-03
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.3 Bold leadership, strong partnerships and effective advocacy

4.3.1 Create meaningful partnerships across our communities

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 purpose of this report is to provide details of invitations to the Mayor Cr King to visit Yamagata and Villers-Bretonneux in April 2024 to celebrate the relationship of the sister cities.

Discussion

Sister city and twin town relationships give Council and our community new economic and education opportunities. It also expands our international communication, cultural awareness and co-operation.

Council has strong ties with its international partners, including cultural, education, economic and historic links.

The relationship between Swan Hill and Yamagata officially started in 1980. It was one of the earliest Sister City arrangements with Japan.

Villers-Bretonneux was adopted as the twin city of Robinvale in 1984-1985. However the first visits were made in late 1970s including a youth exchange.

The 40 plus years of association with Yamagata and Villers-Bretonneux has provided many opportunities for students and community members to build long and lasting friendships.

The exchange provides invaluable experiences for culture and hospitality of our sister city and twin town relationships.

Consultation

Not applicable.

Financial Implications

Nil financial implications as the Mayor Cr King as indicated that he would pay for his own expenses.

Social Implications

The Yamagata exchange and Villers-Bretonneux visit will foster and maintaining cultural and social relationships. Creating a richer appreciation and understanding of the wider world.

Economic Implications

There are no significant economic ties between Yamagata and Swan Hill Rural City Council or Villers-Bretonneux and Swan Hill Rural City Council.

Environmental Implications

Not applicable.

Risk Management Implications

Not applicable.

- Attachments:**
1. Invitation From LaurenceLelieur [2.5.1 - 1 page]
 2. ITINERARY DRAFT Japan Yamagata Sth Korea April 2024 [2.5.2 - 1 page]

Options

Council may choose to adopt or amend the recommendation.

Recommendation/s**That Council:**

1. Formally thank the Mayor of Yamagata and Villers-Bretonneux for the invitation to Swan Hill Rural City Council's Mayor;
2. Authorise the Mayor to accept the invitations to visit Yamagata and Villers-Bretonneux in 2024.

CM 2023/116 Motion**MOVED Cr McPhee****That Council:**

1. **Formally thank the Mayor of Yamagata for the invitation to Swan Hill Rural City Council's Mayor;**
2. **Authorise the Mayor to accept the invitation to visit Yamagata in 2024.**

SECONDED Cr Young

The Motion was put and CARRIED 4 / 1

Cr King returned to the meeting at 2:49 pm and was informed of the decisions.

The Mayor Cr King assumed the Chair.

From: Laurence Lelieur <Laurence.Lelieur@villers-bretonneux.com>
Sent: Tuesday, November 21, 2023 1:29 AM
To: Les McPhee <les.mcphee@swanhill.vic.gov.au>; Stuart King <stuart.king@swanhill.vic.gov.au>
Subject: Invitation Jumelage de Villers-Bretonneux / Robinvale
Importance: High

Monsieur McPhee,
Monsieur King,

Hello,

5 May 2024 is the 40th anniversary of the Villers-Bretonneux / Robinvale twinning.

On this occasion, we have the honor and pleasure to invite you to participate to the anniversary ceremony that we will organize on Saturday 27 April 2024 at 6:30 p.m.

We chose this date because a sports event with the Australian Football League will take place in the city on the same day. In addition, on 25 April, Anzac Day commemorations occur at the Australian National Memorial (Dawn Service) and in Villers-Bretonneux. It seemed appropriate to us to take advantage of the presence of Her Excellency Mrs. Gillian Bird and the many Australians and New Zealanders in our town that week.

We would be very honored to welcome you and invite you to spend a few days in our city.

Best regards,

Didier DINOUARD
Maire de Villers-Bretonneux



SWAN HILL YAMAGATA CLUB Inc



President

Grant Davies
605 Wearne Road Pentel Island
Swan Hill Vic 3585
Telephone:
Mobile: 0427 372 718
Email: davesjunction@outlook.com

Secretary

Loretta Gleeson
2127 Bolton-Natya Road
Natya Vic 3597
Telephone: (03) 5038 8221
Mobile: 0407 866 963
Email: lgleeson64@hotmail.com

2024 – 44TH ANNIVERSARY YAMAGATA-JAPAN TOUR

ITINERARY

Itinerary will be similar to cancelled 2020 Tour leaving 13 April 2024

Day 1 – Fly to Tokyo for 3 nights

Validate 14 day Japan Rail Pass on first day.
JR pass to be used for intercity travel and Tokyo subway.
Options: Mt Fuji, Royal Palace, Disneyland, Harbour Cruises.

Days 4-7 – Train to Yamagata for 4 nights. Homestay possible.
Itinerary expected to involve celebratory dinners and extensive and busy local day tours.
Always a trip highlight!

Day 8 – To Kyoto via Tokyo for 2 nights.
Geisha district; Naro (old city) tours; Hiroshima day trip (or from Fukuoko).

Day 10 – Train to Fukuoko City via Hiroshima (optional stopover).
4 nights in Hakata on southern island of Kyushu.
Japan's oldest city. Kuju Flower Park, Canal City Hakata, Nagasaki Peace Park day trip.

Day 14 – 2 options – Fly to Seoul, Sth Korea for 10 day tour.
Jeju Island; Busan; National Parks; Museums, DMZ (border area) and Seoul.

OR

Night flights home to Melbourne (from Osaka?)

2.6 Nyah Riverfront Master Plan

Directorate: Development and Planning
File Number: S01-27-09-06*
Purpose: For Adoption

Council Plan Strategy Addressed

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

1.1 A modern municipality: Vibrant, connected and resilient

1.1.1 Attractive urban areas and regional townships

1.1.2 Ensure adequate provision of a variety of safe and secure housing

1.1.3 Excellent transport links to allow ease of movement

Current Strategic documents

Council Plan
10 Year Financial Plan
10 Year Major Project Plan
Nyah/Nyah West Community Plan 2021 - 2026

Declarations of Interest

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

Summary

This report seeks Council endorsement of the Nyah/Nyah West Riverfront Master Plan for implementation.

Discussion

After extensive consultation with members of the Nyah and Nyah West communities, the Nyah Riverfront Master Plan has reached its definitive version. The master plan is now ready for adoption by Council.

Some elements of the master plan relating to Nyah West are currently being delivered through the Living Local Regional Grants Program. These elements include the following:

- Installation of a new toilet block which is now operational and open to the public.
- Demolition of the Maternity Health Building and the original toilets.

Elements that are expected to be completed by June 2024 include;

- Pedestrian path realignment at the site of the original toilets that have now been demolished.
- Nyah West Post Office streetscape works including nature strip, DDA pram access, improved drainage, and seating.
- Junior play area minor upgrade including;
 - Junior swing with soft fall
 - Realignment of security fencing to create more space for extra equipment
 - Relocation of dining set
 - Tree planting outside perimeter of fence to increase shade
- Senior play area partial upgrade including;
 - Rope based play element with jumping element
 - Combination swing including DDA basket swing
 - Associated soft fall
 - Dining set
- Power upgrade to BBQ shelter to 15amp, new socket outlets and update electrical board.
- BBQ shelter furniture upgrade
 - Install dual top BBQ
 - Install two new dining sets, reutilising existing unit in other locations

Other elements of the Master Plan are scheduled for delivery in year 4 of the 10-year Major Projects Plan. These projects will be scoped in preparation for the funding when it becomes available. Having fully scoped projects will allow the opportunity to apply for grants if they became available.

Consultation

Extensive consultation over a period of 18 months has been completed with the Nyah District Action Group and the broader communities in both Nyah and Nyah West including local First Nations representatives of the Bush Bank Group.

Members of the broader community commented on the master plan at a general meeting of community residents at the Nyah Community Centre where a written response was drafted then supplied to Council Officers for inclusion within the master plan.

Several additional meetings with the Nyah District Action Group and the Nyah and Nyah West communities were held at both the Nyah Community Centre and the Nyah West BBQ shelter in the community park. Leaflets were distributed with QR codes directing input to the *Let's Talk* portal. Letters were also sent to the residents in River Street.

Over the consultation period the Nyah District Action Group has been the primary contact for the development of the master plan with input from other members of the community including children.

Financial Implications

- Council has commitments in the 10 Year Major Projects Plan for year 4,5 and 6 totalling \$500,000 from rates to implement elements from the master plan. It is expected that an additional \$500,000 will come from grants.

- The funding that has been identified in the Major Projects Plan would complete all the remaining projects identified in the master plan.

Master plan implementation grants/funding to date;

- \$500,000 (LRCI (Local Roads and Community Infrastructure) Round 4) - Nyah Community Centre Changeroom Refurbishment project
- \$165,000 (LRCI Round 3) - Nyah West toilet block and asset disposal
- \$195,000 - (Living Local Regional Grants Program)
- \$30,000 - Community Planning allocation Nyah West Community Park

Social Implications

It is expected the adoption and implementation of key projects from the master plan will have significant positive social outcomes on both the Nyah and Nyah West communities and create more liveable public space for the community to use and enjoy.

Economic Implications

The delivery of key projects will attract more local and regional tourists to the Nyah and Nyah West townships increasing the opportunity for local economic benefit through the increased visitation and use of these public spaces.

Environmental Implications

The planting of trees in AN Lewis Park will assist with succession planning (planting). Tree species will be in keeping with the existing trees found in the river environment and will not be intended to impede views, but rather provide for shade and natural tree attrition.

Risk Management Implications

Community expectations will continue to be managed via the process of community engagement and consultation.

The costs of individual projects will need to be scoped and costed prior to delivery to ensure that sufficient funds are available.

Attachments: 1. 211202 S S_ Nyah Riverfront Landscape Masterplans - Final Landscape Concept Plan [FINAL] 231016 sa [2.6.1 - 4 pages]

Options

1. That Council adopt the Nyah Riverfront Master Plan for implementation
2. That Council not adopt the Nyah Riverfront Master Plan

Recommendation/s

That Council adopt the Nyah Riverfront Master Plan for implementation of the projects listed and subject to the allocation of funding to complete all the actions identified.

CM 2023/117 Motion**MOVED Cr McKay**

That Council adopt the Nyah Riverfront Master Plan for implementation of the projects listed and subject to the allocation of funding to complete all the actions identified.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

Landscape Concept Design Package

NYAH RIVERFRONT LANDSCAPE MASTERPLANS

CLIENT CONTACT:
Swan Hill Rural City Council

Dione Heppell
Development Officer Community
e: dione.heppell@swanhill.vic.gov.au
p: 03 5036 2447

PROJECT ADDRESS:
Nyah & Nyah West,
Swan Hill, VIC
3594 / 3595

CONSULTANT CONTACT:
Pollen Studio P/L

Fyrrn Hart
Director / Registered Landscape Architect
e: fyrrn@pollenstudio.com.au
p: 03 9329 7548
m: 0418 586 939

Matt McKone
Landscape Architect
e: matt@pollenstudio.com.au
p: 03 9329 7548
m: (+64) 27 352 3340

ACKNOWLEDGEMENT OF COUNTRY:

We acknowledge and respect Traditional Owners as the original custodians of Victoria's land and waters that were never ceded. We honour elders past and present whose knowledge, connection and wisdom has ensured the continuation of culture and care for Country for tens of thousands of years.

LOCATION PLAN:



PROJECT PHASE:

Final Landscape Concept Plan

Issue: 3 29.05.23

DRAWING REGISTER:

DRAWING NO.	DRAWING TITLE	SHEET	REV.
LSK-000	Cover Page	1	0
LSK-100	Landscape Concept Plan (Nyah)	2	0
LSK-101	Landscape Concept Plan (Nyah)	3	0
LSK-200	Landscape Concept Plan (Nyah West)	4	0

POLLEN

Pollen Studio Pty Ltd - Landscape Architects
Melbourne - Australia
Studio 11 Level 1/175 Bank Street VIC 3000
AB 8925 Trade 1 pollen@pollenstudio.com.au
pollenstudio.com.au | 0800 49 494 022 534

NOT FOR CONSTRUCTION

PROJECT:
NYAH RIVERFRONT
LANDSCAPE MASTERPLANS
Client: Nyah
CLIENT:
Swan Hill Rural City Council
41 Spent St, Swan Hill VIC 3585

CLIENT REFERENCE:
-
PHASE:
Final Landscape
Concept Plan
DRAWING TITLE:
Cover Page
JOB NUMBER:
01000

REV. COMMENT

DATE	DATE
1. DRAFT LANDSCAPE CONCEPT PLAN	18.01.23
2. FINAL LANDSCAPE CONCEPT PLAN	18.05.23
3. FINAL LANDSCAPE CONCEPT PLAN	29.05.23

DRAWN: WBSA **CHECK:** FH

SCALE:
NPS
SHEET:
1 of 4
DRAWING NO:
LSK-000
ISSUE:
3







2.7 Major Projects Plan 2024/25 to 2027/28

Directorate: Corporate Services
File Number: S15-06-18
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

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

A Major Projects Plan detailing the future years proposed schedule of major project capital works has been prepared and is presented for Council adoption.

Discussion

The Major Projects Plan (Plan) includes ongoing programs of works to replace and maintain key infrastructure and provides details on non-recurrent projects to renew, upgrade or construct new assets within the municipality.

The Plan is a key driver for the development and reporting requirements for Council compliance with the Local Government Act 2020. Section 94 of the Act states, A Council must prepare and adopt a budget for each financial year and the subsequent 3 financial years by 30 June each year. Details on what must be provided in a budget are then prescribed in the Local Government (Planning and Reporting) Regulations 2020 Part 3. Regulation 7 requires a statement of capital works for the budget year and subsequent 3 financial years.

Regulation 8, subregulation 4 states the budget is to contain the following information in relation to the capital works within the budget year:

- (a) A detailed list of planned capital works expenditure,
- (b) A summary of funding sources in relation to the capital works expenditure

In addition to the above requirements for the Annual Budget, a Council must also contain in relation to the subsequent 3 financial years after the budget year – a summary of planned capital works expenditure in relation to non-current asset classifications and according to asset expenditure type.

The above requirements of the Local Government Act and Regulations are all adhered to within our Annual Budget document.

The attached Plan provides additional information further to the requirements of the Act and details Council's planned major project expenditure by year and provides details on the funding sources for each project.

Priorities within the Plan have been assessed on a number of factors:

- whether the project maintains existing service levels, or increases them;
- statutory or regulatory obligations;
- compliance with existing Council plans and strategies;
- availability of external funding sources to help cover the cost of each project;
- overall ability of Council to fund works and asset purchases within the parameters of the Financial Plan adopted by Council in July 2021 and ongoing financial forecasts.

The final list of projects submitted for the 2025 financial year will be subject to the financial constraints determined through the 2024-25 budget process, including the rate cap set by the Minister for Local Government. Projects in future years will be similarly constrained. In addition, it is possible that some of the projects may change priority in the future due to a number of factors such as workforce shortages, availability of contractors, external funding sources, community demand, legislative changes, seasonal conditions, increased costs of materials and other economic impacts.

Consultation

Council regularly receives suggestions, both formally and informally for items to be considered for funding. Projects within the Plan have been subject to evaluation by Council and their priorities assessed.

Financial Implications

Given funding constraints, it is inevitable that many worthwhile projects cannot be undertaken immediately. Several projects are included on the basis that the required external funding will be forthcoming. If not received, these projects will not proceed or will be deferred until funds are available.

Availability of earthmoving and building trade contractors may affect delivery of some projects in the first year of the Plan. This is due to ongoing building and construction backlog of works and a labour supply shortage in many industries.

Social Implications

Various projects within the Plan will assist Council in improving community wellbeing.

Economic Implications

As well as the direct economic benefit from the project expenditure in the municipality, many of the projects will assist business through better transport links and facilities or increased tourist visitation.

Environmental Implications

Many of the projects within the plan will improve environmental outcomes through improved drainage systems, reduced green-house gas emissions and improved landfill operations.

Risk Management Implications

The Risk Management implications for each project are assessed individually as part of the project scope.

Attachments: 1. 24 25 MP P 4 Yr Adopt [2.7.1 - 15 pages]

Options

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

Recommendation/s

That Council:

1. **Adopt the Major Projects Plan 2024-25 to 2027-28, as presented.**
2. **Refer projects identified in financial year one (2024-25) to the budget process.**

CM 2023/118 Motion

MOVED Cr Jeffery

That Council:

1. **Adopt the Major Projects Plan 2024-25 to 2027-28, as presented.**
2. **Refer projects identified in financial year one (2024-25) to the budget process.**

SECONDED Cr Young

The Motion was put and CARRIED 6 / 0



MAJOR PROJECTS PLAN

2024-25 to 2027-28

Asset Expenditure Types

Capital Renewal

Expenditure on an existing asset or a portion of an infrastructure network, that returns the service potential or the life of the asset up to its original level, e.g. resurfacing a sealed road, renewing a section of a drainage system.

Capital Upgrade

Expenditure on an existing asset or infrastructure network that provides a higher level of service to users, e.g. widening the pavement and sealed area of an existing road, replacing drainage pipes with pipes of greater capacity.

Capital Expansion

Expenditure on extending an infrastructure network to a new group of users, e.g. extending a drainage or road network, etc at the same standard as currently enjoyed by other residents.

New Assets

Expenditure in providing new infrastructure to an existing or new group of users, e.g. construction of roads, drains, recreational facilities at a new residential subdivision.

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28

	Prior Years MP Plan	Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources
Year 1 (2024-25)	22,790,500	20,833,925	(9,394,090)	(6,787,790)	(4,652,045)
Year 2 (2025-26)	24,563,845	24,999,730	(10,896,740)	(9,487,160)	(4,615,830)
Year 3 (2026-27)	26,146,541	23,890,845	(11,120,410)	(7,789,160)	(4,981,275)
Year 4 (2027-28)	18,304,485	18,353,550	(10,789,980)	(3,544,160)	(4,019,410)
Grand Total	91,805,371	88,078,050	(42,201,220)	(27,608,270)	(18,268,560)

Row Labels	Capital - New Asset	Capital - Renewal	Capital - Upgrade	Grand Total
Year 1 (2024-25)	5,054,500	14,386,825	1,392,600	20,833,925
Year 2 (2025-26)	5,219,500	13,081,565	6,698,665	24,999,730
Year 3 (2026-27)	13,115,995	10,120,305	654,545	23,890,845
Year 4 (2027-28)	6,424,380	10,574,770	1,354,400	18,353,550
Grand Total	29,814,375	48,163,465	10,100,210	88,078,050

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Building & Property Management	66	Building Maintenance - Capital	Capital - Renewal	Year 1 (2024-25)	495,000	(495,000)	0	0	Building maintenance of a capital nature on Council buildings throughout the municipality. Prioritised based on asset condition.
				Year 2 (2025-26)	385,000	(385,000)	0	0	
				Year 3 (2026-27)	400,000	(400,000)	0	0	
				Year 4 (2027-28)	525,000	(525,000)	0	0	
	114	Swan Hill Town Hall - Building Renewal Works	Capital - Renewal	Year 1 (2024-25)	100,000	(100,000)	0	0	Program of works to undertake major building and equipment maintenance works. Yr1 Main Hall Carpet, Yr2 Sound Desk & Mezzanine Bathroom Refurbishment
				Year 2 (2025-26)	100,000	(100,000)	0	0	
				Year 3 (2026-27)	100,000	(100,000)	0	0	
				Year 4 (2027-28)	100,000	(100,000)	0	0	
	277	Robinvale Community Arts Centre	Capital - Renewal	Year 1 (2024-25)	80,000	(80,000)	0	0	Year 1 Flooring in foyer, chandelier refurbishment, painting . Year 2 & 3 new lighting package. Years 4 ongoing renewal program.
				Year 2 (2025-26)	90,000	(90,000)	0	0	
				Year 3 (2026-27)	70,000	(70,000)	0	0	
				Year 4 (2027-28)	20,000	(20,000)	0	0	
Caravan Park - Lake Boga	64	Lake Boga Caravan Park - Asset Renewal	Capital - Renewal	Year 1 (2024-25)	20,000	(20,000)	0	0	Rolling program to renew infrastructure at Lake Boga Caravan Park.
				Year 2 (2025-26)	20,000	(20,000)	0	0	
				Year 3 (2026-27)	20,000	(20,000)	0	0	
				Year 4 (2027-28)	20,000	(20,000)	0	0	
Caravan Park - Robinvale	63	Robinvale Caravan Park - Asset Renewal	Capital - Renewal	Year 1 (2024-25)	20,000	(20,000)	0	0	Rolling program to renew infrastructure at Robinvale Caravan Park.
				Year 2 (2025-26)	20,000	(20,000)	0	0	
				Year 3 (2026-27)	20,000	(20,000)	0	0	
				Year 4 (2027-28)	20,000	(20,000)	0	0	
Caravan Park - Swan Hill	60	Swan Hill Caravan Park - Asset Renewal	Capital - Renewal	Year 1 (2024-25)	40,000	(40,000)	0	0	Rolling program to renew infrastructure at Swan Hill Caravan Park.
				Year 2 (2025-26)	40,000	(40,000)	0	0	
				Year 3 (2026-27)	40,000	(40,000)	0	0	
				Year 4 (2027-28)	40,000	(40,000)	0	0	
Community Plan	39	Implementation of the Community Plans	Capital - New Asset	Year 1 (2024-25)	250,000	(125,000)	(125,000)	0	Implementation of the Community Plans. Allocation to deliver projects in townships across the municipality as identified in the Community Plans. Includes design and scoping.
				Year 2 (2025-26)	300,000	(150,000)	(150,000)	0	
				Year 3 (2026-27)	350,000	(175,000)	(175,000)	0	
				Year 4 (2027-28)	400,000	(200,000)	(200,000)	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Depot Operations	291	Swan Hill Depot - Main Entrance Gates & Security Upgrade	Capital - Renewal	Year 1 (2024-25)	95,500	(95,500)	0	0	Identified as part of the Swan Hill Depot Security Review. Upgrade required to secure the perimeter of the compound to prevent unauthorised person from entering.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
Drainage	17	Main Drain Extension - East/West Williams Road, Swan Hill	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Extend concrete lining of Main Drain 150 lineal metres east of Williams Road and install concrete headwall and beaching west of Williams Road, Swan Hill. To be considered as part of the drainage strategy.
				Year 2 (2025-26)	231,000	(231,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	105	Robinvale Drainage Stage 2 including Pump Station	Capital - New Asset	Year 1 (2024-25)	405,000	(405,000)	0	0	1200mm diameter drain from Latje Road down Williams Road to the River plus pumping pits for portable pumps to pump over levee at both Williams and Lawrence roads.
				Year 2 (2025-26)	1,000,000	(730,000)	0	(270,000)	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	222	Swan Hill - Upgrade Stormwater Networks	Capital - Upgrade	Year 1 (2024-25)	57,200	(57,200)	0	0	Council contribution to upgrade stormwater networks to support growth in Swan Hill. To be considered as part of the drainage strategy.
				Year 2 (2025-26)	57,200	(57,200)	0	0	
				Year 3 (2026-27)	66,000	(66,000)	0	0	
				Year 4 (2027-28)	366,000	(366,000)	0	0	
	235	Drainage Improvements - Naretha Street	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Drainage upgrade works at Naretha Street to improve drainage. 2026-27 Design. To be considered as part of the drainage strategy.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	10,000	(10,000)	0	0	
				Year 4 (2027-28)	0	0	0	0	
	92	LTFP - Drainage Renewal & Upgrade	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Long Term Financial Plan - Swan Hill and Robinvale drainage works funded from additional rates raised through Urban Differential Rate.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	605,000	(605,000)	0	0	
				Year 4 (2027-28)	300,000	(300,000)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Economic Development Unit	209	Boat Mooring Platform - Milloo Street Swan Hill	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Construction of boat mooring platform at the Milloo Street boat ramp. Design undertaken in 2023/24. Delay between design and construction is to allow for the application of the appropriate licences and permits to begin works on the riverbank.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	330,000	(165,000)	(165,000)	0	
				Year 4 (2027-28)	0	0	0	0	
Footpaths	15	Kerb Crossings for Disabled in Swan Hill & Robinvale	Capital - Upgrade	Year 1 (2024-25)	37,400	(37,400)	0	0	Install footpath kerb crossings for the disabled along strategic routes in Swan Hill and Robinvale as recommended in Road Safety Plan.
				Year 2 (2025-26)	37,400	(37,400)	0	0	
				Year 3 (2026-27)	38,500	(38,500)	0	0	
				Year 4 (2027-28)	39,600	(39,600)	0	0	
	47	Footpath Replacement Program	Capital - Renewal	Year 1 (2024-25)	70,000	(70,000)	0	0	Rolling program of footpath replacement throughout the municipality.
				Year 2 (2025-26)	70,000	(70,000)	0	0	
				Year 3 (2026-27)	75,000	(75,000)	0	0	
				Year 4 (2027-28)	75,000	(75,000)	0	0	
	210	Lake Boga Foreshore Shared Path	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Stage 2 and 3 of Lake Boga East Lake Road shared path project, connecting the Caravan Park with existing path (north) at the Yacht Club.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	555,190	(355,190)	(200,000)	0	
	3	Bicycle Paths Construction Program	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Ongoing program to implement recommendations of the Pedestrian and Cycling Strategy, Active Transportation Strategy and reviewed through Healthy Communities Initiative.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	33,000	(33,000)	0	0	
				Year 4 (2027-28)	33,880	(33,880)	0	0	
	203	Implement Missing Links Footpath Strategy	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Implement Footpath Missing Links Strategy. \$7.8m in programmed works identified in 2019. Priorities include Watkins St Robinvale, Leonora St Robinvale, Stradbroke Ave Swan Hill, Gray St Swan Hill, Laurundel St Manangatang.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	200,000	(200,000)	0	0	
				Year 4 (2027-28)	340,000	(310,000)	(30,000)	0	
Information Technology	20	IT Equipment Replacement	Capital - Renewal	Year 1 (2024-25)	135,000	(135,000)	0	0	Replacement program for PCs, printers, network server, UPS, scanners, internal data communications, tape unit, data projector - ongoing replacement program.
				Year 2 (2025-26)	140,000	(140,000)	0	0	
				Year 3 (2026-27)	140,000	(140,000)	0	0	
				Year 4 (2027-28)	142,800	(142,800)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Libraries	28	Library Collection Purchases	Capital - Renewal	Year 1 (2024-25)	157,500	(157,500)	0	0	Purchase of books, DVD's and electronic resources to maintain an up-to-date collection and replace existing items.
				Year 2 (2025-26)	160,000	(160,000)	0	0	
				Year 3 (2026-27)	165,000	(165,000)	0	0	
				Year 4 (2027-28)	170,000	(170,000)	0	0	
	85	Construction New Library Building Swan Hill	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Construction of new library building for Swan Hill. 2027/28 Business case and design with scope to include the integration of library with potential 'Gov't Hub'
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	284,810	(284,810)	0	0	
Livestock Exchange	240	Cattle Yards - Scanner	Capital - Renewal	Year 1 (2024-25)	52,000	(52,000)	0	0	Replacement of cattle yards scanner.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
Parking Control & School Crossings	14	Parking Ticket Machine Installation & Replacement, Swan Hill	Capital - Renewal	Year 1 (2024-25)	33,500	(33,500)	0	0	Annual allocation for the installation and replacement of ticket machines.
				Year 2 (2025-26)	33,500	(33,500)	0	0	
				Year 3 (2026-27)	34,000	(34,000)	0	0	
				Year 4 (2027-28)	34,500	(34,500)	0	0	
PIOSET - PS Gem Restoration	265	Gem Caulking and Protective Coating	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Periodic maintenance of the PS Gem hull. Caulking and protective coating of the hull to prevent leaks and preserve the valuable planking timbers.
				Year 2 (2025-26)	150,000	(150,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
PIOSET - Redevelopment	208	Pental Island Pedestrian Bridge Upgrade	Capital - Renewal	Year 1 (2024-25)	559,000	(269,000)	(290,000)	0	Upgrade existing pedestrian bridge from Pioneer Settlement to Pental Island to support future tourism experience opportunities.
				Year 2 (2025-26)	559,000	(100,000)	(459,000)	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	287	Transitional experience / virtual reality interaction	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Using the entrance space at the Settlement to create a "stepping back in time" experience using VR technologies, video walls and mobile phone applications.
				Year 2 (2025-26)	500,000	(100,000)	(400,000)	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Plant Operations	13	Plant & Fleet Purchases	Capital - Renewal	Year 1 (2024-25)	1,818,945	0	0	(1,818,945)	Routine replacement program of Council Plant and Fleet vehicles.
				Year 2 (2025-26)	1,645,765	0	0	(1,645,765)	
				Year 3 (2026-27)	1,727,535	0	0	(1,727,535)	
				Year 4 (2027-28)	1,245,610	0	0	(1,245,610)	
Public Conveniences & Rest Centres	200	Implement Public Toilet Strategy - Renewal Works	Capital - Renewal	Year 1 (2024-25)	374,000	(374,000)	0	0	Yr1 - McCallum St; Yr4 Robinvale Boat Ramp & Lake Boga Wayside Stop
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	429,000	(429,000)	0	0	
	201	Implement Public Toilet Strategy - New Assets	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Yr 2 - Robinvale Centenary Park new block Tier 1 park & Gurnett Oval cricket pavilion; Yr 3 Livestock Exchange amenity block.
				Year 2 (2025-26)	343,500	(343,500)	0	0	
				Year 3 (2026-27)	198,000	(198,000)	0	0	
				Year 4 (2027-28)	0	0	0	0	
Recreation - General Reserves	55	Swan Hill Motorplex Upgrade	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Provide funds to upgrade facilities in accordance with the masterplan. Contribution towards construction of multi-purpose shared building, including public toilets and complete a sealed carpark.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	440,000	(235,000)	(205,000)	0	
				Year 4 (2027-28)	1,281,500	(586,500)	(695,000)	0	
	115	(RRIP) Swan Hill Showgrounds - Regional Hub	Capital - Upgrade	Year 1 (2024-25)	215,000	(215,000)	0	0	Site plan, design and construction of regional spaces hub at Swan Hill Showgrounds.
				Year 2 (2025-26)	5,135,000	(1,135,000)	(4,000,000)	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	116	(RRIP) Gurnett Oval Swan Hill - Change Rooms redevelopment	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Upgrade participant & umpire change rooms, kitchen and social spaces to comply with regional sporting standards codes. Gurnett Oval Masterplan key project. 2026/27 = Design. 2027/28 = Construction.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	33,000	(33,000)	0	0	
				Year 4 (2027-28)	330,000	(105,000)	(150,000)	(75,000)	
	117	(RRIP) Redevelopment Lake Boga Sporting Complex Pavilion	Capital - Upgrade	Year 1 (2024-25)	580,000	(350,000)	(230,000)	0	Pavilion redevelopment, includes construction of female change rooms and redevelopment of kitchen / social space. Project ensures the facility complies with AFL & Cricket guidelines.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
					Project Cost	Funding Source			Project Scope
Program Name	MP Job #	Project Description	Expenditure Type	Year	Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
	118	(RRIP) Redevelopment Robinvale Recreation Reserve Change Rooms	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Riverside Park Masterplan key project to upgrade change rooms to provide suitable amenities for Cricket, AFL & Rugby. Concept designs are completed, funding for project is being sourced.
				Year 2 (2025-26)	2,280,000	(130,000)	(1,875,000)	(275,000)	
				Year 3 (2026-27)	220,000	(220,000)	0	0	
				Year 4 (2027-28)	0	0	0	0	
	119	(RRIP) Redevelopment Ultima Recreation Reserve Change Rooms and Pavilion	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	As per Recreation Reserve Masterplan, upgrade participant & umpire change rooms & expand kitchen. 2025/26 = Design. 2026/27 = Construction.
				Year 2 (2025-26)	33,000	(33,000)	0	0	
				Year 3 (2026-27)	220,000	(120,000)	(100,000)	0	
				Year 4 (2027-28)	0	0	0	0	
	155	(RRIP) Upgrade Sporting Oval Scoreboard - Alan Garden Reserve	Capital - Upgrade	Year 1 (2024-25)	88,000	(48,000)	(40,000)	0	Upgrade Alan Garden scoreboard to electronic type. Key project identified in RRMP.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	275	Nyah Cricket Practice and Community Event Space	Capital - Upgrade	Year 1 (2024-25)	255,000	(60,000)	(195,000)	0	Construct Nyah cricket practice net inside old harness racing shed, including a soft netting facility.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	292	Ken Harrison Reserve Sports Centre	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	New sporting facility at the Ken Harrison Reserve. 2025/26 = Concept plans.
				Year 2 (2025-26)	50,000	(50,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	120	(RRIP) Redevelopment Nyah Recreation Reserve Change Rooms and Public Toilets	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Upgrade change rooms making the facility female friendly and to comply with sporting standards codes. Nyah Masterplan key project. Design works 2026/27. Construct 2027/28.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	55,000	(55,000)	0	0	
				Year 4 (2027-28)	660,000	(310,000)	(250,000)	(100,000)	
Recreation - Parks & Gardens	30	Renewal Irrigation Systems	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Rolling program to replace Council's irrigation systems across the municipality. Includes Recreation Reserve Masterplan irrigation projects. Yr 2 requires upgrade to river pump station.
				Year 2 (2025-26)	391,600	(391,600)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	140,800	(140,800)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
	22	Swan Hill Riverfront Masterplan - Implementation	Capital - New Asset	Year 1 (2024-25)	500,000	(250,000)	(250,000)	0	Staged implementation of the Swan Hill Riverfront Masterplan. Annual funding to support project opportunities
				Year 2 (2025-26)	558,000	(279,000)	(279,000)	0	
				Year 3 (2026-27)	214,500	(114,500)	(100,000)	0	
				Year 4 (2027-28)	484,000	(359,000)	(125,000)	0	
	42	Robinvale Riverfront Masterplan Implementation	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Robinvale Community Plan identified works, including masterplan of Centenary Park and improvements to moorings on Victorian waters in area known as "The Cut" and associated beautification works.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	500,000	(500,000)	0	0	
				Year 4 (2027-28)	0	0	0	0	
	261	Nyah Riverfront Masterplan Implementation	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Implementation of works identified in the Nyah Riverfront Masterplan.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	340,000	(200,000)	(140,000)	0	
				Year 4 (2027-28)	490,000	(200,000)	(290,000)	0	
	38	Turtle Lagoon Lake Boga - Environment Walk	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Walking path and bridge construction. Design in 2027/28.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	20,000	(20,000)	0	0	
	87	GMW Decommissioned #9 Irrigation Channel Improvements	Capital - Upgrade	Year 1 (2024-25)	30,000	(30,000)	0	0	Improvement works following decommissioning of GMW #9 Channel to create walking paths and other beautification works. Yr 1 requires investigation into land titles and acquisitions.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	123	Replacement of Irrigation Pump at Robinvale	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Riverbank to be stabilised, support structure to be replaced and a new pump to be installed to overcome potential OHS issues. A two part project with design undertaken in 2023, construction in 2025.
				Year 2 (2025-26)	487,000	(487,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
Recreation - Playgrounds	23	Playground Equipment Renewal	Capital - Renewal	Year 1 (2024-25)	115,830	(115,830)	0	0	Program of works to renew and upgrade playgrounds throughout the municipality based on Playgrounds Asset Management Plan. Year 1 - Woorinen South Recreation Reserve.
				Year 2 (2025-26)	115,830	(115,830)	0	0	
				Year 3 (2026-27)	118,470	(118,470)	0	0	
				Year 4 (2027-28)	120,560	(120,560)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
	29	Install Shade Sails over Playground Equipment	Capital - Renewal	Year 1 (2024-25)	56,000	(56,000)	0	0	Renewal of shade sails over playground equipment throughout the municipality on a rolling program basis.
				Year 2 (2025-26)	57,310	(57,310)	0	0	
				Year 3 (2026-27)	58,300	(58,300)	0	0	
				Year 4 (2027-28)	59,340	(59,340)	0	0	
	40	Playground Fencing Program	Capital - Renewal	Year 1 (2024-25)	28,740	(28,740)	0	0	Bi-annual program for fencing play equipment throughout municipality.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	28,740	(28,740)	0	0	
				Year 4 (2027-28)	0	0	0	0	
Recreation - Sportsfields	144	(RRIP) Ken Harrison Sporting Complex, Swan Hill - Masterplan Development	Capital - New Asset	Year 1 (2024-25)	80,000	(80,000)	0	0	Implementation of the Ken Harrison Sporting Complex masterplan.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	61	Alan Garden Reserve - Oval Surface Upgrade, Swan Hill	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Includes new subsurface drainage (agridrain), irrigation and earthworks to provide a new soil profile and to form a crown to enable run off.
				Year 2 (2025-26)	420,000	(420,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	151	(RRIP) Swan Hill Sporting Precinct Implementation	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Amalgamation of Swan Hill Showgrounds and Alan Garden Recreation Reserves. Showgrounds & Alan Garden Masterplans key project. 2025/26 Design and planning.
				Year 2 (2025-26)	88,000	(88,000)	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	288	Robinvale Lawn Tennis Club Irrigation	Capital - Upgrade	Year 1 (2024-25)	30,000	(30,000)	0	0	Contribution towards the installation of automated irrigation system. Council commitment is 50% of total project cost.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	214	Robinvale Off Leash Dog Park	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Development of Project Plan for Construction of fenced park (provision of seating, water, fence/gates, agility equipment and trees) pending the Robinvale Riverfront Masterplan and Cultural Heritage Management Plan results (if State funding becomes available).
				Year 2 (2025-26)	15,000	(15,000)	0	0	
				Year 3 (2026-27)	220,000	(110,000)	(110,000)	0	
				Year 4 (2027-28)	0	0	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Road Furniture, Line Markings & Carpark	9	Swan Hill CBD Carpark	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Funded from car-parking reserve, where money is collected as contributions from developers in lieu of providing on-site parking, and needs to be converted to parking spaces on the ground.
				Year 2 (2025-26)	10,000	(10,000)	0	0	
				Year 3 (2026-27)	151,800	(81,800)	0	(70,000)	
				Year 4 (2027-28)	0	0	0	0	
Roads - Roads to Recovery	27	Sealed Roads - Reconstruction (R2R)	Capital - Renewal	Year 1 (2024-25)	929,260	0	(929,260)	0	Roads to Recovery rolling program for road reconstruction. Figures assume that Council will continue to receive grant funding.
				Year 2 (2025-26)	929,260	0	(929,260)	0	
				Year 3 (2026-27)	929,260	0	(929,260)	0	
				Year 4 (2027-28)	929,260	0	(929,260)	0	
	48	Sealed Roads - Shoulder Resheeting Program (R2R)	Capital - Renewal	Year 1 (2024-25)	210,100	0	(210,100)	0	Roads to Recovery rolling program of sealed road shoulder resheeting. Figures assume that Council will continue to receive grant funding.
				Year 2 (2025-26)	210,100	0	(210,100)	0	
				Year 3 (2026-27)	210,100	0	(210,100)	0	
				Year 4 (2027-28)	210,100	0	(210,100)	0	
	49	Gravel Roads - Resheeting Program (R2R)	Capital - Renewal	Year 1 (2024-25)	294,800	0	(294,800)	0	Roads to Recovery rolling program for resheeting of gravel roads. Figures assume that Council will continue to receive grant funding.
				Year 2 (2025-26)	294,800	0	(294,800)	0	
				Year 3 (2026-27)	294,800	0	(294,800)	0	
				Year 4 (2027-28)	294,800	0	(294,800)	0	
Roads - Sealed Roads	26	Sealed Roads - Reconstruction	Capital - Renewal	Year 1 (2024-25)	1,217,700	(1,217,700)	0	0	Annual rolling program of sealed road reconstruction.
				Year 2 (2025-26)	1,274,900	(1,274,900)	0	0	
				Year 3 (2026-27)	1,343,100	(1,343,100)	0	0	
				Year 4 (2027-28)	1,408,000	(1,408,000)	0	0	
	43	Sealed Roads - Shoulder Resheeting	Capital - Renewal	Year 1 (2024-25)	239,800	(239,800)	0	0	Rolling program to resheet the shoulders of sealed roads. Program developed based on condition assessments.
				Year 2 (2025-26)	256,800	(256,800)	0	0	
				Year 3 (2026-27)	269,500	(269,500)	0	0	
				Year 4 (2027-28)	282,700	(282,700)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
	44	Sealed Roads - Resealing Program	Capital - Renewal	Year 1 (2024-25)	1,302,900	(1,302,900)	0	0	Rolling program of resealing of sealed roads.
				Year 2 (2025-26)	1,542,200	(1,542,200)	0	0	
				Year 3 (2026-27)	1,615,900	(1,615,900)	0	0	
				Year 4 (2027-28)	1,694,000	(1,694,000)	0	0	
	45	Kerb and Channel - Replacement Program	Capital - Renewal	Year 1 (2024-25)	300,000	(300,000)	0	0	Rolling program of kerb and channel replacement.
				Year 2 (2025-26)	309,000	(309,000)	0	0	
				Year 3 (2026-27)	318,000	(318,000)	0	0	
				Year 4 (2027-28)	328,000	(328,000)	0	0	
	216	Bael Bael Rd Tresco - Upgrade	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Widen Bael Bael Road Tresco and connect to Murray Valley Hwy. Grant identified through AgriLinks Upgrade Program (AUP) by Agriculture Victoria. Timing of project to align with Haven Estate development Planning Conditions.
				Year 2 (2025-26)	675,000	0	(675,000)	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	233	Karinie Street Reconstruction	Capital - Renewal	Year 1 (2024-25)	4,855,850	(1,618,620)	(3,237,230)	0	Replacement of kerb and channel and road pavement from Murlong Street to Nyah Road roundabout, including the Saleyards Rd intersection and Saleyards entrance upgrade.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	
	90	LTFP - Additional Sealed Roads	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Long Term Financial Plan - indicative additional funding available for sealed road works (to be confirmed through the budget process).
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	200,000	(200,000)	0	0	
				Year 4 (2027-28)	310,000	(310,000)	0	0	
Roads - Unsealed Roads	46	Gravel Roads - Resheeting Program	Capital - Renewal	Year 1 (2024-25)	785,400	(785,400)	0	0	Rolling program to resheet gravel roads.
				Year 2 (2025-26)	819,500	(819,500)	0	0	
				Year 3 (2026-27)	864,600	(864,600)	0	0	
				Year 4 (2027-28)	905,300	(905,300)	0	0	
	270	Unsealed Roads - Resilience Program	Capital - Upgrade	Year 1 (2024-25)	100,000	(100,000)	0	0	Improving road resilience to farmers on unsealed and natural surface road networks.
				Year 2 (2025-26)	310,000	(310,000)	0	0	
				Year 3 (2026-27)	220,000	(220,000)	0	0	
				Year 4 (2027-28)	225,000	(225,000)	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
Program Name	MP Job #	Project Description	Expenditure Type	Year	Project Cost	Funding Source			Project Scope
					Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Street Beautification	18	Swan Hill CBD works	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Upgrade to Swan Hill CBD area generally boarded by Pye, Beveridge, Rutherford and Curlewis Streets with matching RDV funding.
				Year 2 (2025-26)	430,000	(215,000)	(215,000)	0	
				Year 3 (2026-27)	220,000	(110,000)	(110,000)	0	
				Year 4 (2027-28)	340,000	(170,000)	(170,000)	0	
Swan Hill Indoor Sports & Recreation Centre	110	Swan Hill Indoor Sport & Recreation Centre - Amenities Upgrade	Capital - Renewal	Year 1 (2024-25)	0	0	0	0	Project to replace the recreation facility known as The Stadium in Swan Hill. Funds in 2027/28 for scoping and detailed design. Existing rates money used as seed funding to obtain grant money from State/Federal government to construct a new facility.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	100,000	(100,000)	0	0	
Swan Hill Leisure Centre	7	(RRIP) Replace Swan Hill's Outdoor Swimming Pool	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Replace Swan Hill Outdoor Swimming Pool with a modern alternative. 2023/24 = Design and 2026/27 = Construction.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	7,000,000	(1,750,000)	(5,250,000)	0	
				Year 4 (2027-28)	0	0	0	0	
Tower Hill Estate Development	81	Swan Hill Tower Hill Residential Development	Capital - New Asset	Year 1 (2024-25)	2,340,000	0	0	(2,340,000)	Construct infrastructure to provide for future residential house blocks. Works funded from Tower Hill Land Sales Reserve, where funds are derived from previous staged development sales and/or from the proposed development works.
				Year 2 (2025-26)	2,405,000	0	0	(2,405,000)	
				Year 3 (2026-27)	2,470,000	0	0	(2,470,000)	
				Year 4 (2027-28)	2,535,000	0	0	(2,535,000)	
Waste Management	100	Waste Management - Waste Disposal Sites Fence Construction	Capital - Upgrade	Year 1 (2024-25)	0	0	0	0	Construction of security fencing for unfenced Rural Transfer Station sites. Progressive replacement of unserviceable sections of the Swan Hill and Robinvale Landfill boundary fences.
				Year 2 (2025-26)	20,065	0	0	(20,065)	
				Year 3 (2026-27)	45,045	0	0	(45,045)	
				Year 4 (2027-28)	63,800	0	0	(63,800)	
	260	Ultima Compost Facility - (Stage 2)	Capital - New Asset	Year 1 (2024-25)	1,479,500	0	(986,400)	(493,100)	Compost facility with housed receival area to load food and garden organics to be decontaminated and pasteurised to produce mature compost.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	0	0	0	0	
				Year 4 (2027-28)	0	0	0	0	

SWAN HILL RURAL CITY COUNCIL - Major Projects Plan for 2024/25 to 2027/28									
					Project Cost	Funding Source			Project Scope
Program Name	MP Job #	Project Description	Expenditure Type	Year	Total Cost	Rates (including Loans)	Grants & Contributions	Other Sources	
Waste Management	282	Waste Management - Robinvale Landfill Construction of New Cell	Capital - New Asset	Year 1 (2024-25)	0	0	0	0	Scope requirements, design, EPA works approval and audit process and construction of cell.
				Year 2 (2025-26)	0	0	0	0	
				Year 3 (2026-27)	668,695	0	0	(668,695)	
				Year 4 (2027-28)	0	0	0	0	
Grand Total					88,078,050	(42,201,220)	(27,608,270)	(18,268,560)	

2.8 2022/23 Rates Surplus

Directorate: Corporate Services
File Number: S15-06-15
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

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 2022/23 financial year.

Discussion

The Financial Statements for 2022/23 were finalised in October 2023 and Council received clear audit opinions from the Auditor-General's Office.

Following the completion of the financial statements, a Rates Determination Result is calculated to determine a rates 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 Original Budget was prepared to achieve a \$101,000 rates surplus, the Actual result was a surplus of \$1,248,000.

The purpose of this report is to seek Council approval to the application of the \$1,248,000 in surplus funds.

The items detailed below represent the variances from budget that determine much of the 2022/23 rates surplus:

	Variance to Budget
Grants Commission – Financial Assistance Grants (including Transfer from Reserve) <i>The approved Financial Assistance Grant as at 11 August 2022 was \$293,311 higher than the budgeted grant.</i>	\$293,311
Grants Commission – 2022 Underpayment <i>Final calculation of the 2021/22 Financial Assistance Grant undertaken by the Victorian Local Government Grants Commission resulted in an additional allocation to Council.</i>	\$175,711
Interest Income <i>Increasing interest rates over the year resulted in higher interest income being earned.</i>	\$997,000
Other Revenue – Public Lighting Carbon Credit <i>Council undertook a program of upgrades to public lighting. This resulted in reduced electricity costs and access to the Public Lighting Carbon Credit which had not been forecast.</i>	\$78,185
Employee Costs (net) <i>Difficulty recruiting suitably qualified staff for a number of positions has resulted in savings on 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>	\$999,000
Mayoral Allowance <i>The Mayor has elected to receive an allowance of \$25,000 less than the annual payment approved for the Mayoral position. The reported variance is favourable from the date of election in November 2022 to the end of the financial year.</i>	\$15,625
WorkCover Premiums <i>Premiums for the 2022/23 year were below forecasts.</i>	\$43,860
Statutory fees and fines <i>Building and planning permits are below forecast and expected to remain as such for the remainder of the year.</i>	(\$139,000)
Bromley Road, Robinvale <i>Buy back of 71-77 Bromley Road Robinvale, in accordance with contract terms.</i>	(\$350,000)
Livestock Exchange user fees <i>Reduced number of stock passing through the exchange this financial year.</i>	(\$237,000)
Swan Hill Integrated Transport and Land Use Strategy 2050 <i>Integrated Transport and Land Use Strategy to deliver efficiencies in the development and management of the transport network now and into the future.</i>	(\$60,000)
Performing Arts program	(\$212,000)

<i>The Performing Arts program resulted in an unfavourable variance to budget, due to lower than forecast income and higher than forecast expenditure.</i>	
Flood Response and Recovery <i>Expenditure incurred to aid in the response and recovery from the October 2022 Flood event. This value represents the total value of claims made by Council that are yet to be reimbursed. These claims are currently being assessed.</i>	(\$452,800)
2022/23 Annual Budget <i>Budgeted surplus for the 2022/23 year.</i>	\$101,000

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

1. Council requested \$25,000 to assist in the preparation of the Murray River Adventure Trail Plan, and \$15,000 for the Loddon Mallee Housing Revitalisation Strategy. Funding for these projects were to be sourced from the Economic Development Initiatives operational budget. These projects had not previously been considered as part of the 2023/24 budget. Returning \$40,000 to the Economic Development Initiatives allows the staff to undertake projects previously planned and allows for additional opportunities to be assessed if presented.
2. Council has expressed their desire to increase the funds contained within the drainage reserves, with the aim of having funds ready to be able to undertake significant drainage projects. These projects are expected to be identified in the Stormwater Strategy which is currently being developed. Projects identified within this strategy will enhance the drainage capacity and efficiency during storm events. Council has suggested an initial addition of \$500,000 to the reserve would be desirable, with further funds added in future years if opportunity presents.
3. Council project management staff are currently experiencing significant cost pressures on capital works projects. Increases in construction costs are impacting their ability to meet the project scope and budget. With several significant projects underway, it is anticipated that some of the projects are not going to have sufficient budget for the project to be completed. To ensure the satisfactory completion of these projects it is suggested that \$300,000 be allocated to project contingencies. This will be managed via a project contingency reserve being created. Allocation of funds from this reserve should be controlled by the Project Approval Committee.
4. Council has undertaken the Vision 2050 project. To ensure this plan/strategy can be initiated as soon as possible it is suggested that \$400,000 from the rates surplus be allocated to this initiative.
5. Completion of the Soccer Pavillion at the Ken Harrison Recreation Reserve has created an issue with the septic systems servicing the buildings within the reserve. The sewerage pit requires renewal. The pit is connected to town sewerage via a rising main. There is a single pump with a masticator to pass

through before entering the rising main. The pit has failed and requires replacement and a dual pump system added so that there is back up if a pump fails. \$110,000 is required to upgrade this service.

6. Council resolved to commence action to compulsorily acquire the Robinvale Hotel. Solicitors have begun the process to undertake this action. To cover the costs associated with this, and allowing for the potential purchase of the land, it is suggested that some funds be transferred to the land acquisition and development reserve.
7. Council has been presented with a First Right to Refuse for surplus land, from the listed land holder the Department of Environment, Land, Water and Planning (one land parcel is situated in Lake Boga and one in Nyah West). Initial discussions regarding the land parcels have determined that this opportunity should be investigated and will require further discussions with the department. It is suggested that \$400,000 be put into the Land Acquisition and Development Reserve for the purchase of this land once the process to acquire has been completed. A further detailed report will come back to Council for a decision once investigations are complete.

Consultation

The above application of the 2022/23 surplus funds was discussed by Councillors at the 05 December 2023 Council Assembly meeting.

Financial Implications

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

Funds placed into reserves ensures there is sufficient funding available for when opportunities arise relevant to the reserve purpose and ensure successful outcomes for Council.

Social Implications

Recent rain events have raised issues with Swan Hill and Robinvale drainage infrastructure. Proposed drainage improvements will reduce the likelihood of flood damage to residents and Council property.

Allocation of funds for the Vision 2050 planning purpose aims to create defined planning strategies for the Council to benefit the community well into the future.

Economic Implications

Allocating funds from the rates surplus to undertake or complete projects allows further projects to be undertaken within our municipality. This creates the need for the engagement of contractors and use of suppliers, stimulating the local economy.

Allocation of funds towards the Economic Development Initiatives allows for the continued development and discussions with interested parties and Council on the possibility of increased economic opportunities within the municipality.

Environmental Implications

Funds allocated to the Ken Harrison Soccer Pavillion septic system renewal ensures that sewerage is disposed of without creating a risk to the users of the facility and that the system doesn't contaminate surrounding land.

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 2022/23 rate surplus to the following specific purposes:

1. \$40,000 allocated to Economic Development Initiatives program.
2. \$300,000 allocated to Project Contingencies Reserve.
3. \$400,000 allocated to Vision 2050 planning.
4. \$110,000 allocated to the upgrade of sewerage system at Ken Harrison Reserve.
5. \$398,000 allocated to the Land Acquisition and Development Reserve for future strategic land purchase opportunities.

CM 2023/119 Motion

MOVED Cr McKay

That Council:

Note the report and approve the appropriation of the 2022/23 rate surplus to the following specific purposes:

1. \$40,000 allocated to Economic Development Initiatives program.
2. \$698,000 allocated to Project Contingencies Reserve.
3. \$400,000 allocated to Vision 2050 planning.

4. **\$110,000 allocated to the upgrade of sewerage system at Ken Harrison Reserve.**

The Motion LAPSED due to want of a seconder.

CM 2023/120 Motion

MOVED Cr Moar

That Council:

Note the report and approve the appropriation of the 2022/23 rate surplus to the following specific purposes:

1. **\$40,000 allocated to Economic Development Initiatives program.**
2. **\$300,000 allocated to Project Contingencies Reserve.**
3. **\$400,000 allocated to Vision 2050 planning.**
4. **\$110,000 allocated to the upgrade of sewerage system at Ken Harrison Reserve.**
5. **\$198,000 allocated to the Land Acquisition and Development Reserve for future strategic land purchase opportunities.**
6. **\$200,000 to the Drainage Reserves.**

SECONDED Cr Jeffery

With the vote being tied the Mayor, Cr King exercised the casting vote - voting for the Motion.

The Motion was put and CARRIED 3 / 3

2.9 Council Plan Review

Directorate: Corporate Services
File No: S16-24-01
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

Current Strategic Documents

Council Plan

Declarations of Interest

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

Summary

Each year, Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan. It is not mandatory that changes be made at each review. It is also worth noting that the development of a new Council plan will commence following the Local Government Election.

Discussion

The Council Plan is Council's key strategic document and sets the direction of Council over a four-year period. "Your Vision Our Future" consultation occurred from July-October 2021, where the community shared their aspirations and vision for our region. The Community Vision describes what everyone wants for our region and community over a 10-year period. The Council Plan is Council's key strategic document that guides us as we make decisions in the best interest of our communities. Council formally adopted the Community Vision and Council Plan at its scheduled meeting on Tuesday 26 October 2021.

The current plan is going into its final year, the development of a new Council plan will commence following the Local Government Election in 2024.

Minor amendments such as an update, corrections, Councillor listing and photos are not considered an amendment to the Plan.

Officers have reviewed the plan and have suggested the minor amendments below;

Amendments made:

Amendment No.	Reference	Existing indicator	Proposed amendment
2. page 9	Councillors'	N/a	Addition of Councillor Kelly photo and date of Office
2. page 9	Councillors'	N/a	List the date of Cr Benham's resignation

Financial Implications

This report contains no financial implications, however, many of the initiatives contained within the Council Plan required Council to allocate funds in its 2023/24 budget.

Social Implications

The Council plan is a description of the Council's initiatives and priorities for services, infrastructure and amenity, and provides a mechanism for transparency.

Economic Implications

Implementation of actions within the plan will improve the economic outcome for our community.

Environmental Implications

Implementation of actions will improve environmental outcomes for our community.

Attachments: 1. Council- Plan- V 2 2021 2025 Review December 2023 [2.9.1 - 58 pages]

Options:

1. Adopt the reviewed Council Plan 2021-2025 as presented, noting that the current plan requires only minor updates and continue to deliver the initiatives as documented in the plan.
2. Make further amendments to the Council Plan 2021-2025 then instruct officers to inform the public of the changes via Let's Talk.

Recommendation/s

That Council adopt the reviewed Council Plan 2021-2025 as presented, noting that the current plan requires only minor updates and continue to deliver the initiatives as documented in the plan.

CM 2023/121 Motion**MOVED Cr Jeffery**

That Council adopt the reviewed Council Plan 2021-2025 as presented, noting that the current plan requires only minor updates and continue to deliver the initiatives as documented in the plan.

SECONDED Cr Young

The Motion was put and CARRIED 6 / 0

COMMUNITY VISION AND COUNCIL PLAN

2021 - 2025



December 2023



ACKNOWLEDGMENT OF TRADITIONAL CUSTODIANS

Swan Hill Rural City Council acknowledges the traditional custodians of the land in which we live, and pays its respects to their elders, past and present.

The Wamba Wamba, Latji Latji, Tatti Tatti, Waddi Waddi and Barapa Barapa peoples are the original custodians of the land known as the Swan Hill Rural City and our region remains strong in Aboriginal cultural heritage values.

The Murray River (Milloo) was a constant source of both food and water and an integral aspect in the day-to-day lives of Aboriginal people



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MAYOR AND CEO MESSAGE

As Swan Hill Rural City Council continues to evolve and develop, so do our goals and priorities for the region.

This past year has been a challenging one for all of us. We as a Council, not only want to help our community recover from the COVID-19 pandemic, but move our region forward to improve, create a healthy connected community and prosper.

This Council Plan 2021-2025 will ensure our organisation remains progressive, dynamic and committed servicing the needs of our community. The plan is a high level, strategic document that will guide us as we make decisions in the best interest of our communities.

It will help us monitor our performance, stay on track as well as meet the legislative requirements of the Local Government Act 2020.

In developing the Community Vision 2031, which has guided this Plan, we were keen to make sure all our voices had the opportunity to be heard. The Plan is based on what the community told us was important to them, their hopes and aspirations, and the kind of community we all want for the future. This information comes from a collaborative process between elected Councillors, the organisation and the community.

As you read through this Council Plan, you will see that it sets out our organisation's Pillars, Strategic Objectives, Strategic Initiatives and Council's Strategic Resource Plan over the plan's four-year life. The Strategic Pillars are - Liveability, Prosperity, Harmony and Leadership.

Council recognises that improving health and wellbeing outcomes is vital to achieving liveability and sustainability outcomes. The four priority areas are Increasing healthy eating and active living, Prevention of all forms of family violence, Reducing the impact of climate change on health and wellbeing and Improve mental health wellbeing

Over the next four years, we will monitor our progress against our performance indicators every quarter. Results will be reported to Council and published in our Annual Report.

The Council Plan will also guide future financial plans, the annual budget, annual operational plans and continuous service improvement. Other key plans are also aligned to the Council Plan, including, but not limited to, the Strategic Resource Plan and Long Term Financial Plan and Budget.

It gives us great pleasure to present the Council Plan 2021-2025 to our community.



John McLinden
Chief Executive Officer

Councillor Bill Moar
Mayor



ABOUT OUR COUNCIL PLAN

The Local Government Act 2020 sets a new approach for all local government in Victoria, that aims to bring all communities back into the core of local government and the services we provide. This requires deeper engagement, with more voices that truly represent the communities we serve – in a process called deliberative engagement.

The Community Vision, Council Plan and Financial Plan are required to be developed through deliberative engagement with communities.

We embrace and support this approach, as it has allowed us to bring the people of Swan Hill Rural City Council closer to our strategic planning.

This 2021-2025 Council Plan (incorporating our Municipal Public Health and Wellbeing Plan) is our Council's key strategic document for the next four years. It guides how we will move closer to our Swan Hill Rural City Council 2031 Community Vision – what areas will be our key focus, what actions we will take, how we will measure our progress, and transparently report to our community.

Each year, we will undertake priority actions – funded through our Annual Budget - and report back to our community through our Annual Report.

Our Council Plan has been informed by community engagement, including the feedback collected for our Community Vision, and from the development of current strategies and plans.

We now have a Council Plan that represents the voices of our community, and sets us in the direction of the Swan Hill Rural City Council we want to be by 2031.



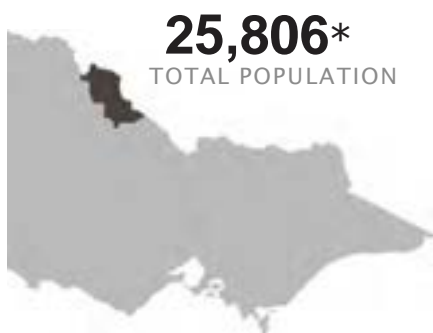
Council Plan | 5

OUR REGION

The Swan Hill municipality covers 6,116 square kilometers that over 40 nationalities call home, creating a community that is diverse, welcoming and resilient.

Our region has experienced significant economic growth over the past decade, led by the expansion of horticultural/agricultural practices and supported by an innovative manufacturing sector. With more than 40 commercially grown products – including almonds, olives, stone fruit, grapes, vegetables, cereals, legumes, lucerne, sheep, beef and dairy – it is easy to see why our municipality is an important part of Victoria's food bowl.

The beautiful Murray River winds its way through much of the municipality, offering a major draw card for visitors and those who call the region home.



*2021 ABS data estimates the Swan Hill Rural Council residential population to be 21,403, however, due to ongoing concern that the ABS consistently underestimates the population of Robinvale, Council commissioned Geografia to undertake a population determination study. The ABS census figure of 2016 show the Robinvale population as 3,497 people. The work of Geografia has reliably demonstrated that the true Robinvale population sits at approximately 7900 people; making the total residential population 25,806.



4.5%
ABORIGINAL
TORRES STRAIT
ISLANDERS



39
AVERAGE
AGE



25.7%
BORN
OVERSEAS

OUR TOWNS

Lake Boga	Nyah West
Ultima	Piangil
Woorinen	Manangatang
Beverford	Boundary Bend
Nyah	Robinvale





\$3.004b

ANNUAL
ECONOMIC OUTPUT



2,633

NUMBER OF
LOCAL
BUSINESS



9,462

JOBS



478,000

TOTAL
VISITORS

TOP 4

GROSS REGIONAL PRODUCT
BY INDUSTRY



\$331.3m

AGRICULTURE,
FORESTRY & FISHING



\$107.7m

HEALTH CARE &
SOCIAL
ASSISTANCE



\$105.3m

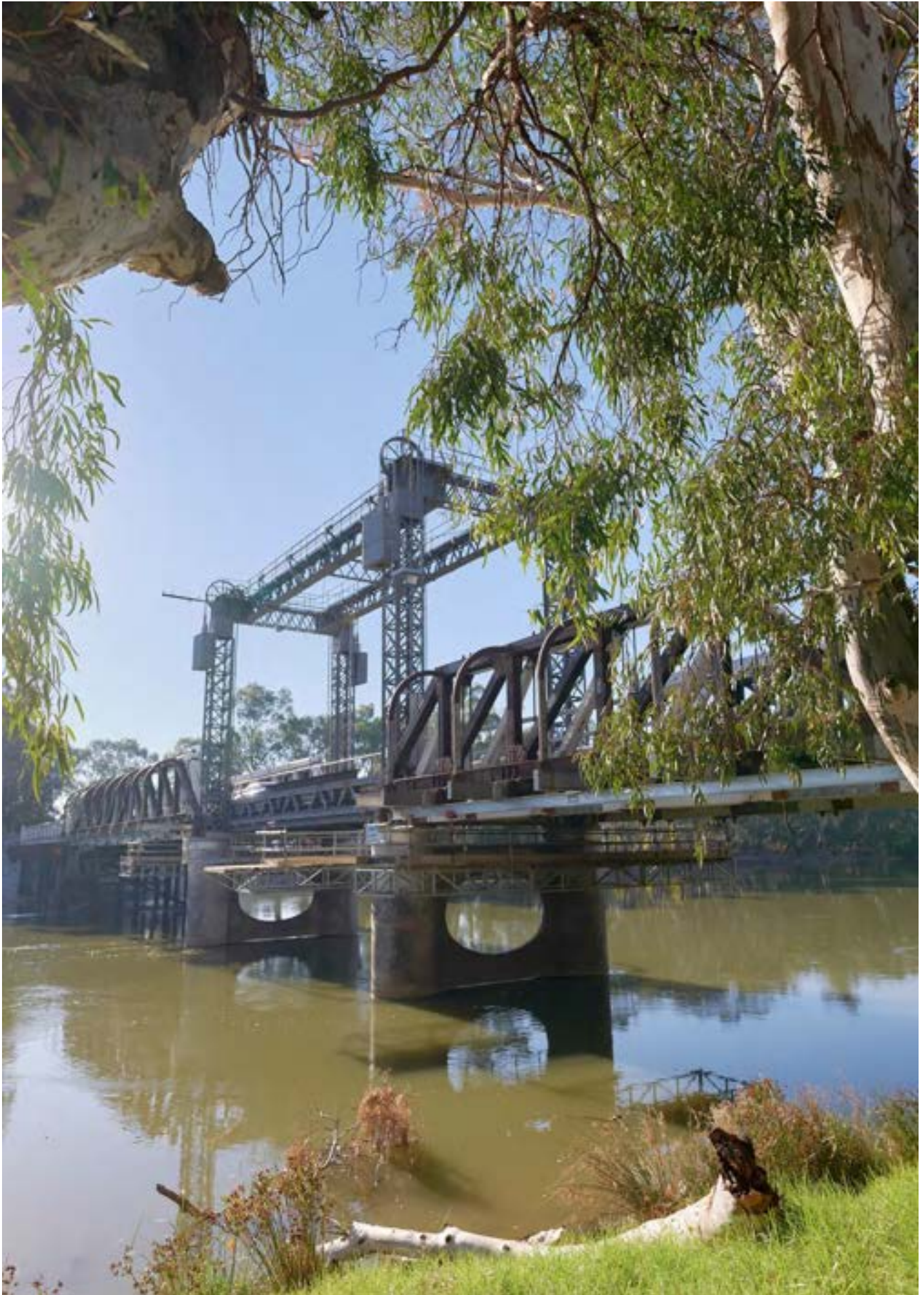
MANUFACTURING



\$97.9m

CONSTRUCTION





YOUR COUNCILLORS



**Councillor
Bill Moar**
(Mayor)



**Councillor
Jade Benham**
(Deputy Mayor)
Resigned: 08/12/2022



**Councillor
Les McPhee**



**Councillor
Ann Young**



**Councillor
Chris Jeffery**



**Councillor
Nicole McKay**



**Councillor
Stuart King**



**Councillor
Jacquie Kelly**
Affirmation date:
24/01/2023



HOW TO READ THIS DOCUMENT

This document contains three main components: the 10-year Community Vision, four-year Council Plan, and four-year Health and Wellbeing Plan. These pieces of work are presented here as a single integrated document because they are linked and have a cascading relationship.



COMMUNITY VISION ENGAGEMENT

For the first time ever, our community has developed a vision to set the aspirations for the future Swan Hill Rural City Council, and the community we want to be 10 years from now.

Under the new Local Government Act 2020, a Community Vision must be informed and shaped via a deliberative process, meaning the community is heavily involved in shaping the vision.

During June, July and August 2021, Swan Hill Rural City Council undertook a community engagement program to develop the Swan Hill Rural City Council Community Vision and Council Plan 2021-2025.

A total of 1294 comments were received in Phase 1 of this project. Comments came from 304 participants from all over our municipality, we asked about what they love about our region, what we need to retain and what we could do better.

We received 129 responses to the online survey and spoke directly to people through the face-to-face and online workshops and conversations. The children's 'future postcard' activity was a great success, with over 150 submissions.

“

That it is a friendly, caring and inclusive community. That it provides great sporting events and attractions. That the weather lends itself to a variety of opportunities for the promotion of local tourism and cultural events

”

— “

Retain a strong connection to our history but continue to build and prosper through modern concepts that honour this connection

— ”

“

Don't 'keep pace' with other Councils - set the pace. Be forward thinking, inclusive, proactive and innovative. Actively explore ideas around sustainability, Aboriginal education, interesting tourism opportunities, attracting newcomers, immigrant support

”

— “

Dear Alister from 2021, I'm so happy to tell you all about the brand new stuff we have. But more importantly what you got in Swan Hill you got a brand-new Water Park! Everyone loves it, so many people go there, and it entertains all the kids so many parents are happy. We also have more amazing shops and even a Bowling Alley, Arcade, mall and more, it is amazing.

— ”

VISION STATEMENT

Our Community Vision is at the heart of our Council Plan, and all the work that flows from there – our priorities, strategic plans, investments, services, partnerships and activities.

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



MISSION AND VALUES

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.






HEALTH AND WELLBEING



ABOUT MUNICIPAL PUBLIC HEALTH AND WELLBEING

Council recognises that improving health and wellbeing outcomes is vital to achieving liveability and sustainability outcomes of Swan Hill Rural City Council into the future.

To support our residents to achieve maximum health and wellbeing, Council has incorporated the Municipal Public Health and Wellbeing Plan (MPHWP) into this Council Plan. Health and wellbeing indicators throughout the Council Plan are denoted by a .

Victoria's Public Health and Wellbeing Act 2008 requires the State Government to produce a plan every four years. The MPHWP priorities will be reviewed in line with the annual Council Plan review.

A public health and wellbeing system that is responsive to community needs, and tackles the disadvantage and discrimination, is required to ensure the health and wellbeing of the community. The State Government's Public Health and Wellbeing Plan 2019-23 has identified ten priority areas. Over the next four years, Council will work towards addressing four of these priorities.

Council's health and wellbeing priorities have been developed with regard to the Victorian Public Health and Wellbeing Plan 2019-2023, evidence from the Southern Mallee Primary Care Partnership Community Health and Wellbeing profile (December 2020), and what the community has told us. The Municipal Strategic Statement review affirms the link between the changing needs of the community and health and wellbeing priorities.

An annual Municipal Health and Wellbeing Action Plan will be developed for each year of the Council Plan and accomplished in coordination with key partners - Department of Health, Department of Families, Fairness and Housing, Swan Hill District Health, Robinvale District Health, Victoria Police, Mallee District Aboriginal Service, Murray Valley Aboriginal Coop, Mallee Family Care, Murray Primary Health Network, and the Southern Mallee Primary Care Partnership.

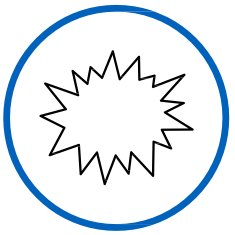
PRIORITY AREAS

Priority Areas

The priority areas for Council's 2021-2025 MPHWP are:



1. Increasing healthy eating and active living



2. Prevention of all forms of family violence



3. Reducing the impact of climate change on health and wellbeing



4. Improve mental health wellbeing

PARTNERSHIPS AND ENGAGEMENT

As we focus on the four priority areas, Council strives to foster existing partnerships and explore opportunities to create new ones. We will continue to engage on a local level with our communities, ensuring the plan is reflective of the health and wellbeing outcomes that pertain to our region.

Various partnerships exist across and between agencies and community groups in the region. They undertake significant planning, on-the-ground work and reporting for initiatives, and each of these agencies and partnerships have extensive links to the community and various cohorts, demographics, social and cultural groups - without them the level of community engagement through surveying and extensive studies between 2019 and 2021 would not be possible.

The data collected and maintained by all partners is rich and regularly updated to be used collectively.

Community engagement for the MPHWP 2021-2015 was conducted in accordance with Council's Community Engagement Guidelines in collaboration with the Community Vision consultation conducted from June - August 2021. A total of 1294 comments were received during the consultation for the Community Vision with comments from 304 participants. Information was collected from a range of engagement tools - online survey, face-to-face/online workshop and a children's "future postcard" activity.



KEY PRIORITY AREAS



1. Increasing healthy eating and active living

Leading an active life and consuming healthy food and drinks improves health and wellbeing.

Obesity proportion



28.7% 19.4%
SHRCC VICTORIA

Fruit and vegetable intake



37.6% 39.3%
SHRCC VICTORIA

Proportion of households with food insecurity

12.7% 8.4%
SHRCC VICTORIA

Female level of physical activity



58.9% 49%
SHRCC VICTORIA

Male level of physical activity

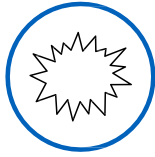


52.5% 52.8%
SHRCC VICTORIA

Strategies

- Support and create local opportunities to increase access to healthy and affordable food
- Lead by example to promote and advocate for healthy food choices.
- Implement initiatives to foster healthy lifestyles and habits across all ages, backgrounds and abilities
- Create a built, and promote a natural environment that enables an active life.
- Support whole-of-community initiatives that encourage people to be physically active

Southern Mallee Primary Care Partnership Community Health and Wellbeing Profile (2020) - <https://www.smpcp.com.au/data>
Southern Mallee Primary Care Partnership Aboriginal Population Health & Wellbeing Profile - <https://www.smpcp.com.au/data>
Crime Statistics Agency (2019-2020)



2. Prevention of all forms of family violence

Council is required by law to report on the measures they propose to take to reduce family violence and respond to the needs of victims in preparing their municipal public health and wellbeing plan.

Family violence incidents per 100,000 people



2929 **1315**
SHRCC VICTORIA

Teenage births per 1,000



11.1 **5.2**
SHRCC VICTORIA

Proportion of children with vulnerabilities

27% **20%**
SHRCC VICTORIA

Strategies

- Work in collaboration with local and regional partners to increase access to information, programs and services to contribute to the prevention of family violence
- Lead change through the development and coordination of local strategies and initiatives to promote cultures of non-violence, respect and gender equity
- Create safe and inclusive places and spaces

Southern Mallee Primary Care Partnership Community Health and Wellbeing Profile (2020) - <https://www.smpcp.com.au/data>
Southern Mallee Primary Care Partnership Aboriginal Population Health & Wellbeing Profile - <https://www.smpcp.com.au/data>
Crime Statistics Agency (2019-2020)



3. Reducing the impact of climate change on health and wellbeing

Climate change can directly affect health. The impacts locally of a changing climate are felt more aggressively - hotter summers requiring better use of heatwave plans, more assistance required for community members, greater planning for shade, access to cooling and higher levels of service. The broader social determinants of health including housing, working conditions and food production are also adversely impacted with the most vulnerable community members affected the most, such as the elderly, young children, pregnant women, people with a chronic disease and low-income households. The Swan Hill Rural City Council has a high percentage of vulnerability, registering in the bottom 14 % of all Victorian LGAs, indicating a higher level of relative socio-economic disadvantage.

BY THE 2050 IT IS POSSIBLE THAT THE MALLEE REGION WILL:



By the 2030s, increases in daily maximum temperature of 0.8 to 1.6°C (since the 1990s) are may occur.



Annual rainfall may decrease by as much as 19mm



Possibility of longer fire seasons and 50% more very high fire danger days



By the 2050s, the climate of Swan Hill may be more like Balranald, NSW.

Climate change may impact people with lung complaints and low-income households

Families with children classified as low income



12.7% 8.4%

SHRCC VICTORIA

Adult smoking rates



12.7% 8.4%

SHRCC VICTORIA

Strategies

- Implement and advocate for activities that support active transport opportunities
- Support initiatives to green priority areas within our municipality
- In partnership with local providers strengthen community education about staying healthy in a changing climate

Southern Mallee Primary Care Partnership Community Health and Wellbeing Profile (2020) - <https://www.smpcp.com.au/data>
 Southern Mallee Primary Care Partnership Aboriginal Population Health & Wellbeing Profile - <https://www.smpcp.com.au/data>
 Crime Statistics Agency (2019-2020)
https://www.climatechange.vic.gov.au/_data/assets/pdf_file/0033/429882/Mallee-Climate-Projections-2019_20200219.pdf



4. Improve mental health wellbeing

Mental health is an essential ingredient of individual and community wellbeing and significantly contributes to the social, cultural and economic life of Victoria. Feeling connected to others, being able to cope with the usual stresses of life, having the opportunity and capacity to contribute to community and being productive are all critical to mental health.

**Proportion of
males with
high
psychological
stress**



20.8% 12.8%

SHRCC VICTORIA

**Proportion of
females with
high
psychological
stress**



25.9% 18%

SHRCC VICTORIA

**Proportion
of people
with anxiety
or
depression**



27% 20%

SHRCC VICTORIA

Strategies

- Embed a respectful and inclusive culture within Council
- Bringing the community together - promote social connection and participation through diverse, accessible and inclusive engagements
- Work with partners and the community to raise awareness and understanding of mental health wellbeing and its impacts.



PARTNERSHIPS AND ENGAGEMENT

Council conducted service-specific surveys in the early years and aged care sector for clients; several timelines were changed to align all this work towards the Health and Wellbeing Plan, in addition to regular service improvements.

Community Planning groups were a major and ongoing part of the community input - with townships and communities of interest in Robinvale, Nyah District, Manangatang, Ultima, Piangil/Wood Wood, Boundary Bend, Lake Boga, Woorinen, Beverford and Wemen all contributing opinions, ideas, concerns,

priorities and evaluation assistance.

During 2019-2020 and into 2021, Council was developing key strategic pieces of work in parallel - the first Municipal Early and Middle Years Plan, a full review of the Youth Strategy, and the roll-out of 'Let's Talk', as Council joined the consortium of LGAs using a single platform to provide ongoing engagement. Council also reviewed the Aboriginal Community Partnership Plan, and was well into further engagement until COVID restrictions were put in place.

“

Active trails - utilise
our natural assets

”

— “ —

Improved mental health
services

— ” —

“

Fresh air, family,
great parks & play
grounds for young
children

”



STRATEGIC PILLARS

The Community Vision is supported by four themed pillars – which form the key directions and focus of this Council Plan.

Our vision for the municipality anchors and connects these pillars to deliver real outcomes for the community.



Liveability

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



Prosperity

We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy.



Harmony

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



Leadership

We will ensure accountable leadership, advocacy and transparent decision making.



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

STRATEGIC OBJECTIVES

1.1 A modern municipality: Vibrant, connected and resilient

Strategic Initiatives

- 1.1.1 Attractive urban areas and regional townships
- 1.1.2 Ensure adequate provision of a variety of safe and secure housing ♥
- 1.1.3 Excellent transport links to allow ease of movement ♥

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

Strategic Initiatives

- 1.2.1 Engage, empower and mobilise communities to prepare for, adapt to and mitigate the effects of a changing climate ♥
- 1.2.2 Accessible open spaces, healthy rivers and lakes ♥

1.3 Building Healthy Communities ♥

Strategic Initiatives

- 1.3.1 Encourage active healthy lifestyles for people of all ages, abilities and interests
- 1.3.2 Spaces where people of all ages, abilities and backgrounds can flourish

1.4 Foster Creative and Cultural opportunities ♥

Strategic Initiatives

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

CURRENT STRATEGIC DOCUMENTS AND RELEVANT LEGISLATION

Current Strategic documents

- Aquatics Strategic Plan 2019-2029
- Swan Hill Regional Art Gallery operational strategy 2020
- Municipal Emergency Management Plan 2020
- Municipal Early-Middle Years Plan 2020 - 2029
- Asset Management Plans
- Road Management Plan 2021
- Public Roads Register
- Sustainable Living Strategy 2017 - 2027
- Active Transport Strategy 2014 - 2034
- Robinvale Housing Strategy 2019
- Robinvale Population Determination: Briefing Paper 2019
- Swan Hill Rural City Council Planning Scheme
- Swan Hill Planning Scheme Municipal Strategic Statement
- Robinvale Local Flood Guide
- Domestic Wastewater Management Plan 2019 - 2021
- Waste Management Strategy 2015 - 2020
- Municipal Fire Management Plan 2017 - 2020
- Swan Hill CBD Car Parking Strategy 2016

Key legislation

- Country Fire Authority Act 1958
- Emergency Management Act 2013
- Environmental Protection Act 2017
- Food Act 1984
- Residential Tenancies Act 1997
- Tobacco Act 1987
- Crown Land (Reserves) Act 1978
- Environment Protection Biodiversity Conservation Act 1999
- Flora and Fauna Guarantee Act 1988
- Building Act 1993
- Building Regulations 2018
- Electricity Safety (Electric Line Clearance) Regulations 2020
- Electricity Safety Act 1998
- Rail Safety Act 2006
- Road Management Act 2004
- Road Safety Act 2006
- Transport Act 1983
- Planning and Environment Act 1987
- Subdivisions Act 1988
- Swan Hill Planning Scheme



2. We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy

STRATEGIC OBJECTIVES

2.1 Effective partnerships for prosperity ❤️

Strategic Initiatives

- 2.1.1** Support diverse educational opportunities that fosters life-long learning
- 2.1.2** Support our key industries

2.1 A thriving diverse economy

Strategic Initiatives

- 2.2.1** Encourage the growth and development of our economy

2.3 Infrastructure that enables prosperity ❤️

Strategic Initiatives

- 2.3.1** Digital connectivity that allows people to live, work and play across our region
- 2.3.2** Assets for our current and future needs

CURRENT STRATEGIC DOCUMENTS AND RELEVANT LEGISLATION

Current Strategic documents

- Bromley Road Masterplan
- Swan Hill Recreation Reserves Masterplan
- Public Convenience Strategy 2020 - 2030
- Missing Links Footpath Construction Strategy 2019
- Economic Development Strategy 2017 - 2022
- Swan Hill Riverfront Masterplan 2013
- Youth Strategy 2020 - 2025
- Retail Strategy 2014
- Swan Hill Residential Development Strategy-2006-2030
- Our Game plan
- Swan Hill Rural City Council Tourism Advocacy Document 2020
- Lake Boga Economic Development Tourism and Marketing Strategy 2012 - 2017

Key legislation

- Aged Care Act 1997
- Carers Recognition Act 2012
- Children Youth and Families Act 2005 (Vic)
- Disability Discrimination Act 1992
- Disability Amendment Act 2017
- Education and Care Services National Law Act 2010
- Home and Community Care Act 1985
- Health Records Act 2001
- Public Health and Wellbeing Act 2008
- Working with Children Check Act 2005
- Disability Act 2006



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

STRATEGIC OBJECTIVES

3.1 Communities that are safe, welcoming and inclusive ♥

Strategic Initiatives

- 3.1.1** The diversity of our communities is celebrated
- 3.1.2** Encourage the growth and positive development of our youth
- 3.1.3** Flourishing community organisations
- 3.1.4** Our elderly and vulnerable are cared for
- 3.1.5** All members of our communities are supported

3.2 An engaged and respected Aboriginal community ♥

Strategic Initiatives

- 3.2.1** Strengthening our trust, relationships and partnerships with Traditional Owners and the Aboriginal and Torres Strait Islander community
- 3.2.2** Encourage and support community leadership
- 3.2.3** Celebration and recognition of Aboriginal and Torres Strait history and culture

CURRENT STRATEGIC DOCUMENTS AND RELEVANT LEGISLATION

Current Strategic documents

- Aboriginal Community Partnership Strategy 2017 - 2021
- Lake Boga Community Plan 2017 - 2021
- Piangil Community Plan 2017 - 2021
- Woorinen Community Plan 2021 - 2025
- Nyah/Nyah West Community Plan 2021 - 2026
- Robinvale Community Plan 2031
- Boundary Bend Community Plan 2021 - 2025
- Beverford Community Plan 2012 - 2015
- Ultima Community Plan 2021 -2025
- Manangatang Community Plan 2021 - 2025

Key legislation

- Aboriginal Heritage Act 2006
- Catchment and Land Protection Act 1994
- Heritage Act 1995
- Parks Victoria Act 2018
- Water Act 1989



4. We will ensure accountable leadership, advocacy and transparent decision making.

STRATEGIC OBJECTIVES

4.1 Excellent management and administration

Strategic Initiatives

- 4.1.1** Well managed resources for a sustainable future ♥
- 4.1.2** Provide robust governance and effective leadership ♥
- 4.1.3** Sound, sustainable:
 - ♦ Financial management
 - ♦ Excellence in service delivery ♥
 - ♦ Strategic planning

4.2 Transparent communication and engagement

Strategic Initiatives

- 4.2.1** Effective and authentic engagement with our community
- 4.2.2** Visible presence in our community

4.3 Bold leadership, strong partnerships and effective advocacy

Strategic Initiatives

- 4.3.1** Create meaningful partnerships across our communities ♥
- 4.3.2** Strong relationship with State and Federal governments to influence advocacy and funding opportunities♥
- 4.3.3** Working together in promotion of the municipality

CURRENT STRATEGIC DOCUMENTS AND RELEVANT LEGISLATION

Current Strategic documents

- Council Plan
- 10 Year Financial Plan
- Communication Strategy 2019 - 2022
- Budget
- Annual Report
- Service Performance Report
- Governance Rules
- 10 Year Major Project Plan
- Customer Service Charter 2015
- Workforce Action Plan 2013 - 2016
- Customer Service Strategy 2016 - 2018

Key legislation

- Local Government Act 1989
- Local Government Act 2020
- Charter of Human Rights and Responsibilities Act 2006
- Equal Employment Opportunity Act 2010
- Fair Work (Commonwealth Powers) Act 2009
- Freedom of Information Act 1982
- Privacy and Data Protection Act 2014
- Occupational Health and Safety Act 2004
- Protected Disclosure Act 2012
- Valuation of Land Act 1960
- Victorian Grants Commission Act 1976
- Workplace Injury Rehabilitation and Compensation Act 2013
- Municipal Association of Victoria Act 1907

REPORTING ON THE PLAN

To be transparent and accountable, Council is committed to regularly monitoring and reporting progress of the Plan to the Swan Hill Rural City Council community.

Each quarter across the Financial Year, a progress report will be prepared and presented to a scheduled Council Meeting.

Council will measure its success based on the strategic initiatives under each pillar through the Annual Report each year.

In addition, public health and wellbeing matters and deliverables of the MPHWP will be monitored, reported and reviewed annually to ensure the community's health and wellbeing remain at the forefront of the Council's strategic planning.

The Plan will be reviewed periodically, to identify and address changing circumstances and reflect community priorities.



STRATEGIC RESOURCE PLAN



STRATEGIC RESOURCE PLAN

A high-level summarised Strategic Resource Plan for the years 2021/22 to 2024/25 has been developed as part of Council's forward financial planning and to enable Council to consider the budget in a longer-term context.

The plan takes the objectives and strategies from the Council Plan and expresses them in financial and resource terms for the next four years.

The Plan will be updated annually to ensure the underlying assumptions remain accurate and to take account of any unexpected changes. These changes can be significant especially where capital grants become available, a major project is delayed, a new government-funded program becomes available or government funding is reduced.

In preparing the Strategic Resource Plan, Council has complied with the following principles of sound financial management:

- Prudent management of financial risks relating to debt, assets and liabilities.
- Provision of reasonable stability in the level of rate in the dollar (Council's tax rate).
- Consideration of the financial effects of Council decisions on future generations.
- Accurate and timely disclosure of financial information.



The key objective of the Strategic Resource Plan is financial sustainability in the short to medium term, while achieving the Council Plan objectives. Council also intends to take advantage of current financial conditions and any available government funding to pursue its long-term growth targets for the municipality. Other key objectives that underpin the Strategic Resource Plan are:

- Maintaining existing service levels with any increases funded externally, from efficiencies or additional rate revenue generated through economic development.
- Achieving a recurrent underlying operating surplus annually.
- Maintaining capital expenditure program.
- Maintaining annual cash surpluses.
- An emphasis on funding replacement of existing infrastructure at the end of its useful life where required.
- Maintaining or rationalising infrastructure in consultation with the community.
- Progressively reducing loans to ensure borrowing capacity is available in the future to help fund peaks in infrastructure replacement.

Various Council strategic documents feed into the Strategic Resource Plan or have an impact on the assumptions underlying the Plan. These include:

- Council Plan
- Asset management plans
- Revenue and Rating Strategy
- Funding and services agreements
- Environment/Sustainability Strategy
- Municipal Strategic Statement and Swan Hill Planning Scheme
- Economic Development Strategy
- Workforce Plan
- Pioneer Settlement Masterplan and Interpretive Plan
- Major Projects Plan
- Riverfront Masterplan
- Enterprise Bargaining Agreement

Achieving the Council Plan and its strategies is dependent on Council's ability to effectively plan for and manage its resources. These Council resources can be grouped under three main categories: Financial, Staff and Infrastructure.

FINANCIAL PLAN

The following table summarises the key financial results for the next four years as set out in the Strategic Resource Plan for years 2021/22 to 2024/25.

	2021/22	2022/23	2023/24	2024/25
Surplus/(deficit) for the year	10,740	1,797	6,530	2,584
Adjusted underlying result	1,355	1,331	1,688	1,552
Cash and investments balance	22,969	18,640	18,901	19,702
Cashflow from operations	23,888	13,676	19,125	15,754
Capital works expenditure	26,355	18,138	19,015	15,554

Key to forecast trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

In assessing the contents of its Strategic Resource Plan, Council measures the results of the plan against a number of key indicators that are used by the Victorian Auditor General's Office (VAGO) in measuring the financial sustainability of Council. The results of these ratios are then classed as being in a low risk, medium risk or high risk category. It is Council's aim that all our indicators are in the low risk category. The following table shows the results of Council's Strategic Resource Plan against the VAGO indicators:

Indicator	Red	Yellow	Green	2021/22	2022/23	2023/24	2024/25
Net result	< -10%	-10% - 0%	> 0%	17.3%	3.4%	11.6%	4.6%
Liquidity	< 0.75	0.75 - 1.0	> 1.0	2.27	2.08	2.19	2.16
Internal financing	< 75%	75% - 100%	> 100%	80.6%	69.3%*	92.1%	92.9%
Indebtedness	> 60%	40% - 60%	< 40%	10.5%	9.5%	8.4%	6.2%
Capital replacement	< 1.0	1.0 - 1.5	> 1.5	2.38	1.75	1.78	1.39
Renewal gap	< 0.5	0.5 - 1.0	> 1.0	1.10	0.85	0.91	0.89

Using the VAGO ratios, Council has attained a low risk score in the majority of assessments, and those with a medium risk score are trending towards the low risk score in future years. This being the case, Council will retain its overall low risk score.

* The internal financing result in 2022/23 falls into the high risk category, due to a significant value of capital works in the year being funded from reserves. Works on the construction of the Our Place project of \$3.17M funded by the Our Region Our Rivers grant has been forecast to be carried forward from 2021/22. Another project to assist with the increase in housing supply within Swan Hill of \$1.32M had also been funded from reserves. Excluding these projects in this indicator the result would be 89.7%, which moves the indicator out of the red high risk category.

KEY ASSUMPTIONS/OUTCOMES

Rates – continued increases in rate revenue are expected due to the value of economic development that is anticipated to occur over the next four years. Rateable Capital Improved Value (CIV) is conservatively expected to increase by approximately \$140 million from new development over this time. Council's Rating Strategy is to capture increased CIV due to development as additional rate revenue rather than using it to reduce the rates paid by existing ratepayers.

Recurrent grants – Federal and State government grants are expected to continue to reduce in real terms, continuing the trend of the last 25 years.

User charges – existing fees and charges will be increased by an average of 2.50% per annum with additional charges for any new services Council introduces.

Borrowings – net borrowings are to progressively decrease over the life of the plan. Council's borrowing levels will remain at historically low levels as a percentage of income.

Service levels – Council intends to increase expenditure on infrastructure maintenance and replacement over the four years of the plan. Any other major changes to service levels requiring increased resource requirements will generally be funded externally or from internal efficiencies.

Employee costs – forecast to increase 2.25% per annum (1.5% EBA increase and 0.75% for banding reclassifications and end of band bonuses), with a slight reduction in aged care staff as Council funded services are reduced in years 2022/23.



Other costs – generally expected to increase at between 1% and 2 % above CPI.

Capital expenditure – a consistent level of capital expenditure is forecast for the next four years of the plan. This is consistent with Council’s vision of growing the municipality.

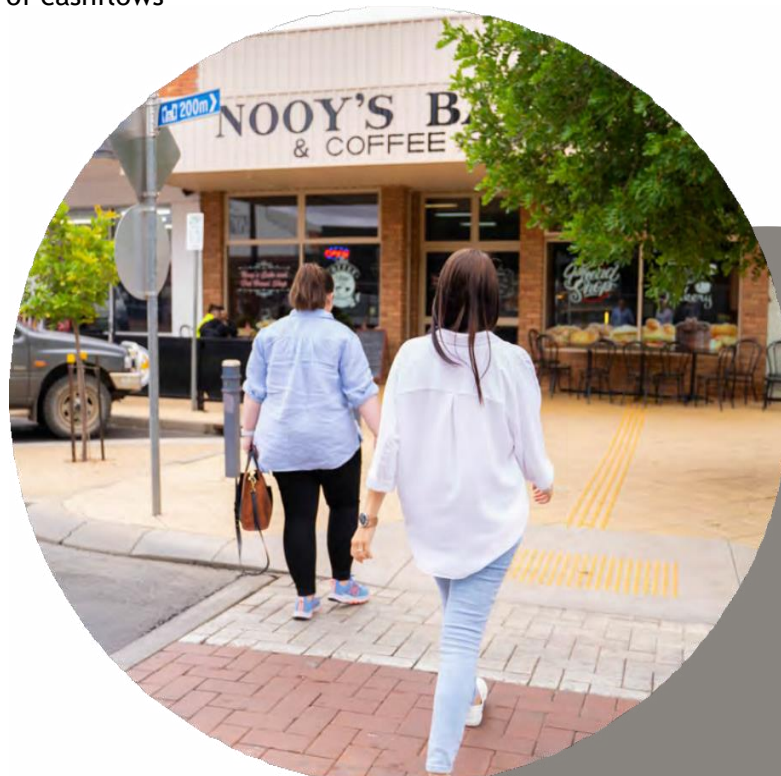
Operating result – operating result will vary over the next four years dependent on the level of external capital funding achieved each year. The forward plan indicates sustained underlying surpluses in the operating result annually.

Cash and investments – the underlying cash position will progressively increase over the period of the plan. Council intends to build up cash reserves to help fund future infrastructure replacement requirements.

FINANCIAL STATEMENTS

A detailed analysis of the financial resources to be used over the four year period of the Council Plan is displayed in the following financial statements:

- Comprehensive income statement
- Balance sheet
- Statement of changes in equity
- Statement of cashflows



Comprehensive Income Statement

For the four years ending 30 June 2025

	Budget			
	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000
Income				
Rates and charges	30,022	31,036	32,268	33,305
Statutory fees and fines	1,045	1,073	1,105	1,130
User fees	4,539	3,987	4,156	4,292
Grants - operating (recurrent)	9,893	8,350	8,531	8,738
Grants - operating (non-recurrent)	1,672	2,360	273	278
Grants - capital (recurrent)	2,151	1,434	1,434	1,100
Grants - capital (non-recurrent)	9,130	447	4,425	1,002
Contributions - cash	255	19	417	30
Net gain on disposal of property, infrastructure and equipment	332	343	394	437
Other income	3,335	3,547	3,615	3,699
Total Income	62,374	52,596	56,618	54,011
Expenses				
Employee benefits	(21,407)	(19,839)	(20,388)	(20,949)
Materials and services	(17,386)	(18,303)	(16,515)	(16,882)
Depreciation and amortisation	(11,423)	(11,333)	(11,849)	(12,239)
Bad and doubtful debts	(2)	(20)	(14)	(15)
Borrowing costs	(216)	(81)	(70)	(60)
Other expenses	(1,200)	(1,223)	(1,252)	(1,282)
Total Expenses	(51,634)	(50,799)	(50,088)	(51,427)
Surplus for the year	10,740	1,797	6,530	2,584
Other comprehensive income				
Net asset revaluation increment	6,760	6,748	9,770	9,140
Comprehensive result	17,500	8,545	16,300	11,724

Balance Sheet

For the four years ending 30 June 2025

	Budget			
	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000
Current assets				
Cash and cash equivalents	22,969	18,640	18,901	19,702
Trade and other receivables	3,909	3,084	3,293	3,130
Inventories	146	139	146	138
Other assets	311	311	311	311
Total current assets	27,335	22,174	22,651	23,281
Non-current assets				
Trade and other receivables	130	119	118	118
Property, infrastructure, plant and equipment	530,745	542,753	558,036	568,790
Right-of-use assets	204	131	58	38
Intangible assets	3,196	3,196	3,196	3,196
Total non-current assets	534,275	546,199	561,408	572,142
Total assets	561,610	568,373	584,059	595,423
Current liabilities				
Trade and other payables	3,375	2,039	1,881	1,930
Trust funds and deposits	2,514	2,514	2,514	2,514
Provisions	5,835	5,734	5,633	5,532
Interest-bearing loans and borrowings	268	274	282	790
Lease liabilities	75	78	22	10
Total current liabilities	12,067	10,639	10,332	10,776
Non-current liabilities				
Provisions	1,650	1,646	1,642	1,639
Interest-bearing loans and borrowings	2,350	2,078	1,796	1,007
Lease liabilities	142	64	43	32
Total non-current liabilities	4,142	3,788	3,481	2,678
Total liabilities	16,209	14,427	13,813	13,454
Net assets	545,401	553,946	570,246	581,969
Equity				
Accumulated surplus	311,757	317,491	323,490	325,612
Asset revaluation reserve	217,103	223,851	233,621	242,761
Other reserves	16,541	12,604	13,135	13,596
Total equity	545,401	553,946	570,246	581,969

Statement of Changes in Equity

For the four years ending 30 June 2025

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2020/21 Forecast Actual				
Balance at beginning of the financial year	515,904	273,209	209,993	32,702
Surplus/(deficit) for the year	11,645	11,645	-	-
Net asset revaluation increment/(decrement)	350	-	350	-
Transfers (to)/from other reserves	-	7,764	-	(7,764)
Balance at end of the financial year	527,899	292,617	210,343	24,939
2021/22				
Balance at beginning of the financial year	527,899	292,617	210,343	24,939
Surplus/(deficit) for the year	10,740	10,740	-	-
Net asset revaluation increment/(decrement)	6,760	-	6,760	-
Transfers (to)/from other reserves	2	8,400	-	(8,398)
Balance at end of the financial year	545,401	311,757	217,103	16,541
2022/23				
Balance at beginning of the financial year	545,401	311,757	217,103	16,541
Surplus/(deficit) for the year	1,797	1,797	-	-
Net asset revaluation increment/(decrement)	6,748	-	6,748	-
Transfers (to)/from other reserves	-	3,937	-	(3,937)
Balance at end of the financial year	553,946	317,491	223,851	12,604
2023/24				
Balance at beginning of the financial year	553,946	317,491	223,851	12,604
Surplus/(deficit) for the year	6,530	6,530	-	-
Net asset revaluation increment/(decrement)	9,770	-	9,770	-
Transfers (to)/from other reserves	-	(531)	-	531
Balance at end of the financial year	570,246	323,490	233,621	13,135
2024/25				
Balance at beginning of the financial year	570,246	323,490	233,621	13,135
Surplus/(deficit) for the year	2,584	2,584	-	-
Net asset revaluation increment/(decrement)	9,139	-	9,139	-
Transfers (to)/from other reserves	-	(462)	-	462
Balance at end of the financial year	581,969	325,612	242,761	13,597

Statement of Cash Flows

For the four years ending 30 June 2025

	Budget 2021/22 \$'000 Inflows (Outflows)	2022/23 \$'000 Inflows (Outflows)	2023/24 \$'000 Inflows (Outflows)	2024/25 \$'000 Inflows (Outflows)
Cash flows from operating activities				
Receipts				
Rates and charges	29,797	31,704	32,265	33,312
Statutory fees and fines	1,045	1,203	1,213	1,241
User fees	4,993	4,470	4,561	4,711
Grants - operating	11,565	10,916	8,906	9,001
Grants - capital	11,281	1,917	5,641	2,305
Contributions – monetary	255	19	417	30
Interest	311	250	249	255
Other revenue	3,352	3,699	3,715	3,808
Net GST refund	3,759	2,250	2,359	2,070
	66,358	56,428	59,326	56,733
Payments				
Employee benefits	(21,513)	(20,123)	(20,486)	(21,046)
Materials and services	(20,957)	(22,629)	(19,715)	(19,933)
	(42,470)	(42,752)	(40,201)	(40,979)
Net cash provided by operating activities	23,888	13,676	19,125	15,754
Cash flows from investing activities				
Payments for property, plant and equipment	(28,990)	(19,740)	(20,775)	(16,964)
Proceeds from sales of property, plant and equipment	1,662	2,157	2,333	2,374
Net cash used in investing activities	(27,328)	(17,583)	(18,442)	(14,590)
Cash flows from financing activities				
Finance costs	(198)	(73)	(66)	(58)
Proceeds from borrowings	-	-	-	-
Interest paid - lease liability	(18)	(8)	(4)	(2)
Repayment of lease liabilities	(269)	(75)	(78)	(21)
Repayment of borrowings	(5,165)	(266)	(274)	(282)
Net cash used in financing activities	(5,650)	(422)	(422)	(363)
Net increase (decrease) in cash and cash equivalents	(9,090)	(4,329)	261	801
Cash and cash equivalents at beginning of year	32,059	22,969	18,640	18,901
Cash and cash equivalents at end of year	22,969	18,640	18,901	19,702

FINANCIAL PERFORMANCE INDICATORS

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be used in the context of the organisation's objectives.

Indicator	Measure	Notes	2021/22	2022/23	2023/24	2024/25	Trend +/-
Operating position							
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	2.6%	2.6%	3.3%	2.9%	+
Liquidity							
Working Capital	Current assets / current liabilities	2	226.5%	208.4%	219.2%	216.0%	-
Unrestricted cash	Unrestricted cash / current liabilities		187.9%	209.5%	213.1%	207.4%	+
Obligations							
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	3	8.8%	7.8%	6.6%	5.5%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		18.0%	1.1%	1.1%	1.0%	+
Indebtedness	Non-current liabilities / own source revenue		10.5%	9.5%	8.4%	6.2%	+
Asset renewal	Asset renewal and upgrade expense / Asset depreciation	4	110.3%	87.4%	91.2%	88.6%	-
Stability							
Rates concentration	Rate revenue / adjusted underlying revenue	5	56.3%	58.0%	60.7%	61.3%	-
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.7%	0.7%	0.7%	0.7%	o
Efficiency							
Expenditure level	Total expenses/ no. of property assessments		\$4,276	\$4,207	\$4,148	\$4,259	o
Revenue level	Total rate revenue / no. of property assessments		\$2,152	\$2,202	\$2,266	\$2,318	+

Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator



NOTES TO INDICATORS

1. Adjusted underlying result

An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. Improvement in financial performance expected over the period, although continued losses means reliance on Council's cash reserves or increase debt to maintain services.

2. Working capital

The proportion of current liabilities represented by current assets. Working capital is forecast to decrease due to the use of funds put aside for the repayment of interest only loans as they fall due. The last of the interest only loans falls due in 2025/26.

3. Debt compared to rates

Trend indicates Council's reducing reliance on debt against its annual rate revenue through redemption of long term debt.

4. Asset renewal

This percentage indicates the extent of Council's renewal of assets against its depreciation charge (an indication of the decline in value of its existing capital assets). A percentage greater than 100 indicates Council is maintaining its existing assets, while a percentage less than 100 means its assets are deteriorating faster than they are being renewed and future capital expenditure will be required to renew assets.

5. Rates concentration

Reflects extent of reliance on rate revenues to fund all of Council's on-going services. Trend indicates Council will become more reliant on rate revenue compared to all other revenue sources.



STAFF

The range of services that Council delivers involves the abilities, efforts and competencies of 214.8 effective full-time equivalent (EFT) staff as at 30 June 2021. The skills and qualifications of Council's workforce is diverse, from aged care, civil engineering, curatorial, library, environmental health, finance, planning, building, marketing, nursing and many other fields. At Swan Hill Rural City Council, we recognise the importance that each individual plays in achieving our goals.

The employment of Council's staff is governed by the Fair Work Act 2009, Victorian Local Government Award 2015 and the Swan Hill Rural City Council Enterprise Agreement (EBA). These agreements provide for general and performance-based salary increases as well as a number of workplace flexibilities and other benefits aimed at improving efficiency and attracting/retaining staff. Council also uses consultants for specialised work.

Our aim is to ensure that Council is a great place to work, where the capability of our people is nurtured and performance is focused on delivering exceptional service for our communities.

These priorities drive the activities, policies and procedures implemented to ensure that Swan Hill Rural City continues to be a great place to work.

Council's staff strategies include:

- ◆ A focus on extending the skills of staff to increase efficiency.
- ◆ Implementation of the Workforce Development Plan including:
 - Succession planning
 - Recruitment and retention of staff
 - Apprenticeships, traineeships and/or bursaries
- ◆ Indigenous Employment Strategy.
- ◆ Offering phased retirement options to extend the careers of higher skilled staff.
- ◆ Ongoing development of systems and processes to continually improve productivity.

Summary of permanent staff

Statement of Human Resources

For the four years ending 30 June 2025

Staff expenditure	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000
Total staff expenditure				
Female	11,342	9,672	9,993	10,269
Male	9,672	9,766	9,985	10,260
Total staff expenditure	21,014	19,438	19,978	20,529
Permanent full time				
Female	5,596	5,502	5,728	5,908
Male	9,083	9,163	9,370	9,630
Total	14,679	14,665	15,098	15,538
Permanent part time				
Female	5,746	4,171	4,265	4,361
Male	589	602	616	630
Total	6,335	4,773	4,881	4,991

Staff numbers	2021/22	2022/23	2023/24	2024/25
	FTE	FTE	FTE	FTE
Total staff numbers				
Female	110.0	100.0	100.0	100.0
Male	104.8	103.8	103.8	103.8
Total staff numbers	214.8	203.8	203.8	203.8
Permanent full time				
Female	51.0	49.0	49.0	49.0
Male	98.0	97.0	97.0	97.0
Total	149.0	146.0	146.0	146.0
Permanent part time				
Female	59.0	51.0	51.0	51.0
Male	6.8	6.8	6.8	6.8
Total	65.8	57.8	57.8	57.8

A summary of the Statement of Human Resources categorised according to the organisational structure of Council is included below:

	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000
Corporate Services				
Permanent - Full time	4,275	4,372	4,470	4,621
Female	2,303	2,356	2,408	2,462
Male	1,972	2,016	2,062	2,159
Permanent - Part time	1,393	1,424	1,456	1,489
Female	1,393	1,424	1,456	1,489
Male	-	-	-	-
Total Corporate Services	5,668	5,796	5,926	6,110
Infrastructure				
Permanent - Full time	6,014	6,149	6,288	6,480
Female	1,017	1,040	1,064	1,138
Male	4,997	5,109	5,224	5,342
Permanent - Part time	178	182	186	190
Female	137	140	143	146
Male	41	42	43	44
Total Infrastructure	6,192	6,331	6,474	6,670
Development and Planning				
Permanent - Full time	2,784	2,847	3,014	3,082
Female	1,307	1,336	1,469	1,503
Male	1,447	1,511	1,545	1,579
Permanent - Part time	1,528	1,562	1,598	1,633
Female	1,201	1,228	1,256	1,283
Male	327	334	342	350
Total Development and Planning	4,312	4,409	4,612	4,715
Community and Cultural Services				
Permanent - Full time	1,606	1,297	1,326	1,355
Female	969	770	787	805
Male	637	527	539	550
Permanent - Part time	3,236	1,605	1,641	1,678
Female	3,015	1,379	1,410	1,442
Male	221	226	231	236
Total Community and Cultural Services	4,842	2,902	2,967	3,033
Casuals, temporary and other expenditure	1,091	1,115	1,140	1,166
Total staff expenditure	22,105	20,553	21,119	21,694

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

	2021/22	2022/23	2023/24	2024/25
	FTE	FTE	FTE	FTE
Corporate Services				
Permanent - Full time	33.0	33.0	33.0	33.0
Female	21.0	21.0	21.0	21.0
Male	12.0	12.0	12.0	12.0
Permanent - Part time	14.4	14.4	14.4	14.4
Female	14.4	14.4	14.4	14.4
Male	-	-	-	-
Total Corporate Services	47.4	47.4	47.4	47.4
Infrastructure				
Permanent - Full time	76.0	76.0	76.0	76.0
Female	9.0	9.0	9.0	9.0
Male	67.0	67.0	67.0	67.0
Permanent - Part time	2.8	2.8	2.8	2.8
Female	2.3	2.3	2.3	2.3
Male	0.5	0.5	0.5	0.5
Total Infrastructure	78.8	78.8	78.8	78.8
Development and Planning				
Permanent - Full time	25.0	25.0	25.0	25.0
Female	13.0	13.0	13.0	13.0
Male	12.0	12.0	12.0	12.0
Permanent - Part time	18.0	18.0	18.0	18.0
Female	14.3	14.3	14.3	14.3
Male	3.7	3.7	3.7	3.7
Total Development and Planning	43.0	43.0	43.0	43.0
Community and Cultural Services				
Permanent - Full time	15.0	12.0	12.0	12.0
Female	8.0	6.0	6.0	6.0
Male	7.0	6.0	6.0	6.0
Permanent - Part time	30.6	22.6	22.6	22.6
Female	28.0	20.0	20.0	20.0
Male	2.6	2.6	2.6	2.6
Total Community and Cultural Services	45.6	34.6	34.6	34.6
Total staff numbers	214.8	203.8	203.8	203.8

INFRASTRUCTURE

Council provides, maintains and is responsible for the replacement of \$496 million of assets. The majority of these assets comprise infrastructure such as roads, drains, community buildings and recreation centres – all vital to the social wellbeing and economic development of the municipality and its people.

Council's infrastructure strategy includes the ongoing development and review of asset management plans for each infrastructure category. These plans include agreed service levels, replacement schedules, upgrade requirements, appropriate rationalisation, and a process for the development of new infrastructure, that balance community needs and financial capability.

As infrastructure ages, there will be an increasing need for greater funding to replace and maintain the assets we currently have. This will need to be considered in the context of infrastructure growth generated by the ongoing development along the Murray River corridor.

During the four years of the Council Plan, Council is committed to maintaining its existing infrastructure and allocating sufficient resources to ensure that existing infrastructure is maintained to an appropriate standard. Council allocates additional funds annually. Council will also continually review infrastructure assets to ensure the assets are still required to meet community needs, and if this is not the case, rationalise the infrastructure in an appropriate way. Incorporating multi-use or shared-use facilities will also be an ongoing focus over the years of this plan.



On top of additional infrastructure maintenance funds, Council is and will continue to direct more capital funding towards existing infrastructure (replacement and upgrade). Where possible, cash funded reserves will also be established to help future infrastructure replacement demands.

Council's four year plan also focuses on establishing the groundwork for its long-term growth targets. To assist in this process, considerable investment in riverfronts and central business districts of Swan Hill and Robinvale are planned. These assets are seen as vital to support business and population growth in the long term. The low interest rate environment and availability of significant government funding make the next four years an excellent time to begin the investment in these projects. Growth will also be assessed through the South West Development Precinct and the ongoing development of Tower Hill Residential Estate in Swan Hill. Council will free-up some of its surplus land holdings to promote appropriate private investment in Robinvale and Swan Hill.

Council's four year capital works program is detailed in the following Statement of Capital Works. It presents the forecast works by asset category, type of works (renewal, upgrade etc.) and how the works are funded.



Statement of Capital Works

For the four years ending 30 June 2025

	Budget			
	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000
Capital works areas				
Land	3,409	2,121	1,414	1,455
Buildings	8,511	5,534	3,555	2,650
Plant & Equipment	1,414	1,427	1,638	1,819
Fixtures, fittings and furniture	63	33	33	34
Computers and telecommunications	250	590	285	299
Library Books	155	157	162	165
Sealed Roads	6,613	4,435	4,302	4,401
Unsealed Roads	1,295	1,177	1,113	1,210
Footpaths	115	116	116	428
Drainage	121	254	124	104
Parks & Open Space	1,134	1,127	2,631	2,807
Recreation Leisure	175	60	2,990	80
Other infrastructure	3,078	147	652	102
Waste Management	22	960	-	-
Total capital works	26,355	18,138	19,015	15,554
Represented by:				
New assets	14,017	8,598	8,277	4,733
Asset renewal	11,055	9,066	10,049	10,601
Asset expansion	-	-	-	-
Asset upgrade	1,283	474	689	220
Total capital works	26,355	18,138	19,015	15,554



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2.10 Asset Naming Policy and Procedure Review

Directorate: Infrastructure
File Number: S11-01-01
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.

1.4 Foster Creative and Cultural opportunities

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

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

3.1 Communities that are safe, welcoming and inclusive

3.1.1 The diversity of our communities is celebrated

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

3.2 An engaged and respected Aboriginal community

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

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.2 Transparent communication and engagement

4.2.1 Effective and authentic engagement with our community

Current Strategic documents

Council Plan

Declarations of Interest

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

Summary

The purpose of this report is to review the Asset Naming Policy and Guidelines POL/INFRA500.

Discussion

The Asset Naming Policy provides guidelines for the naming of geographic roads, features, and localities within the Swan Hill Rural City Council.

The major emphasis of this policy is to maintain a standardised, consistent approach to geographic naming, ensure public safety, preserve the Council's identity and heritage and to recognise early pioneers, cultural diversity and gender equity.

The Asset Naming procedure has been replaced with easy-to-understand guidelines for the public and developers. The Asset Naming Guidelines incorporates the changes from the official "Naming Rules for Places in Victoria 2022".

Major changes to the asset naming process include:

- Commemorative names of a deceased person should be applied no less than two years posthumously as per the Naming Rules. This was previously 6 months.
- Non-commemorative names for new assets do not require public consultation. To ensure linkage to the region is maintained within asset naming, the Guidelines specify "Approved Themes" that should be followed by developers. Names that are not on the Asset Naming Master List or of an "approved theme" will require public consultation and Council approval.
- The guidelines encourage greater diversity with regards to gender and first nations languages and people.
- The guidelines ensure that First Nations groups are consulted for naming proposals regarding First Nation languages or people.
- The paper-based "Asset Naming Submission" form has been replaced by an online submission form on Let's Talk. <https://letstalk.swanhill.vic.gov.au/asset-naming-submissions>
- The "New Asset Name as part of a Development" form will be managed through the Planning process utilising Spear.

The Procedure contained as part of the approved "2019 Asset Naming Policy and Procedure" will be superseded by the 2023 Asset Naming Policy and Guidelines.

The Policy and Guidelines are also consistent with State Government expectations as written to Council by the Registrar of Geographic Names Victoria in August 2023;

"On Thursday 24 August 2023, the Minister for Women Natalie Hutchins formally launched Victoria's Gender Equality Strategy and Action Plan 2023-2027. The strategy and action plan includes a new initiative aimed at increasing the commemoration of women through the naming of roads, features and localities.

As a naming authority, you will be required to implement this new initiative as part of your ongoing naming activities."

"Geographic Names Victoria will work with naming authorities, including local government, to increase the commemoration of women in place naming, by setting a level of 70% of new requests for commemorative naming of new roads, placenames and landmarks to be achieved within the lifetime of the Strategy."

Consultation

Consultation has been undertaken with Council's Planning department and Executive Leadership Team. Geographic Names Victoria were consulted to ensure the guidelines comply with the official Naming Rules.

Financial Implications

Nil.

Social Implications

Recognition of the contribution of outstanding citizens and encouraging greater diversity with asset naming will have positive social benefits.

Economic Implications

Streamlining the Asset Naming process for Developers will improve approval processes for future housing Developments.

Environmental Implications

Nil.

Risk Management Implications

By adopting the recommendation, Council will not be exposed to significant risk. Submissions are more likely to be accepted by Geographic Names Victoria.

- Attachments:**
1. Asset Naming Guidelines 2023 [2.10.1 - 6 pages]
 2. Asset- Naming CPOLINFR A 500 202311 [2.10.2 - 2 pages]

Options:

1. That Council adopt the Asset Naming Policy POL/INFRA500 and Guidelines as presented
2. That Council adopt the Asset Naming Policy POL/INFRA500 and Guidelines with amendments

Recommendation/s

That Council adopt the Asset Naming Policy POL/INFRA500 and Guidelines as presented.

CM 2023/122 Motion**MOVED Cr Jeffery**

That Council adopt the Asset Naming Policy POL/INFRA500 and Guidelines as presented.

SECONDED Cr Moar

The Motion was put and CARRIED 6 / 0



Asset Naming Guidelines

PRO/INFRA 500

Purpose

Names are an important navigation and reference tool in our community. It is important to have appropriate names for streets, roads and other assets to tell us where we are, identify places for postal and emergency services, and to define our community's identity. Names should reflect our community's values, history and future.

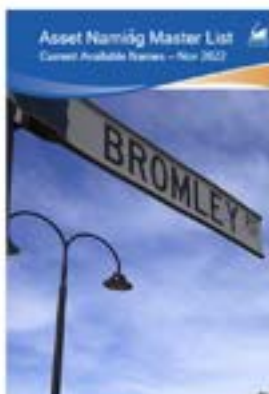
Asset naming is covered by various pieces of legislation. These guidelines ensure that naming principles meet legislative requirements while providing a consistent approach and clarity about naming opportunities. The guidelines provide principles and procedure for determining and approving a name, and when a name may be changed or considered for dual naming.

Council has responsibility under the Local Government Act 2020 for the naming of roads and streets. Approaches are made to Council on a regular basis to name or rename roads and streets or other assets. These guidelines will provide a framework in which to consider these proposals and to recognise community heritage, identity and aspirations.

Scope

The importance of having appropriately named streets, roads and other assets is to enable the efficient and orderly operation of services in our community including emergency, postal and transport services as well as facilitating good community communications. These guidelines describe the process used by Council when selecting, approving, or assigning the names:

- In new subdivisions.
- For unnamed roads and streets.
- To change the names of existing streets and roads.
- Council assets including features, reserves, parks, open spaces and public facilities.



Asset Naming Master List

Council maintains an Asset Name Master List for future use. These pre-approved names can be selected for new or unnamed assets.

Names can be submitted to Council at anytime for consideration of inclusion in the master list. Nominations may be submitted for specific localities to ensure that the Names are linked to an area to reflect local history. These names will follow the same process as the naming of a specific asset, however, once endorsed for use by Council the name will be added to the Asset Name Master List.

Once selected for use, the name will be submitted to Geographic Names Victoria for final approval.

General principles

The following principles, consistent with the Naming Rules for Places in Victoria 2022 will be applied by Council when suggesting, endorsing or approving names.

- Principle A** **Ensuring public safety**
 The suggestion makes sense and won't cause confusion for the public or essential services.
- Principle B** **Recognising the public interest**
 Long term benefits to the community outweigh any private or corporate interests, or short term effects.
- Principle C** **Linking the name to place**
 Names should have a link to place to ensure the preservation of our cultural heritage.
- Principle D** **Ensuring names are not duplicated**
 Names must not duplicate or be similar to another name within a locality or a specific distances.
- Principle E** **Recognition and use of Traditional Owner languages**
 The use of Traditional Owner languages in the naming of roads, features and localities is encouraged, and is subject to agreement from the relevant Traditional Owner group(s).
- Principle F** **Names must not discriminate or be offensive**
 Place names must not discriminate or cause offense.
- Principle G** **Gender equality**
 Gender equality in the naming of roads, features and localities is encouraged.
- Principle H** **Dual names**
 Dual names may only be assigned to geographic features.
- Principle I** **Using commemorative names**
 When considering a commemorative name Council will prioritise the use of Traditional Owner languages and Gender Equality.
- Principle J** **Using commercial and business names**
 New names should not be named after commercial businesses, trade names, estate names or not-for-profit organisations.
- Principle K** **Language**
 The use of names from Australian English, Traditional Owner and other languages will be carefully considered.
- Principle L** **Directional names to be avoided**
 Cardinal directions (north, south, east and west) must be avoided.
- Principle M** **ENSURING PUBLIC SAFETY**
 When a proposal to name a road, feature or locality is being developed, Council will clearly define the area and/or extent to which the name will apply.

For more information on each of these principles please refer to the

[Official Naming Rules for Places in Victoria 2022](#)

When will a name be allocated or Changed?

The naming of infrastructure assets provides an opportunity to honour individuals and groups for contributions and achievements that deserve recognition. It also presents an opportunity to emphasise important landmarks, geographical features or history including local Aboriginal culture and other events.

Naming may arise either:

- At the instigation of Council, or the community for existing unnamed infrastructure or places.
- As a result of new infrastructure.

Renaming of any asset but particularly roads is discouraged however an infrastructure asset may be renamed upon request if:

- There is strong community desire (for example over 20 submissions) for a name change;
- The name is duplicated elsewhere within the Council area;
- The person or body or entity after which the infrastructure asset was named has been discredited or dishonored;
- A name change is required to reflect a change in use of the infrastructure asset;
- It has been found that the information submitted regarding the original naming of the infrastructure asset was factually incorrect; or
- The naming does not comply with AS/NZS 4819:2011 Rural and Urban Addressing.

Public consultation will be undertaken for all renaming nominations and presented to Council for decision via a Council resolution.

Renaming

Using commemorative names

When using a commemorative name the following points must be considered:

- If named after a person, that person should be or have been held in strong regard by the community. The persons achievements, relevant history and association to an area, and the significance of the family/person to the area/land. For example, a family that has been associated to an area for at least 50 years.
- Council will make every effort to gain consent from all immediate family members of the person being commemorated.
- The names of people who are still alive must be avoided because community attitudes and opinions can change over time.
- Commemorative names of a deceased person should be applied no less than two years posthumously.
- A commemorative name applied to a locality or road should use only the surname of the person, not first of given names. If applied to a feature, a first and surname of a person can be used, although it is preferred only a surname be used.
- The initials of a person are not to be used in any instance.

Nominate a Name

Council will only consider applications received in an approved form. Applications must be accompanied with supporting documentation and evidence to enable the independent assessment by Council as to the validity of the claims being made for recognition of names within the application.

Submissions will be assessed on an annual basis. All commemorative names will be advertised prior to use or inclusion in the Asset Naming Master List.

To make a naming submission go to

<https://letstalk.swanhill.vic.gov.au/asset-naming-submissions>

Approved themes

Private developments will not need Council approval or public consultation for non-commemorative street names that follow the following themes

- Local/native flora and fauna;
- Historic paddle steamers of the Murray
- Forgotten trades of the Murray/Mallee
- Local Historic events
- ANZAC Battles
- Local Agriculture and Horticulture products



Public consultation

Consultation is a key component in the process of naming roads and features. Naming Authorities typically consult the public on any naming proposal and must comply with the minimum requirements under the Naming Rules.

The Naming Rules outlay a number of naming scenarios with guidelines on who needs to be consulted and types of consultation or notification required.

Council commits to consulting with concerned or affected parties which can be classified as:

- The immediate community, which includes, residents, ratepayers and businesses within the immediate area directly affected by the naming proposal; or
- The extended community, which includes residents, ratepayers and businesses surrounding the area directly affected by the proposal; any government (neighbouring councils) or non-government organisations with an interest in or who service the area.
- Traditional Owner group(s), local historical societies, emergency services, advisory committees and other community groups.

The amount of public engagement/consultation will depend on which classification applies to the naming proposal.

Gender equity

Council will recognise the diversity of our community and ensure we are inclusive of all communities regardless of gender or race. Diversity and inclusion in place naming is essential to all residents being able to live in a safe and equal society. Encouraging gender equality in the naming of roads, features and localities means that our place naming can better reflect our diversity. Communities can see that no matter your gender, you have the opportunity to be commemorated for your actions.

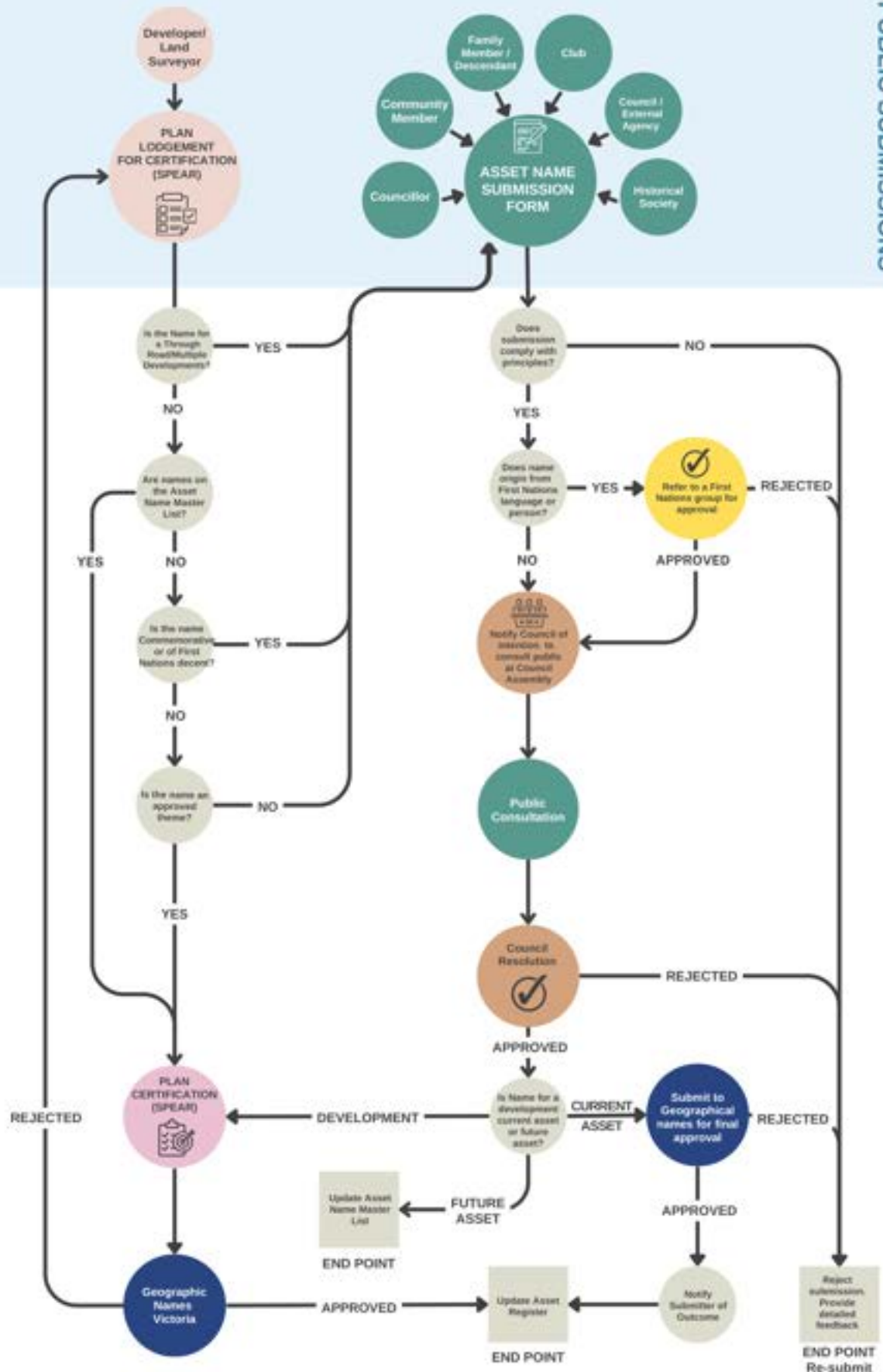
When developing or approving a commemorative naming proposal, consideration will be given to gender equality. Council will work with Geographic Names Victoria, to assist them to increase the commemoration of women in place naming. Geographic Names Victoria have set a level of 70% of new requests for commemorative naming of new roads, placenames and landmarks will recognise women between 2023 to 2027.

At a Glance

A recent audit on street naming in Swan Hill indicated that:

- 77% of street names are named after men.
- 6% of street names are named after women.
- 12% of street names represent traditional owner languages.

Process for choosing a name



PLACE NAMES

Traditional Owner languages are often based on location; languages are deeply rooted to the land and offer an ideal opportunity to connect a name to a place. The use of Traditional Owner languages enables the wider community to be educated about Traditional Owner history and shared culture.

Local Traditional Names*

Placename	Traditional Name	Meaning	Origin
CHINKAPOOK	Chinkapook	red water	Wergaia, Waddi Waddi
COCAMBA	Kookimbo	laughing jackass	Wergaia
LAKE BAKER	Boomberdill	honey-dew	Wamba Wamba
LARUNDEL	Larundel	camp/home	Wergaia
MANANGATANG	Manangatang	water reserve.	Waddi Waddi, Wergaia, Dadidadi
LITTLE MURRAY RIVER	Parnimilli	little river	Wamba Wamba
NOWIE	Njai	the sun	Waddi Waddi
NYAH	Ngighyer	waist-belt	Waddi Waddi
PENTAL ISLAND	Pakaruk	A place between rivers	Wamba Wamba
PIANGIL	Bandjel	Murray cod, very large	Waddi Waddi
PIRA	Pira	club	Wamba Wamba
SWAN HILL	Matakupaat	platypus	Waddi Waddi, Wamba Wamba
TOWAN	Towan	being speared	Waddi Waddi
TYNTYNDER	Djindjinder	An acrid lichen	Waddi Waddi

*taken from VicNames register. If you would like to make any corrections please contact council

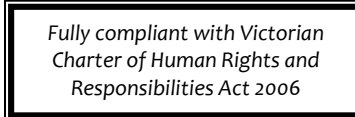
Document type: Guidelines
 Document status: Draft
 Responsible officer: Enterprise Assets Manager
 Approved by: Council Resolution
 Date adopted: TBC
 Last review: November 2019
 Review date: March 2026
 Version number: 1.0
 Related documents, policies, Procedures: POLINFRA500 Asset Naming Policy

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



Version Number	Issue Date	Description of Change
1.0	TBC	Initial Release

Date adopted	February 2004
Last review	November 2023
Next review	November 2025
Responsible Officer	Enterprise Assets Manager



POLICY TITLE ASSET NAMING

POLICY NUMBER CPOL/INFRA500

1. PURPOSE

The purpose of this policy is to ensure a consistent and transparent approach to the naming of Swan Hill Rural City Council's (Council) infrastructure assets.

2. SCOPE

This Policy applies to the naming of infrastructure assets under Council's control including but not limited to – roads and features such as bridges, parks, open spaces, reserves, public facilities, footpaths, recreation paths, and car parks.

3. POLICY

Council has responsibility under the Local Government Act 1989 for the naming of roads and streets. The naming of roads and places provides an opportunity to honour individuals and groups in the community for past contributions and achievements that deserve recognition as well as presenting an opportunity to emphasise important landmarks, geographical features or historical or cultural characters of the area concerned.

This policy should be read in conjunction with Council Procedure PRO/INFRA500 Asset Naming Guidelines which provides a consistent approach for the naming of infrastructure assets, to ensure that:

- Public Consultation is undertaken where necessary and nominations received from the public are assessed against pre-determined criteria to ensure transparency;
- Any new road, public facility, feature or place name;
 - does not conflict with existing names recorded in Council's road register or elsewhere;
 - complies with relevant jurisdictional legislation, policies and guidelines;
 - are not offensive, racist, derogatory or demeaning.

Council has no obligation to accept any name proposed by any group, entity, developer or individual. Council reserves the right to allocate names in accordance with this policy.

The naming of an infrastructure asset, feature or road in accordance with this policy does not change the responsibility associated with the ownership of the asset or require Council to maintain the asset.

Asset Naming Policy CPOL/INFRA500		
Version: 2.0	This document is uncontrolled when printed	Page 1 of 2

4. RELATED POLICIES/DOCUMENTS

PRO/INFRA500 Asset Naming Guidelines
 Naming Rules for Places in Victoria 2022 – Statutory requirements for naming roads, features and localities.
 Asset Name Masterlist
 Asset Name Proposal Form
 Victorian Gender Equality Action Plan
 AS4819 – Standards for Rural Addressing

5. RELATED LEGISLATION

Geographic Place Names Act 1998
 Local Government Act 2020
 Road Management Act 2004

6. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	February 2004	Initial Adoption
1.1	March 2007	Review
1.2	February 2010	Review
1.3	May 2013	Review
1.4	May 2015	Review
1.5	November 2019	Review
2.0	November 2023	Review

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

2.11 Annual Appointment of Councillor Representatives to External and Internal Committees

Directorate: Chief Executive Officer
File Number: S16-20-01
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.3 Bold leadership, strong partnerships and effective advocacy

4.3.1 Create meaningful partnerships across our communities

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 purpose of the report is to consider the appointment of Councillors to outside organisations and community groups.

Discussion

Council makes appointments to various external organisations and community groups. This assists Council in working closely with its community and taking part in a wide range of activities associated with the development of the Municipality.

Council has recommended the appointment of a Councillor delegate to the following groups. Councillors can choose to attend Other Community Groups / Committees (External Groups) meetings by invitation.

TOWN REPRESENTATIVE GROUPS		
Group Name	2023 Representative	2024 Representative
Nyah District Action Group (including Nyah West, Koraleigh and District)	Cr Young	Cr Young
Lake Boga and District Association Inc	Cr Young	Cr McPhee
Ultima Progress Association	Cr Kelly	Cr Young

Manangatang Improvement Group	Cr Kelly	Cr Kelly
Woorinen & District Progress Association Inc	Cr Jeffery	Cr Jeffrey
Boundary Bend Progress Association	Cr McKay	Cr McKay
Piangil Community Group (PCG) & Memorial Park Committee of Management (PMPC)	Cr McPhee	Cr McPhee
OTHER COMMUNITY GROUPS AND COMMITTEES (EXTERNAL GROUPS)		
Group Name	2023 Representative	2024 Representative
Swan Hill Residents and Rate Payers Association	Cr McPhee (1st) Cr McKay (sub)	Voluntary
Robinvale Euston Business Association (REBA)	Cr King	Cr King (1st) Cr McKay (Sub)
Swan Hill Showgrounds Sport and Recreation Precinct Advisory Committee	Cr King	Cr King(1st), Cr Jeffery (Sub)
Swan Hill Leisure Centre Committee of Management	Cr Kelly (1st) Cr Jeffery (Sub)	Cr Kelly (1st) Cr Jeffrey (Sub)
Swan Hill Incorporated Board	Cr McKay (1st) Cr Young (Sub)	Cr Young (1st), Cr Jeffery (Sub)
Agribusiness Advisory Committee	Cr Moar (1st) Cr Young (Sub)	Cr Moar (1st) Cr Young (Sub)
Rail Freight Alliance	Cr King	Cr King (1st) Cr McKay (Sub)
Grampians Wimmera Mallee Water Customer and Stakeholder Workshop	Cr Moar	Cr Moar (1st) Cr McKay (Sub)
Central Victorian Greenhouse Alliance - Board and General Committee	Cr Moar	Vote at Council Meeting
Chisholm Reserve Complex Inc.	Cr King	Cr King
Pental Island Levees management project steering committee	Cr Moar Cr Kelly	Cr Moar Cr Kelly
Murray River Group of Councils	Mayor CEO	Mayor Sub - take to a vote at Council Meeting CEO
Rural Councils Victoria Inc	Cr McKay (1st), Cr Kelly (Sub)	Cr McKay (1st) Cr Kelly (Sub)
MAV	Cr McPhee (1st)	Cr McPhee (1st)

	Cr McKay (Sub)	Cr McKay (Sub)
Central Murray Regional Transport Forum	Mayor	Cr Young Cr Kelly (Sub)
Murray Darling Association - Councillors are discussing joining	Nil	Vote at a Council Meeting whether to join, and if necessary, delegate representatives.
INTERNAL COMMITTEES		
Group Name	2023 Representative	2024 Representative
Community Development Fund	Mayor and Cr Kelly	Mayor and Cr Jeffery
Event Support Fund	Mayor and Cr Moar	Mayor and another Councillor
Audit and Risk Committee	Cr King Cr Moar <small>(This position is for the period of January 2023 to December 2023)</small>	Cr King Cr Kelly <small>(This position is for the period of January 2024 to end of Councillor term 2024)</small>
CEO Employment and remuneration Committee	Mayor McPhee Cr Moar Cr Young	Present Mayor Past Mayor (Cr McPhee) Cr Young
Swan Hill Regional Art Gallery Advisory Committee	Cr Young (1st) Cr McKay (sub)	Cr Kelly (1st) Cr McKay (Sub)
Swan Hill Regional Livestock Exchange	Cr Moar Director of Infrastructure	Cr Bill Moar (1st)(Chairperson), Cr McPhee (Sub) Director of Infrastructure
Joint Bridge Committee between Murray River Council and Swan Hill Rural City Council	Cr McPhee Cr Moar	Cr McPhee Cr Moar

Consultation

Councillor Assembly held on 28 November 2023. Other groups/associations discussed joining were;

- Sustainable Living in the Mallee (SLIM)
- Swan Hill Neighbourhood House
- Murray Darling Association
- Victorian Local Government Association

While two of these groups have not been added to the list with a nominated Councillor representative(s), Councillors welcome invitations to attend any meetings.

Financial Implications

Travel and accommodation costs will be incurred by Councillors and are reimbursed. These costs are budgeted for annually.

Social, Economic and Environmental Implications

Appointments to external organisations will assist Council in achieving its economic, social and environmental objectives.

Risk Management Implications

Nil.

Attachments: Nil

Options

Some appointments are mandatory (e.g. Audit and Risk Committee) while others are optional.

Recommendation/s

That Council:

1. **Appoint Councillors to external organisations and internal committees as shown in the table below.**
2. **Note the position of the Audit and Risk Committee is from 1 January 2024 until the Council election scheduled for October 2024.**

TOWN REPRESENTATIVE GROUPS		
Group Name	2023 Representative	2024 Representative
Nyah District Action Group (including Nyah West, Koraleigh and District)	Cr Young	Cr Young
Lake Boga and District Association Inc	Cr Young	Cr McPhee
Ultima Progress Association	Cr Kelly	Cr Young
Manangatang Improvement Group	Cr Kelly	Cr Kelly

Woorinen & District Progress Association Inc	Cr Jeffery	Cr Jeffrey
Boundary Bend Progress Association	Cr McKay	Cr McKay
Piangil Community Group (PCG) & Memorial Park Committee of Management (PMPC)	Cr McPhee	Cr McPhee
OTHER COMMUNITY GROUPS AND COMMITTEES (EXTERNAL GROUPS)		
Group Name	2023 Representative	2024 Representative
Swan Hill Residents and Rate Payers Association	Cr McPhee (1st) Cr McKay (Sub)	Voluntary
Robinvale Euston Business Association (REBA)	Cr King	Cr King (1st) Cr McKay (Sub)
Swan Hill Showgrounds Sport and Recreation Precinct Advisory Committee	Cr King	Cr King(1st), Cr Jeffery (Sub)
Swan Hill Leisure Centre Committee of Management	Cr Kelly (1st) Cr Jeffery (Sub)	Cr Kelly (1st) Cr Jeffrey (Sub)
Swan Hill Incorporated Board	Cr McKay (1st) Cr Young (Sub)	Cr Young (1st), Cr Jeffery (Sub)
Agribusiness Advisory Committee	Cr Moar (1st) Cr Young (Sub)	Cr Moar (1st) Cr Young (Sub)
Rail Freight Alliance	Cr King	Cr King (1st) Cr McKay (Sub)
Grampians Wimmera Mallee Water Customer and Stakeholder Workshop	Cr Moar	Cr Moar (1st) Cr McKay (Sub)
Central Victorian Greenhouse Alliance: Board and General Committee	Cr Moar	Vote at Council Meeting
Chisholm Reserve Complex Inc.	Cr King	Cr King
Pental Island Levees management project steering committee	Cr Moar Cr Kelly	Cr Moar Cr Kelly
Murray River Group of Councils	Mayor CEO	Mayor Sub - take to a vote at Council Meeting CEO
Rural Councils Victoria Inc	Cr McKay (1st), Cr Kelly (Sub)	Cr McKay (1st) Cr Kelly (Sub)
MAV	Cr McPhee (1st) Cr McKay (Sub)	Cr McPhee (1st) Cr McKay (Sub)

Central Murray Regional Transport Forum	Mayor	Cr Young Cr Kelly (Sub)
Murray Darling Association	Nil	Vote at a Council Meeting whether to join, and if necessary, delegate representatives.
INTERNAL COMMITTEES		
Group Name	2023 Representative	2024 Representative
Community Development Fund	Mayor and Cr Kelly	Mayor and Cr Jeffery
Event Support Fund	Mayor and Cr Moar	Mayor and another Councillor
Audit and Risk Committee	Cr King Cr Moar <small>(This position is for the period of January 2023 to December 2023)</small>	Cr King Cr Kelly <small>(This position is for the period of January 2024 to the end of Councillor term 2024)</small>
CEO Employment and remuneration Committee	Mayor McPhee Cr Moar Cr Young	Present Mayor Past Mayor (Cr McPhee) Cr Young
Swan Hill Regional Art Gallery Advisory Committee	Cr Young (1st) Cr McKay (sub)	Cr Kelly (1st) Cr McKay (Sub)
Swan Hill Regional Livestock Exchange	Cr Moar Director of Infrastructure	Cr Bill Moar (1st)(Chairperson), Cr McPhee (Sub) Director of Infrastructure
Joint Bridge Committee between Murray River Council and Swan Hill Rural City Council	Cr McPhee Cr Moar	Cr McPhee Cr Moar

Central Victorian Greenhouse Alliance

Two nominations: Cr Kelly and Cr Moar

Cr Moar spoke to his nomination.

Cr McKay spoke on behalf of Cr Kelly's nomination.

Council put the two nominations to a vote, Cr Moar was voted the delegated.

CM 2023/131 Motion

MOVED Cr McPhee

That Council not have a sub-delegate for Murray River Group of Council, if a sub delegate is required it will be delegated by the Mayor.

SECONDED Cr Moar

The Motion was put and CARRIED 4 / 1

CM 2023/132 Motion

MOVED Cr McKay

That Council join Murray Darling Association.

SECONDED Cr McPhee

The Motion was put and LOST 1 / 5

CM 2023/123 Motion

MOVED Cr Jeffery

That Council:

- 1. Appoint Councillors to external organisations and internal committees as shown in the table below.**

Note the position of the Audit and Risk Committee is from 1 January 2024 until the Council election scheduled for October 2024.

TOWN REPRESENTATIVE GROUPS		
Group Name	2023 Representative	2024 Representative
Nyah District Action Group (including Nyah West, Koraleigh and District)	Cr Young	Cr McKay
Lake Boga and District Association Inc	Cr Young	Cr McPhee
Ultima Progress Association	Cr Kelly	Cr Young
Manangatang Improvement Group	Cr Kelly	Cr Kelly
Woorinen & District Progress Association Inc	Cr Jeffery	Cr Jeffery
Boundary Bend Progress Association	Cr McKay	Cr McKay

Piangil Community Group (PCG) & Memorial Park Committee of Management (PMPC)	Cr McPhee	Cr McPhee
OTHER COMMUNITY GROUPS AND COMMITTEES (EXTERNAL GROUPS)		
Group Name	2023 Representative	2024 Representative
Swan Hill Residents and Rate Payers Association	Cr McPhee (1st) Cr McKay (Sub)	Voluntary
Robinvale Euston Business Association (REBA)	Cr King	Cr King (1st) Cr McKay (Sub)
Swan Hill Showgrounds Sport and Recreation Precinct Advisory Committee	Cr King	Cr King(1st), Cr Jeffery (Sub)
Swan Hill Leisure Centre Committee of Management	Cr Kelly (1st) Cr Jeffery (Sub)	Cr Kelly (1st) Cr Jeffery (Sub)
Swan Hill Incorporated Board	Cr McKay (1st) Cr Young (Sub)	Cr Young (1st), Cr Jeffery (Sub)
Agribusiness Advisory Committee	Cr Moar (1st) Cr Young (Sub)	Cr Moar (1st) Cr Young (Sub)
Rail Freight Alliance	Cr King	Cr King (1st) Cr McKay (Sub)
Grampians Wimmera Mallee Water Customer and Stakeholder Workshop	Cr Moar	Cr Moar (1st) Cr McKay (Sub)
Central Victorian Greenhouse Alliance: Board and General Committee	Cr Moar	Cr Moar (1st) Cr Kelly (Sub)
Chisholm Reserve Complex Inc.	Cr King	Cr King
Pental Island Levees management project steering committee	Cr Moar Cr Kelly	Cr Moar Cr Kelly
Murray River Group of Councils	Mayor CEO	Mayor A sub-delegate if required to be delegated by the Mayor CEO
Rural Councils Victoria Inc	Cr McKay (1st), Cr Kelly (Sub)	Cr McKay (1st) Cr Kelly (Sub)
MAV	Cr McPhee (1st) Cr McKay (Sub)	Cr McPhee (1st) Cr McKay (Sub)
Central Murray Regional Transport Forum	Mayor	Cr Young Cr Kelly (Sub)

Murray Darling Association	Nil	Council not join as a member
INTERNAL COMMITTEES		
Group Name	2023 Representative	2024 Representative
Community Development Fund	Mayor and Cr Kelly	Mayor and Cr Jeffery
Event Support Fund	Mayor and Cr Moar	Mayor and Cr Moar
Audit and Risk Committee	Cr King Cr Moar <small>(This position is for the period of January 2023 to December 2023)</small>	Cr King Cr Kelly <small>(This position is for the period of January 2024 to the end of Councillor term 2024)</small>
CEO Employment and remuneration Committee	Mayor McPhee Cr Moar Cr Young	Present Mayor Past Mayor (Cr McPhee) Cr Young
Swan Hill Regional Art Gallery Advisory Committee	Cr Young (1st) Cr McKay (sub)	Cr Young (1st) Cr McKay (Sub)
Swan Hill Regional Livestock Exchange	Cr Moar Director of Infrastructure	Cr Bill Moar (1st)(Chairperson), Cr McPhee (Sub) Director of Infrastructure
Joint Bridge Committee between Murray River Council and Swan Hill Rural City Council	Cr McPhee Cr Moar	Cr McPhee Cr Moar

SECONDED Cr Moar

The Motion was put and CARRIED 6 / 0

2.12 Council Scheduled Meeting Dates, Times and Locations

Directorate: Chief Executive Officer
File Number: S16-05-01
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.2 Provide robust governance and effective leadership

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 matter of this report.

Summary

Each year Council determines, in advance, the locations and times for its Scheduled meetings.

Council meetings currently commence at 2pm usually on the third Tuesday of each month.

This report provides Council with the opportunity to set meeting dates, times and locations.

Discussion

Last year Council held its ordinary meetings on the third Tuesday of the month (unless otherwise indicated on the table below), commencing at 2pm.

The following table includes meeting locations for 2022 and 2023, and proposed meeting locations and times for 2024:

Council welcomes community participation in local democracy and shall encourage the community to attend Council meetings.

Month	2022 3 rd Tuesday unless indicated.	2023 3 rd Tuesday unless indicated.	2024 3 rd Tuesday unless indicated.
January	No Meeting	No Meeting	No Meeting
February	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
March	Swan Hill 2pm	Swan Hill 2pm	Robinvale 2pm
April	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
May	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
June	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
July	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
August	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
September	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
October	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
November	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
December	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm

The requirement for Council to livestream Council Meetings is a positive step. The practice has increased the communities' visibility of Councils democratic processes.

Council will create other opportunities to visit and engage with our various communities outside of the normal Council Meeting cycle, as part of its community engagement strategy.

Financial Implications

Costs associated with conducting Council meetings are included in the budget each year.

Attachments: Nil

Options

1. Continue meeting on the third Tuesday of the month or another day.
2. Continue commencing meetings at 2.00pm or at another time.

Recommendation/s

That Council determines that the Scheduled Meetings for 2024 will be held at the locations, dates and times specified in the table in this report.

CM 2023/124 Motion

MOVED Cr Jeffery

That Council determines that the Scheduled Meetings for 2024 will be held at the locations, dates and times specified in the table in this report, with one amendment to the April 2024 Council Meeting to be held on the second Tuesday of April 2024.

Month	2022 3 rd Tuesday unless indicated.	2023 3 rd Tuesday unless indicated.	2024 3 rd Tuesday unless indicated.
January	No Meeting	No Meeting	No Meeting
February	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
March	Swan Hill 2pm	Swan Hill 2pm	Robinvale 2pm
April	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm 2 nd Tuesday
May	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm

June	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
July	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
August	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
September	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
October	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
November	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm
December	Swan Hill 2pm	Swan Hill 2pm	Swan Hill 2pm

SECONDED Cr McKay

The Motion was put and CARRIED 6 / 0

3 Officer Report for Noting

3.1 Major Project Plan - Quarterly Report - For Quarter Ending 30 September 2023

Directorate: Corporate Services
File Number: NA
Purpose: Information Only

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.2 Provide robust governance and effective leadership

Current Strategic documents

10 Year Major Project Plan

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 provides an update on the status of projects managed by the Project Management Office (PMO) of Swan Hill Rural City Council. It focuses on projects that are large, specialized, or challenging. The report covers completed projects from the last three months and provides an overview of ongoing projects. The Council is presently conducting training sessions for all staff members, emphasizing the significance of a well-defined governance structure, along with the associated processes and tools for effective project management.

Discussion

A significant accomplishment for the PMO was the review of over forty project proposals by the Council's Project Approval Committee (PAC), followed by the initiation of training and information sessions for all Council staff.

In the past three months, the PMO has seen notable progress, with six out of nineteen active projects successfully reaching completion. The PMO has dedicated efforts to implementing the Project Management Governance Framework and enhancing the skills of individuals involved in projects, ensuring they are proficient in using the new

templates and reports. The PMO is committed to maintaining a rigorous approach to planning, promoting transparency, and enforcing governance across all projects.

For specific details on completed and ongoing projects, please refer to Appendix 1.

Project Exceptions:

- Robinvale Leisure Centre Expansion: The project is currently behind schedule by 6 weeks, experiencing a change in scope, and there is a 1% risk to the budget.
- Robinvale Playground: The project is currently delayed by about 2 months. The project sponsor is collaborating closely with the designers to ensure the best possible outcome for the community.
- Swan Hill Leisure Centre - Dry Fitness Room: The project has been successfully completed and is now open for public use. It had an exceeded budget by 3% due to the addition of an audio system and other minor works. The additional cost was covered using Council rates.

The projects with exception reports are detailed in the attachment.

Council successfully completed the following projects worth almost \$3M within the last three months.

1. Robinvale Skate Park – This project was generously funded by the Sports and Recreation Victoria, with the Council providing the remaining 50% of the funding.
2. Swan Hill Leisure Centre: Dry Fitness Room – The project was funded through the generous support of the Local Road Community Infrastructure (LRCI) - Round 2, supplemented by Council rates.
3. Activation of Lighting and Digital Content in Pioneer Settlement – This project was funded by the Department of Jobs Precincts and Regions through the Regional Tourism Investment Program - Stimulus Round, supplemented by the Council rates.
4. Riverside Park Irrigation and Pump Shed Upgrade – This project was funded gratefully by the Local Roads Community Infrastructure (LRCI) Round 2, supplemented by the Council rates.
5. John James Lighting - The majority of the project funds were provided by the Sports and Recreation Victoria, while the remaining balance was supplemented by contributions from the Robinvale Euston Football Netball Club and the Council.
6. Nyah West Revitalisation Toilet Block – This project was funded by Local Road Community Infrastructure (LRCI) - Round 2, supplemented by Council rates.

The details of the completed projects are provided below.

Projects completed in the last quarter

Robinvale Skate Park

The project aimed to build a regional-level Skate Park to promote and enhance participation in activities such as skateboarding, BMX biking, scootering, and rollerblading in the Robinvale region. The construction phase has been successfully concluded within the allocated budget, achieving a four-week lead on the projected timeline, and meeting the prescribed quality standards, as verified by an independent engineer.

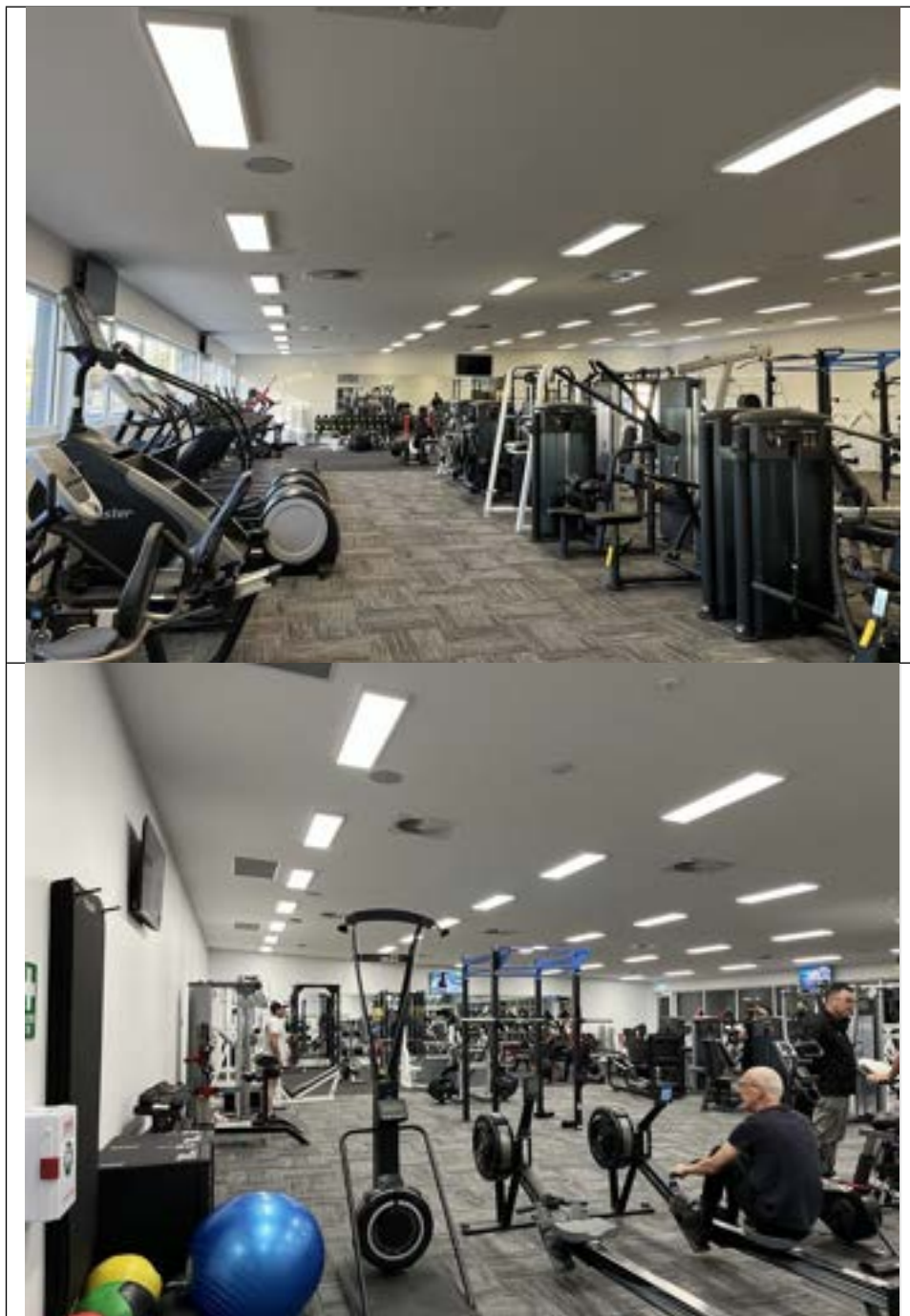
At present, landscaping efforts are in progress, playing a vital role in guaranteeing the safe functioning of the skate park. These tasks will be completed before the facilities are made available for public use.



Swan Hill Leisure Centre – Dry Fitness Room

This initiative was launched with the aim of expanding the current facility by adding a fitness area, thereby boosting its visitor capacity, programming capabilities, and enabling concurrent service offerings.

The project was completed and was officially unveiled to the public on 7th September 2023. It's worth mentioning that the project incurred a budget overrun of approximately \$29,000, constituting roughly 3% of the total allocated budget. The deficit was supplemented by the Council rates.



Activation of Lighting and Digital content in Pioneer Settlement

This project entails the design and installation of a state-of-the-art digital production material and infrastructure for the Sound and Light Show at the Pioneer Settlement.

The scope encompasses the creation of fresh content focused on local Aboriginal cultural heritage, early settlement experiences, and the augmentation of the existing water laser show. Additionally, it involves the integration of additional cutting-edge sound and light activities across the Pioneer Settlement, leveraging the latest in artistic entertainment technology.

The development of this project is poised to elevate the region's stature as one of the premier heritage attractions in Australia. It's worth noting that this project secured a Heritage Exemption from Heritage Victoria. Notably, the project was not only completed within budget but also met the satisfaction of key stakeholders and the public.



Swan Hill Riverside Park Irrigation and Pump Shed Upgrade

The Riverside Park Irrigation project was carried out to enhance water efficiency by implementing advanced technologies such as remote-controlled, timed, and moisture-sensing systems. Additionally, for safety considerations, it aimed to replace an existing pump facility.

The project successfully accomplished these goals by introducing new irrigation mains, a state-of-the-art concrete pump, a pump-shed, a dedicated suction line from channel number 10, and an upgraded electrical system. The project commenced in July 2021 and was implemented in four stages.

The project was intricate, primarily due to stringent deadlines aligning with irrigation seasons, compliance with GMW licensing and CHMP requirements, agreements with Powercor, and challenging ground conditions owing to existing underground infrastructure, electrical cables, former sprinkler systems, flooding, trees, boring, trenching, subsidence, clay soil type, IT connectivity issues, and multiple shifts in contractor staffing.

The completed project has now been transitioned to the Council's operations team, equipped with an automated controller and a modernized irrigation system.



Robinvale John James Lighting

The purpose of this project was to install four new lighting systems at John James Oval, enabling it to host nighttime AFL training sessions and local-level competitions in accordance with Australian standards.

All tasks outlined in the contract have been successfully executed, except for removing five non-compliant light poles. This responsibility falls to the club members, who will handle their removal.



Nyah West Revitalisation Toilet Block

The main objective of this project was to build a new toilet block for the community while demolishing the old one. The new facilities are now open to the public, and the old block has been successfully removed.



Financial Implications

Nil.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

Nil.

Attachments: 1. MPP Quarterly Report For Quarter Ending 30 September 2023 [3.1.1 - 1 page]

Recommendation/s

That Council receive and note the report.

CM 2023/125 Motion

MOVED Cr Jeffery

That Council receive and note the report.

SECONDED Cr Young

The Motion was put and CARRIED 6 / 0

Major Projects Progress Update – Mar 2023

Major Projects Plan (MPP) - Quarterly Report - September 2023				
Location	Project Title	Overall Project Status	Work completed %	Forecasted completion date*
Swan Hill	SH Town Hall Exterior Refurbishment		95%	Nov-23
Robinvale	Robinvale Leisure Centre Expansion	Behind schedule	95%	Nov-23
Robinvale	Robinvale Skate Park		100%	Dec-23
Robinvale	Robinvale Playground	Behind schedule	25%	Jun-24
Swan Hill	Boardwalk and Viewing Platform- Monash Drive		65%	Nov-23
Swan Hill	Swan Hill LC-Dry Fitness room	Over budget	100%	Completed
Lake Boga	LRCIP3 - Lake Boga Southern Entrance Beautification Project		25%	Feb-24
Swan Hill	Butterworth St- Road & Drainage upgrade		30%	Jun-24
Swan Hill	Landfill Waste Cell Construction		20%	Jun-24
Swan Hill	Activation of Lighting and Digital Content in Pioneer Settlement		100%	Completed
Swan Hill	LRCIP2 - Riverside Park Irrigation & Pump Shed Upgrade		100%	Completed
Robinvale	John James Lighting		100%	Completed
Swan Hill	SH Art Gallery Redevelopment - Design & Construction		25%	Apr-25
Swan Hill	SH Tourism and Cultural Hub @ P/S - Design & Construction		20%	Jun-25
Nyah West	Nyah West Footpath		85%	Oct-23
Robinvale	Robinvale Leisure Centre Splash Park		70%	Nov-23
Nyah West	Nyah West Revitalisation - Toilet Block		100%	Completed
Nyah West	Revitalising Nyah West Shopping Precinct		10%	Mar-24
Lake Boga	Fish Point Road Reconstruction		50%	Nov-23
Lake Boga	Tresco West Road Reconstruction		80%	Nov-23
Internal	Element Time		100%	Completed

*Subject to weather conditions and any other unforeseen delays

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 matter 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
1151	Section 173 Agreement – 2019-41 Condition 13a, Hattah – Robinvale Tol Tol – to install a pump station.	Between Swan Hill Rural City Council and and C.M.V. Farms Pty Ltd and D.P.Walsh.	21/11/23
1152	Labour Hire Services Contract 23372401	Between Swan Hill Rural City Council and Altus Employment Services.	21/11/23
1153	Section 173 Agreement – 100 Rutherford Street, Swan Hill	Between Swan Hill Rural City Council and S.A.McLean	12/12/23

Note: A Section 173 Agreement is a 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.

CM 2023/126 Motion

MOVED Cr Jeffery

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

SECONDED Cr Moar

The Motion was put and CARRIED 6 / 0

4.2 Councillor Assemblies - Record of Attendance and Agenda Items

Directorate: Chief Executive Officer
File Number: S15-05-06
Purpose: For Noting

Declarations of Interest:

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

Summary

The following report provides attendance details of Councillor Assemblies on a monthly basis.

Discussion

Whilst Minutes have not been recorded, Agenda items and those in attendance are reported and presented to Council.

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

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

Details of the most recent assemblies of Council are attached.

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

Current Strategic documents

No strategic documents applicable.

Key Legislation

Local Government Act 2020

Attachments: 1. COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
December [4.2.1 - 3 pages]

Options

Council Assemblies are reported to ensure good governance and transparency.

Recommendation

That Council note the contents of the report.

CM 2023/127 Motion

MOVED Cr McKay

That Council note the contents of the report.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

28 November 2023 at 12.00pm, Swan Hill Town Hall – Council Chambers

AGENDA ITEMS

- Community Groups
- 10 Year Mayor Projects Plan
- Councillor/Director question time

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Jacquie Kelly
- Cr Nicole McKay
- Cr Ann Young
- Cr Les McPhee
- Cr Bill Moar
- Cr Chris Jeffery

Apologies

- Cr Stuart King

Leave of Absence

- Nil

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Leah Johnston, Director Infrastructure
- Bhan Pratap, Director Corporate Services
- Natalie Thompson, Executive Support
- Sharon Lindsay, Executive Assistant
- Sam Steel, Development Officer Community
- Dione Heppell, Liveability and Project Development Coordinator
- Ash Free, Finance Manager
- Kerry Thomson, Financial Accountant

Other

- Nil

CONFLICT OF INTEREST

- Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

5 December 2023 at 1.00pm, Swan Hill Town Hall – Council Chambers

AGENDA ITEMS

- Presentation on Art Gallery Redevelopment
- Leisure Centre
- Rates Surplus
- Robinvale Childcare Shortage
- 10 Year Major Projects Plan
- Councillor/Director question time

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Jacquie Kelly
- Cr Nicole McKay
- Cr Chris Jeffery
- Cr Ann Young

Apologies

- Cr Stuart King
- Cr Les McPhee
- Cr Bill Moar

Leave of Absence

- Nil

OFFICERS

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community and Cultural Services
- Leah Johnston, Director Infrastructure
- Heather Green, Director Development and Planning
- Bhan Pratap, Director Corporate Services
- Jay Jeyakanthan, Manager Project Management Office
- Brian White, Principal Project Manager
- Ian Tully, Art Gallery Manger
- Ash Free, Finance Manager
- Kerry Thomson, Financial Accountant
- Jan McEwan, Family Youth & Children's Services Manager
- Robyn Burns, Maternal & Child Health Team Leader

Other

- Rachael Williams, consultant Local Logic Place
- Tim Free, Belgravia

CONFLICT OF INTEREST

- Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

12 December 2023 at 12.00pm, Swan Hill Town Hall – Council Chambers

AGENDA ITEMS

- Major Projects ideas
- Small towns
- Swan Hill Drag Strip
- Strategic Planning Work Program
- Sale of Herbert Street
- Chapman Street pedestrian access
- Grant Funded Waste Projects update
- Council Plan

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Jacquie Kelly
- Cr Ann Young
- Cr Stuart King
- Cr Bill Moar
- Cr Nicole McKay

Apologies

- Cr Les McPhee
- Cr Chris Jeffery

Leave of Absence

- Nil

OFFICERS

- Bruce Myers, Director Community and Cultural Services
- Leah Johnston, Director Infrastructure
- Heather Green, Director Development and Planning
- Ash Free, Finance Manager
- Dennis Hovenden, Economic and Development Manager
- Kate Jewell, Development Manager
- Jess Chislett, Procurement and Properties Coordinator
- Helen Morris, Organisational Development Manager
- Lina Cornish, Governance and Compliance Officer
- Peter Ross, Engineering and Strategic Projects Manager
- Ron Gibbs, Strategic Waste Coordinator

Other

- Nil

CONFLICT OF INTEREST

- Nil

5 Notices of Motion

5.1 Swan Hill Intersections: Murlong and McCallum Street; Gray Street and Campbell Street

Having given due notice, **Councillor Chris Jeffery MOVED**

That Council

1. Write to the Hon. Melissa Horne MP, Victorian Minister for Roads and Road Safety, Minister for Local Government:

- a. Expressing our frustration with the lack of commitment by Department of Transport and Planning (and former entities Regional Roads Victoria/VicRoads) to address ongoing safety concerns for these intersections.
- b. Request that budget be allocated in the 2024/2025 financial year for full project design and commitment to upgrading the intersections of:
 - i. Murlong Street and McCallum Street, Swan Hill
 - ii. Gray Street and Campbell Streets, Swan Hill
- c. That the Hon Melissa Horne MP, and Departmental representatives attend each site during a school term school drop off/pickup times, to see first-hand the difficulties and frequent near misses that occur at these intersections, with Council and key representatives from community.
- d.

2. Respond to the Hon. Melissa Horne MP letter dated 31 January 2023 expressing our disappointment that the commitments referenced in her letter have not eventuated.

- a. A meeting did occur between Council and Department of Transport officers on 22 February 2023.
 - i. The Department of Transport and Planning had no immediate plans for any upgrades to these intersections.
 - ii. It was said that no fatalities or serious accidents have occurred making them a low priority.
 - iii. Council was reassured that it would be involved in any planning for works but, with no real commitment to any time frames of when this might occur.
- b. No identified improvements to driver awareness at either intersection have occurred or been discussed with council staff.
 - i. In March 2023 contractors for Department of Transport and Planning undertook resealing and line marking works on McCallum Street to the immediate west and east of the intersection. This bitumen and line marking work excluded the intersection itself.

3. That all correspondence be copied to;

- a. The Hon. Catherine King MP, Federal Minister for Infrastructure, Transport, Regional Development and Local Government
- b. The Hon. Kristy McBain MP, Federal Minister for Regional Development, Local Government and Territories)
- c. The Hon. Peter Walsh MP, VIC Member for Murray Plains
- d. Paul Younis Secretary of Department of Transport and Planning and Anthony Judd Executive Director Loddon Mallee and Hume, Department of Transport and Planning.

4. Council requests through Hon. Melissa Horne MP that statistics and data on vehicle accidents, near misses and traffic counts at these intersections since 2013 be provided to Council.

- a. Failing this that Council submit a Freedom of Information Request to Department of Transport and Planning and Traffic Accident Commission for statistics and data on vehicle accidents, near misses and traffic counts since 2013.
- b.

5. That Council, at the CEO's determination, undertake a campaign using our Let's Talk platform:

- a. As a community petition for upgrading these intersections
- b. Ability to capture and record community members:
 - i. Past and new near-misses (vehicles vs vehicles, vehicles vs pedestrians, vehicles vs bicycles)
 - ii. Accidents information and costs on community involved in accidents at these intersections eg. vehicles written off, insurance excess, personal injury, medical expenses
 - iii.

6. That Council write to all schools, bus and taxi operators seeking their written support for intersection upgrades and the promotion of the Let's Talk campaign.***Preamble***

Data has always been a weapon in the arsenal of decision-makers, but it should never impair those decision-makers.

It is not acceptable that these intersections require multiple serious injuries and deaths within a small window of time so the data stacks up for the Department of Transport and Planning (DTP) to consider upgrades.

These intersections are avoided by a high portion of residents to prevent the likelihood of an accident.

Since 2016 Swan Hill Rural City Council has regularly advocated during meetings, Notices of Motion and letters to the relevant state bodies and members of parliament, to upgrade the intersections of Gray Street and Campbell Streets, Swan Hill and Murlong Street and McCallum Street, Swan Hill, with no progress being shown by any of the relevant state bodies. See *Appendix 1 – Intersection Background Information*.

Both of these intersections are major arterial roads under the control of Department of Transport and Planning (DTP) and Council cannot seal, line mark or upgrade these intersections without the DTP permission.

Both of these intersections have outgrown their original design and require upgrading to ensure the safe travel of all passenger and freight vehicles. These are the two main arterial routes through Swan Hill.

We request that Minister Horne review these intersections and direct the Department of Transport and Planning to allocate funding and prioritise their upgrade.

Murlong Street and McCallum Street Intersection

This intersection is primed and ready for a Roundabout or other road safety initiative to manage traffic and pedestrians. With the removal of the No. 9 Channel in 2018, Council relocating the footpath further north of the intersection, the area available is sufficient for a roundabout comparable to roundabouts at Murlong and High Street.



Murlong and McCallum 2015



Murlong and McCallum 2020



Murlong and McCallum prior to March 2023

McCallum Street – Comparison of land size for Murlong St intersection with existing roundabouts at Stradbroke and High Street.



Murlong & McCallum Scale 1000

Stradbroke & McCallum Scale 1000

High & McCallum Scale 1000

Pedestrian and bike access across McCallum Street is only supported by one formal crossing on the eastern side of the intersection.

McCallum Street runs east to west and has the main right of way. Traffic heading west travel a long sweeping bend leading up to the Murlong Street intersection. This sweeping bend provides a blind spot for vehicles travelling North along Murlong Street as the bend requires a head check east for vehicles travelling and often hidden behind parked cars on the south side of McCallum Street.

McCallum Street allows a right turn north into Murlong Street and a left turn south into Murlong Street. If two vehicles were to take each respective turn, once each vehicle enters the turning lane, their last turning arrow is 15 ½ meters from the position they can actually turn from. They then have a 23 meter corridor of intersection to turn from that directly conflicts with the other turning vehicle, as neither has a safe turning lane. Where this scenario occurs, one of the vehicles has to turn in-front of the other turning vehicle, blind to oncoming traffic.

Vehicles travelling south on Murlong turning left onto McCallum to head east, are often blocked from a safe view by vehicles travelling south on Murlong Street to either head straight or turn left. Often the left turning vehicle waits back a car length to see oncoming east bound cars or creeps forward over the intersection line markings. School buses travelling south along Murlong Street restrict any view vehicles turning left have.

Vehicles travelling north on Murlong to heading straight or turning left, when a vehicle in the right turning lane next to them, cannot safely see vehicles travelling west on McCallum Street due to the long sweeping bend being blocked by the left turning vehicle.



Google Maps street view facing west June 2023 showing extent of intersection excluded from resheeting and line marking by Department of Transport in March 2023.



Google Maps street view facing west June 2023 showing extent of intersection excluded from resheeting and line marking by Department of Transport in March 2023.



Google Maps street view facing south June 2023 showing extent of intersection excluded from resheeting and line marking by Department of Transport and Planning in March 2023



Google Maps street view facing east June 2023.



Google Maps street view facing north June 2023.



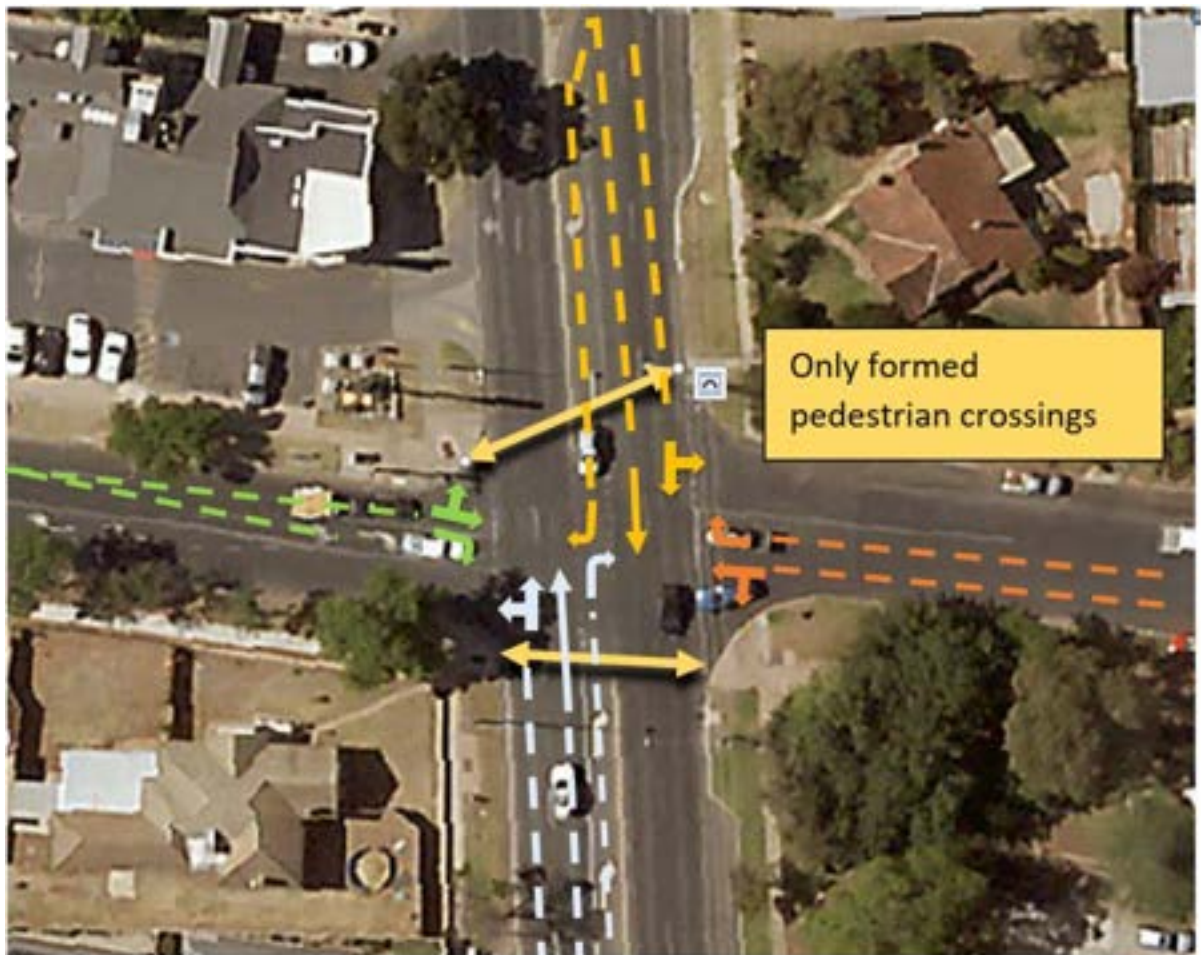
Indication of vehicle and pedestrian crossing

Gray Street and Campbell Street Intersection

Previous advice to Council from Department of Transport and Planning was that this intersection cannot accommodate a roundabout and that traffic lights would be tricky to establish here. This highlights the need for intervention.

Pedestrians crossing across Campbell Street have two legally formed crossings. Both provide dangerous passage requiring pedestrians, parents and prams, bikes and school kids to stand in the turning lane until traffic allows safe passage.

This intersection is particularly difficult for vehicles travelling east or west on Gray Street exiting in any direction on to or across Campbell Street. These vehicles have to assess six lanes of traffic, three from north and three from the south.



North pedestrian crossing facing north.



South crossing facing south



Gray Street facing east



Gray Street facing west

Extract of The Guardian Swan Hill newspaper articles on intersection crashes courtesy of Peter Bannan, Head of News

October 18 2019 – Campbell and Gray Street – Fail to Give Way



A TWO-VEHICLE accident at a notorious Swan Hill intersection left a woman in hospital yesterday afternoon.

The incident happened at the corner of Campbell and Gray streets about 3.30pm.

Swan Hill highway patrol Leading Senior Constable Kevin Byrne told The Guardian the offending vehicle failed to give way at a stop sign.

“A vehicle (Holden Commodore) travelling east on Gray Street has attempted to turn onto Campbell Street,” Lead-Snr-Const Byrne said.

“They’ve stopped at the stop sign and failed to see the vehicle (Ford Laser) travelling northbound on Campbell Street.

“She’s come to a stop but then failed to give way.”

He said the driver of the offending vehicle was a 40-year-old Swan Hill woman.

The driver of the other vehicle was an 85-year-old man from Sea Lake.

Lead-Snr-Const Byrne said the elderly man was uninjured, but his wife was taken to Swan Hill District Health for observation with chest soreness.

"This is the reason why we wear seat belts, it saved the lady from more serious injuries," he said.

Lead-Snr-Const Byrne said the offending driver was likely to receive a penalty notice for failing to give way.

"A reminder to all other drivers that there's two parts to a stop sign," he said. "After stopping at the stop sign you must give way to all vehicles travelling on the intersecting carriageways."

2020 February 17 - Murlong and McCallum Streets - Child injured in collision



A CRASH at a notorious Swan Hill intersection has left a child with upper body injuries, while a woman in her 40s was treated for minor injuries.

Emergency services were called to the intersection of Murlong and McCallum streets in response to a two-car collision on Friday morning.

A spokesperson for Ambulance Victoria told The Guardian paramedics received the call around 8.15am.

"Two people were taken to Swan Hill District Hospital in a stable condition," the spokesperson said.

"A woman in her 40s was treated for minor injuries and a primary school aged child was treated for upper body injuries."

Speaking at the scene, First Constable Jessica Wells said the driver of the offending car, a red Subaru Outback had collided with a white Toyota Kruger after failing to give way.

"The red car, the Subaru, was coming down Murlong Street, she (the driver) has failed to give way to oncoming traffic," First-Const Wells said.

"She thought she had more room than she did and has pulled out and the other lady has collided with her."

Snr-Const Wells said the Subaru had one occupant at the time of the incident — the driver — while the Toyota contained a mother and her two children.

Both drivers were from Swan Hill.

While all occupants escaped major injury, First-Const Wells said it was a reminder to drivers to take care on the roads.

"Especially at this intersection too, because it is quite difficult to see around the bend," First-Const Wells said.

"Just be more mindful, definitely slow down and make sure you give way.

"Take care during busy peak times like school times and work times."

First-Const Wells said the offending driver would receive a ticket.

SHDH confirmed both patients had been discharged by Friday afternoon.

2020 September 10 – Letter to the Editor – Neville Hoare

Crash risk growing

I AM writing to express my concern about the McCallum and Murlong streets intersection.

On Tuesday, August 16, while travelling south on Murlong Street, intending make a left-hand turn at the intersection, I was horrified to have a pedestrian cross straight out in front of me, without considering either inbound nor outbound traffic on the very busy Murlong Street.

This is a notoriously busy intersection, particularly around school times and I have seen many near misses here where people try to negotiate the traffic.

Any works that provide more facilities for our town and encourage the community to be active are of course beneficial, my concern sits with the safety of users of the path and the road users in the area.

Queuing of traffic can be observed at peak times in both directions of Murlong Street. This is exacerbated when buses or other heavy vehicles are stopped at the front of traffic, eliminating the ability for any flow of vehicles to proceed in a left hand turn.

I feel strongly that the dangers posed by the much-improved walking track, without any upgrade to the intersection, should have been given much more consideration.

With the decommissioning of the channel, there was room available to widen the road, introduce a roundabout or at the very minimum, widen the intersection on Murlong Street to allow for the free moving of traffic into the left-hand slip lanes.

With clogged-up traffic sitting stationary on the north side of Murlong Street, and the walking track being more frequently used then it was before the upgrade, this raises even further safety issues where pedestrians take the opportunity to duck through the traffic who are giving way.

Concurrently, the road users are focusing on the oncoming traffic around them to wait for a break in the oncoming vehicles to either cross over the intersection or make a turn.

This already bottle-necked intersection has simply had more users introduced to it, with no alleviation of any of the existing problems and has never been more dangerous.

Our town continues to grow and this piece of road desperately needs upgrading to improve the flow of traffic and the ability to cross or turn safely.

I am very concerned that it is simply a matter of time, now more than ever before, that someone is badly injured or worse at this intersection.

Neville Hoare,
Swan Hill

- Attachments:**
1. Appendix 1 Intersection Background Information [5.1.1 - 1 page]
 2. Appendix 2 - The Hon Melissa Horne_-_ Signed 31 January 2023 [5.1.2 - 1 page]

CM 2023/128 Motion

MOVED Cr Jeffery

Having given due notice, **Councillor Chris Jeffery MOVED**

That Council

1. Write to the Hon. Melissa Horne MP, Victorian Minister for Roads and Road Safety, Minister for Local Government:

- a. Expressing our frustration with the lack of commitment by Department of Transport and Planning (and former entities Regional Roads Victoria/VicRoads) to address ongoing safety concerns for these intersections.
- b. Request that budget be allocated in the 2024/2025 financial year for full project design and commitment to upgrading the intersections of:
 - i. Murlong Street and McCallum Street, Swan Hill
 - ii. Gray Street and Campbell Streets, Swan Hill
- c. That the Hon Melissa Horne MP, and Departmental representatives attend each site during a school term school drop off/pickup times, to see first-hand the difficulties and frequent near misses that occur at these intersections, with Council and key representatives from community.

d.

2. Respond to the Hon. Melissa Horne MP letter dated 31 January 2023 expressing our disappointment that the commitments referenced in her letter have not eventuated.

- a. A meeting did occur between Council and Department of Transport officers on 22 February 2023.
 - i. The Department of Transport and Planning had no immediate plans for any upgrades to these intersections.
 - ii. It was said that no fatalities or serious accidents have occurred making them a low priority.
 - iii. Council was reassured that it would be involved in any planning for works but, with no real commitment to any time frames of when this might occur.
- b. No identified improvements to driver awareness at either intersection have occurred or been discussed with council staff.
 - i. In March 2023 contractors for Department of Transport and Planning undertook resealing and line marking works on McCallum Street to the immediate west and east of the intersection. This bitumen and line marking work excluded the intersection itself.

3. That all correspondence be copied to;

- e. The Hon. Catherine King MP, Federal Minister for Infrastructure, Transport, Regional Development and Local Government
- f. The Hon. Kristy McBain MP, Federal Minister for Regional Development, Local Government and Territories)
- g. The Hon. Peter Walsh MP, VIC Member for Murray Plains
- h. Paul Younis Secretary of Department of Transport and Planning and Anthony Judd Executive Director Loddon Mallee and Hume, Department of Transport and Planning.

4. Council requests through Hon. Melissa Horne MP that statistics and data on vehicle accidents, near misses and traffic counts at these intersections since 2013 be provided to Council.

- a. Failing this that Council submit a Freedom of Information Request to Department of Transport and Planning and Traffic Accident Commission for statistics and data on vehicle accidents, near misses and traffic counts since 2013.
- b.

5. That Council, at the CEO's determination, undertake a campaign using our Let's Talk platform:

- a. As a community petition for upgrading these intersections
- b. Ability to capture and record community members:
 - i. Past and new near-misses (vehicles vs vehicles, vehicles vs pedestrians, vehicles vs bicycles)
 - ii. Accidents information and costs on community involved in accidents at these intersections eg. vehicles written off, insurance excess, personal injury, medical expenses
 - iii.

6. That Council write to all schools, bus and taxi operators seeking their written support for intersection upgrades and the promotion of the Let's Talk campaign.**SECONDED Cr McKay****The Motion was put and CARRIED 5 / 1**

Cr Chris Jeffery Information

Request...

Intersections: Gray St and Campbell St, Murlong and McCallum St

Current information

Gray St and Campbell Street

- The intersection of Gray St and Campbell Street is an arterial road under the control of Department of transport (DOT) was Regional Roads Victoria / VicRoads.
- Any works at this location would be subject to the intersection qualifying for Blackspot or other funding. Currently it would not due to the number of accidents over the last 5 years not meeting the minimum criteria.
- Department of transport (DOT) have completed an analysis of the intersection with no further works.

Murlong Street and McCallum Street

- The intersection of Murlong Street and McCallum Street is also an arterial road under the control of Department of transport (DOT) was Regional Roads Victoria / VicRoads.
- Council applied for funding under the Blackspot funding program 2015/2016 however Council was unsuccessful, the location has not meet the funding criteria since then.

Background information

[26 February 2016](#) Meeting Mal Kersting (VicRoads) / Rosanne Kava (acting Director Infrastructure)

[1 November 2017](#) Traffic Data – Gray Street / McCallum Street

19 May 2019 Request came in from a member of the community “Alison Bennett | Coffee with a Councillor Feedback Murlong street intersection - dangerous, there's now room to do something - council needs to push VicRoads to make a change” Councillor submitting form: Lea Johnson.

[18 July 2019](#) Response to community member.

[21 May 2019](#) Notice of Motion for Cr Chris Jeffery

[23 May 2019](#) Letter sent to Brian Westley (VicRoads)

[29 May 2019](#) Copy of Brian Westley letter sent to The Hon. Peter Walsh, The Hon. Jaala Pulford and The Hon. Gordon Rich-Phillips

[21 October 2019](#) Councillor Assembly AGENDA / meeting with VicRoads

[01 June 2021](#) Murray Valley Highway Corridor Strategic Plan (Echuca to Robinvale)

[16 June 2022](#) Municipal Meeting with Mel Hotton

[15 November 2022](#) Notice of Motion Cr McKay and letter to Minister Horne

[31 January 2023](#) Response from The Hon Minister Horne

22 February 2023 Meeting with Mel Hotton

There have been many meetings during this time along with our regular meetings scheduled in bi-yearly, unfortunately not all these meetings have specifically documented discussions about these intersections.



Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation
Minister for Local Government
Minister for Ports and Freight
Minister for Roads and Road Safety

1 Spring Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 8020

Ref: CMIN-1-22-16278

Cr Les McPhee
Mayor
Swan Hill Rural City Council
councillors-l@swanhill.vic.gov.au

Dear Mayor

Thank you for your letter of 19 December 2022 about Council's request to upgrade intersections in Swan Hill, namely at Murlong Street and McCallum Street, and at Gray Street and Campbell Street.

The Department of Transport and Planning (DTP) is aware of the community's concerns regarding these intersections. While major upgrades are unlikely to be funded under current road safety programs, DTP and the Swan Hill Rural City Council will explore possible joint strategic prioritisations and related funding opportunities. The next discussions are expected to be completed by the end of February 2023.

DTP has also undertaken a review of these intersections. This review has identified improvements that will improve driver awareness of the Murlong Street and McCallum Street intersection. These works will be further discussed with council staff prior to installation.

Thank you again for writing to me on Council's behalf.

Yours sincerely

Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation
Minister for Local Government
Minister for Ports and Freight
Minister for Roads and Road Safety

31/1/2



5.2 Advocacy to improve safety in the approach to the Nyah Bridge

Having given due notice, **Councillor Nicole McKay MOVED**

That Council write to the Cross Border Commissioner, the Department of Transport and Planning, Victoria, and Transport for NSW, and the respective Ministers, to strongly encourage dialogue consideration of safety and various management improvements around the Nyah Bridge.

Preamble

The issue of the most urgent priority is:

- The speed limit on the approach to the Nyah Bridge from both the NSW and Victorian sides is 100 km per hour. The bridge is sited on an angle and vision of the approaching traffic is very limited. There has already been one fatality from a vehicle accident on the approach to the bridge, and it is of grave concern to the community that further injuries may occur, who wish for advocacy to reduce speed limits on the approach to the bridge.

Also practical matters with impacts for industry and safety are:

- That the weight rating of the bridge be reviewed, with the possibility of increasing the current weight limit if appropriate.
- The approach to the bridge from both sides is elevated and narrow, and there is a need for a widened section to enable vehicles to turn around, and/or park if necessary.
- The height restriction of the bridge is poorly signposted at the highway so a signage review is required.
- An overall road safety audit is undertaken for the bridge.

Attachments: Nil

CM 2023/129 Motion

MOVED Cr McKay

Having given due notice, **Councillor Nicole McKay MOVED**

That Council write to the Cross Border Commissioner, the Department of Transport and Planning, Victoria, and Transport for NSW, and the respective Ministers, to strongly encourage dialogue consideration of safety and various management improvements around the Nyah Bridge.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

The Notice of Motions from Cr Kelly "5.3 Environment/Sustainability/Climate Committee" and " 5.4 Information for prospective residents of houses in the farming zone" LAPSED due to Cr Kelly being an apology due to illness. The Mayor, Cr King noted that these could be resubmitted to future Council meeting.

5.3 Environment/Sustainability/Climate Committee

Having given due notice, **Councillor Jacquie Kelly MOVED**

That Council officers investigate the establishment of an internal Environment/Sustainability/Climate Committee. The investigation should:

- **review committees in other similar sized Councils**
- **consider a terms of reference and expected benefits**
- **outline resourcing requirements**

and report to an assembly in first quarter 2024

Council Plan Strategy Addressed

1. Liveability 1.2 Careful and responsible management of our environment for a sustainable future.
2. Prosperity 2.3 Assets for our current and future needs
3. Harmony 3.2.1 An engaged and respected Aboriginal community
4. Leadership 4.1.1 Well managed resources for a sustainable future.

Priority Areas for Councils 2021-2025 Municipal Public Health and Wellbeing Plan. 3. Reducing the impact of climate change on health and wellbeing.

Preamble

The proposed committee would be made up of relevant officers and up to two Councillors and would meet to discuss and make recommendations in relation the plethora of current and emerging issues to do with environment, sustainability and climate. Including climate adaptation and mitigation, emissions, electrification, heat, tree canopy, waste, pests, building retrofitting, carbon storage, regenerative farming, extreme weather, resilient energy, renewables.

In addition the upcoming work of:

- the need to review and update/replace the Sustainable Living Strategy 2017-27.
- developing strategies and policies needed in this space
- dealing with other authorities (eg CMAs, Water authorities) on NRM, catchment, water quality and supply.
- developing submissions on upcoming Renewable and Mining EES's.
- dealing with funding and grants from Federal and State Governments for environment projects.

- advising on advocacy needs and opportunities.
- supporting Caring for Country by Traditional Owners and indigenous citizens.

Attachments: Nil

Motion

MOVED {mover}

Having given due notice, **Councillor Jacquie Kelly MOVED**

That Council officers investigate the establishment of an internal Environment/Sustainability/Climate Committee. The investigation should:

- review committees in other similar sized Councils
- consider a terms of reference and expected benefits
- outline resourcing requirements

and report to an assembly in first quarter 2024

SECONDED {seconder}

The Motion was put and {carried-or-lost-uppercase} {votes-count}

5.4 Information for prospective residents of houses in the farming zone

Having given due notice, **Councillor Jacquie Kelly MOVED**

That a report come to a Council assembly in the first quarter of 2024 on a media program to give information to prospective residents and buyers of houses in the farming zone. To enable people to have up-front, an understanding of the impacts on residences that are next to farms. Dust, noise, light, chemical drift etc.

Preamble

As Council sees the creation of more houses excised from farmland, there is an acknowledged need to give prospective residents (renters or buyers) information that can assist them to make decisions. This can prevent people being surprised and having to complain when they move in and then find the conditions unsatisfactory. Council has a responsibility in this respect if it continues to allow house lot excisions in rural areas. Help may be sought to prepare this information from Tenants Victoria or relevant State departments. The report will include options for effective methods of distribution for this information.

Attachments: Nil

Motion

MOVED {mover}

Having given due notice, **Councillor Jacquie Kelly MOVED**

That a report come to a Council assembly in the first quarter of 2024 on a media program to give information to prospective residents and buyers of houses in the farming zone. To enable people to have up-front, an understanding of the impacts on residences that are next to farms. Dust, noise, light, chemical drift etc.

SECONDED {second}

The Motion was put and {carried-or-lost-uppercase} {votes-count}

6 Foreshadowed Items

Nil.

7 Urgent Items Not Included In Agenda

Nil.

8 To Consider and Order on Councillor Reports

8.1 Cr Jacquie Kelly

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
23/11/23	Friends of Pioneer Settlement meeting	
24/11/23	Brew and Chew music festival, Riverside Park Swan Hill	
25/11/23	Walk Against Family and Domestic Violence	11am
26/11/23	Borders Art project, Speewa Hall	
27/11/23	ACOSS Community discussion on Climate Change	Neighbourhood House Swan Hill
27/11/23	meet with Amy Atkinson and others from DEECA, re local Env issues	with Env Officer, Nick Mudge
28/11/23	Council Assembly 10am	
30/11/23	Central Victorian Greenhouse Alliance AGM	Ballarat
7/12/23	Mental Island Levy committee- NCCMA	
7/12/23	CVGA Info Session on Community Battery project - Zoom	
8/12/23	meet with VHM, re- EES submission period	
8/12/23	MAV Renewable Energy Zone briefing Webinar	
8/12/23	Swan Hill Regional Art Gallery opening of exhibition, "Here We Are"	
14/12/23	Council Christmas Party- luncheon at the Hub.	
14/12/23	Harmony Day committee	Riverside Park

8.2 Cr Ann Young

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
29/11/23	Good Kitchen	Attended Testimonial Dinner for Goodie
4/12/23	Nyah Action Group	Meeting
11/12/23	Robinvale Euston Workforce Cross Border Workforce Summit	Working Group
14/12/23	SHRC Christmas Party staff and council	SRCC

8.3 Cr Nicole McKay

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
December 2023	Art Gallery opening of the final exhibition	

8.4 Cr Les McPhee

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
1/12/2023	Swan Hill Bridge Committee	Media opportunity with Councillors from Murray River Council
7/12/2023	MRGC	Changeover meeting

8.5 Cr Chris Jeffery

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
15/12/2023	CUC Mallee	Official opening

8.6 Cr Bill Moar

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
30/11/2023	CVGA – AGM/Board Meeting	La Mangia
07/12/23	Pental Island Levee Committee	
08/12/23	Zoom meeting Vic Grid (DEECA)	
12/12/23	Saleyards Committee meeting	
13/12/23	Coffee with a Councillor	
14/12/23	CVGA – NBI (Community Battery)	
14/12/23	Christmas Party (staff)	

8.7 Cr Stuart King

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
13/12/23	VHM	Meeting to discuss EES
13/12/23	Coffee with a Councillor	
14/12/23	Swan Hill Library	Volunteers Morning Tea & Awards
14/12/23	SHRCC	Staff Christmas Party
14/12/23	Swan Hill College	Presentation Night

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:

CM 2023/142 MOTION

MOVED Cr Moar

That Council, resolve to close the meeting at 4:23 pm to members of the public to consider the following items.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

Council adjourned the meeting for a 10 minute break at 4.23pm. Council resumed the meeting at 4.34pm.

9.1 Swan Hill Drag Strip - Consideration of Swan Hill Drag Club Proposal

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.

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (e) of the Local Government Act 2020, on the grounds that the item concerns legal privileged information, being information to which legal professional privilege or client legal privilege applies.

CM 2023/133 Motion

MOVED Cr Jeffery

That an extension of time be granted at 4.57pm.

SECONDED Cr McKay

The Motion was put and CARRIED 6 / 0

CM 2023/134 Motion**MOVED Cr Jeffery****That an extension of time be granted at 5.27pm.****SECONDED Cr Moar****The Motion was put and CARRIED 6 / 0****CM 2023/135 Motion****MOVED Cr McPhee****That Council:**

- 1. Having considered all the information to not proceed with the proposal put forward by the Swan Hill Drag Club, resolve to:**
 - a. Close the facility on a permanent basis,
 - b. Waive any outstanding debts to Council
 - c. Request that the club remove its assets within 12 months or earlier.
- 2. Request the Mayor and the Chief Executive Officer meet with the Swan Hill Drag Club Executive to inform them of Council's decision.**

SECONDED Cr Jeffery**With the vote being tied the Mayor Cr King exercised the casting vote, voting against the Motion.****The Motion was put and LOST 3 / 3****Cr Jeffery called for a division**

For: Cr McPhee, Cr Young and Cr Jeffery
Against: Cr King, Cr McKay and Cr Moar

CM 2023/136 Motion**MOVED Cr McKay****That Council:**

- 1. Council having considered all the information including the proposal put forward by the Swan Hill Drag Club, resolve to:**
 - a. Not proceed with the processes required to gift the land to the Swan Hill Drag Club
 - b. Close the drag strip facility on a permanent basis;
 - c. Waive any outstanding debt to Council.
 - d. Undertake future strategic planning process for the Motorplex complex.
- 2. Request the Mayor and the Chief Executive Officer meet with the Swan**

Hill Drag Club Executive to inform them of Council's decision.

SECONDED Cr Moar

The Motion was put and CARRIED 5 / 1

9.2 Sale of Herbert St Robinvale

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.

CM 2023/138 MOTION

MOVED Cr Moar

That the meeting move out of closed session at 5.43pm.

SECONDED Cr Jeffery

The Motion was put and CARRIED 6 / 0

10 Close of Meeting

The Mayor, Cr King noted that this was Ms Heather Green's - Director of Development and Planning last Council meeting and thanked her for her years of service to Swan Hill Rural City Council.

There been no further business the Mayor, Councillor Cr King closed the meeting at 5:44 pm.