



Mildura Rural City Council

AGENDA

Ordinary Meeting of Council

5:30pm Wednesday 27 May 2020

VENUE:

**Committee & Council Room
76 Deakin Ave, Mildura**

NEXT ORDINARY COUNCIL MEETING

5:30pm Wednesday 24 June 2020

Copies of Mildura Rural City Council's Agendas & Minutes
can be obtained online at www.mildura.vic.gov.au

Prayer

Almighty God,

We who are gathered together in Council,
pledge ourselves to work in harmony for
the welfare and development of our Rural City.

Guide us, we pray, in our deliberations,
help us to be fair in our judgement and
wise in our actions,
so that prosperity and happiness
shall be the lot of our people.

Amen.

Acknowledgement of Country

“I would like to acknowledge the traditional custodians of
the land on which we are meeting, and pay my respects to
Elders both past and present”.

Note to Councillors

Declaration of Interest

Councillors should note that in accordance with Section 77A of the *Local Government Act 1989*, there is an obligation to declare a conflict of interest in a matter before Council.

A conflict of interest can be a direct or indirect interest in a matter.

A person has a direct interest if:

1. There is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way;
2. There is a reasonable likelihood that the person will receive a direct benefit or loss that can be measured in financial terms if the matter is decided in a particular way;
3. There is a reasonable likelihood that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest if the person has:

1. A close association whereby a "family member" of the person has a direct or indirect interest or a "relative" has a direct interest, or a member of the person's household has a direct interest in a matter;
2. An indirect financial interest in the matter;
3. A conflicting duty;
4. Received an "applicable" gift;
5. Become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter; or
6. A residential amenity affect.

Disclosure of Interest

A Councillor must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

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SARAH PHILPOTT

CHIEF EXECUTIVE OFFICER

1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

2 OPENING AND WELCOME

3 PRESENT

4 APOLOGIES

5 CONFIRMATION OF MINUTES

Ordinary Council Meeting held on 22 April 2020

That Council confirm the minutes of the Ordinary Council Meeting of 22 April 2020 as a correct record

Confidential Council Meeting held on 22 April 2020

That Council confirm the minutes of the Confidential Council Meeting of 22 April 2020 as a correct record

Special Council Meeting held on 13 May 2020

That Council confirm the minutes of the Special Council Meeting of 13 May 2020 as a correct record

Confidential Special Council Meeting held on 13 May 2020

That Council confirm the minutes of the Confidential Special Council Meeting of 13 May 2020 as a correct record

6 CONFIRMATION OF ASSEMBLY OF COUNCILLORS

In accordance with Section 80A of *the Local Government Act 1989* (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

Recommendation

That Council note the Assembly of Councillors records for the following meetings:

- **Mildura Arts and Culture Advisory Committee Meeting – 20 February 2020**
- **COVID-19 Briefing – 17 April 2020**
- **Heritage Study Part B – 22 April 2020**
- **Budget & Airport Discussions – 22 April 2020**
- **COVID-19 Briefing – 24 April 2020**
- **COVID-19 Briefing – 1 May 2020**
- **Mildura Airport Pty Ltd Councillor Briefing – 4 May 2020**
- **2020-2021 Budget Briefing – 4 May 2020**
- **Review of 2007 Mildura CBD Plan Councillor Briefing – 6 May 2020**
- **COVID-19 Briefing – 8 May 2020**
- **2020-2021 Budget Briefing – 11 May 2020**
- **Mildura South Regional Sporting Precinct Councillor Briefing – 11 May 2020**
- **Finance Advisory Committee Meeting – 13 May 2020**
- **Council Forum – 13 May 2020**
- **ONE Basin Cooperative Research Centre Briefing – 15 May 2020**
- **COVID-19 Briefing – 15 May 2020**

RECORD OF ASSEMBLIES OF COUNCILLORS

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
Mildura Arts and Culture Advisory Committee Meeting 20 February 2020	Cr Healy Cr Modica	Mark Jenkins, Manager Community Futures Antonette Zema, Arts and Culture Development Manager Huw Greenhough, Administration Officer Arts and Culture Development	1. Arts, Culture and Heritage Strategy 2. Arts Development Grants 3. Mildura Arts Centre Operations 4. Committee Vacancies 5. Mildura Arts Centre Programming 6. Collection Digitisation 7. Cafe 8. Pop up Outdoor Cinema 9. Rio Vista 10. Mildura Arts Centre Master Plan 11. Elliott Award 12. Mildura Station Homestead 13. Arts in the Locality	Nil
COVID-19 Briefing 17 April 2020 (Via Skype)	Cr Clemence Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration Cheree Jukes, Manager Community Care Services	1. COVID-19 Update 2. Communications Plan Update 3. Community Response 4. Financial Matters / Analysis 5. General Business	Nil
Heritage Study Part B 22 April 2020 (Via Skype)	Cr Clemence Cr Poole Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Martin Hawson, General Manager Community Mark Jenkins, Manager Community Futures Peter Douglas, Strategic Planning Coordinator Bernadette George, Strategic Planner Daniel Gebert, Strategic Planner George Hibbard, Strategic Planner Sima Vaez, Strategic Planner Jacqueline Murnane, Strategic Planning Assistant	1. Councillor Update – Project Progress Report 2. Key Project Findings – List of Place Nominations for Further Assessment 3. Draft Thematic Environmental History	Nil
Budget & Airport Discussions 22 April 2020	Cr Poole (by phone) Cr Brown Cr Cirillo Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 Financial Matters 2. Budget Matters 3. Airport Financial Matters	Nil

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
COVID-19 Briefing 24 April 2020 (Via Skype)	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 National and Local Update 2. Outline of State Government Announcements 3. Community Response and Relief Update 4. Capital Works, Open Space, Facilities Update 5. Financial Matters 6. Recovery Planning 7. Communications and Advocacy 8. General Related Matters	Nil
COVID-19 Briefing 1 May 2020 (Via Skype)	Cr Clemence Cr Poole Cr Eckel Cr Brown Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 National and Local Update 2. Update on State Government Announcements 3. Community Response and Relief Update 4. Capital Works, Open Space, Facilities Update 5. Financial Hardship Update 6. Business Supports 7. Communications and Advocacy 8. Other Business – General Related Matters	Nil
Mildura Airport Pty Ltd Councillor Briefing 4 May 2020	Cr Clemence (Apology) Cr Poole Cr Brown Cr Cirillo Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Mark McMillan, Manager Financial Services Warren Henderson, Financial Services Coordinator	1. MAPL Briefing to Councillors with MAPL Chairman Peter O'Donnell and CEO Trevor Willcock	Cr Simon Clemence declared he held a Direct Conflict of Interest in relation to this matter and was therefore an apology for this meeting.
2020-2021 Budget Briefing 4 May 2020	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Milne Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Mark McMillan, Manager Financial Services Warren Henderson, Financial Services Coordinator Mandy Congress, Capital Works Program Officer	1. 2020/21 Budget Briefing to Councillors	Nil

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
Review of 2007 Mildura CBD Plan Councillor Briefing 6 May 2020	Cr Clemence Cr Poole Cr Eckel Cr Healy Cr Milne Cr Sedgmen	Sarah Philpott, Chief Executive Officer Martin Hawson, General Manager Community Mark Jenkins, Manager Community Futures Peter Douglas, Strategic Planning Coordinator Bernadette George, Strategic Planner Daniel Gebert, Strategic Planner George Hibbard, Strategic Planner Sima Vaez, Strategic Planner Jacqueline Murnane, Strategic Planning Assistant	1. CBD Plan Project Update – Final Draft Report	Nil
COVID-19 Briefing 8 May 2020 (Via Skype)	Cr Clemence Cr Poole Cr Brown Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 National and Local Update 2. Update on State Government Announcements and Approaches 3. Community Relief Update 4. Facilities, Capital Works, Development Update 5. Financial Hardship Update 6. Recovery Plans 7. Communications and Advocacy 8. Other Business - General Related Matters	Nil
2020-2021 Budget Briefing 11 May 2020	Cr Clemence Cr Poole Cr Brown Cr Cirillo Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Mark McMillan, Manager Financial Services Warren Henderson, Financial Services Coordinator Mandy Congress, Capital Works Program Officer Tonia Mammone, Management Accounting Officer	1. 2020/21 Budget Briefing to Councillors	Nil
Mildura South Regional Sporting Precinct – Councillor Briefing 11 May 2020	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Kate Henschke, Manager Leisure & Cultural Services Chelsea Pettinau, MSRSP Project Officer Andrew McKinley, Ontoit (External Project Manager)	1. Mildura South Regional Sporting Precinct briefing on confidential report proceeding to Special Council Meeting on 13 May 2020.	Nil

Assembly Details	Councillor Attendees	All Other Attendees	Matters Discussed	Conflict of Interest Disclosures
Finance Advisory Committee Meeting 13 May 2020	Cr Clemence Cr Poole Cr Cirillo Cr Milne	Chris Parham, General Manager Corporate Services Mandy Whelan, General Manager Development Mark McMillan, Manager Financial Services	1. Tender Award	Nil
Council Forum 13 May 2020	Cr Clemence Cr Poole Cr Cirillo Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Services Martin Hawson, General Manager Community Mandy Whelan, General Manager Development Richard Sexton, Manager Corporate Administration Ben Piscioneri, Public Relations Officer	1. Mildura South Regional Sporting Precinct Update 2. Monthly Management Report 3. Quarterly Financial Management Report – March 2020 4. Endorsement of Significant Tree Register 2020 5. Call for Action on Murray-Darling Basin 6. Confidential Item 7. Confidential Item 8. Confidential Item 9. Councillor Questions 10. CEO Issues – Budget Options	Nil
ONE Basin Cooperative Research Centre Briefing 15 May 2020 (Via Skype)	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration Rebecca Wells, Chief Executive Officer Mallee Regional Innovation Centre Professor Michael Stewardson, Chief Executive Officer ONE Basin Cooperative Research Centre	1. ONE Basin Cooperative Research Centre Briefing / Presentation	Nil
COVID-19 Briefing 15 May 2020 (Via Skype)	Cr Clemence Cr Poole Cr Brown Cr Eckel Cr Healy Cr Milne Cr Modica Cr Sedgmen	Sarah Philpott, Chief Executive Officer Chris Parham, General Manager Corporate Mandy Whelan, General Manager Development Martin Hawson, General Manager Community Richard Sexton, Manager Corporate Administration	1. COVID-19 National and Local Update 2. State Government Announcements a) Relaxation of Restrictions b) Cleaning of Facilities 3. Community Relief Update 4. Facilities, Capital Works, Development Update 5. Financial Hardship Update 6. Recovery Plan Update 7. Staffing and Services 8. Communications and Advocacy 9. Other Business - General Related Matters	Nil

7 NOTIFICATION OF ABSENCE

Nil

8 MAYORAL REPORT

8.1 MAYORAL REPORT APRIL 2020

File Number: 02/01/06

1. Summary

The following is an update on the activities and functions attended by the Mayor, Cr Simon Clemence during the month of April 2020.

2. Recommendation

That Council note the contents of this report.

3. Comments

- Mayoral video recordings used for Mildura Rural City Council's social media
- Meeting with Mildura Regional Development
- CEO and Councillor Briefings
- Council Forum
- CEO and Mayor Briefings
- Councillor Briefings
- Councillor Briefing - Mildura Heritage Study, Part B
- Ordinary Council Meeting
- Interview with ABC
- Teleconference with CEO and Mark Gepp (Northern Victoria) MP - COVID-19

9 COUNCILLOR REPORTS

9.1 COUNCILLOR REPORTS APRIL 2020

File Number: 02/01/06

1. Summary

The following is a report on the activities and functions attended by Councillors during the month of April 2020.

2. Recommendation

That Council note the contents of this report.

3. Comments

Cr Greg Brown

- Refer to table

Cr Anthony Cirillo

- Refer to table

Cr Mark Eckel

- Meeting with Mildura Regional Development
- Economic Development and Tourism Portfolio Meeting
- Sustainable Economic Growth for Regional Australia (SEGRA) - Regional Australia and COVID-19: A Conversation for Regional Australia about COVID-19
- Councillor video recording used for Mildura Rural City Council's social media

Cr Helen Healy

- Disability Access Advisory Committee
- Gender Equity Action Sunraysia Meeting
- Planning meeting for International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT - 17 May 2020)
- Community Development and Gender Equality Portfolio Meeting
- SEGRA - Regional Australia and COVID-19: Leadership in a Time of Crisis
- SEGRA - Regional Australia and COVID-19: The Role of Regional Chambers of Commerce and Industry during the COVID-19 Crisis

Cr Glenn Milne

- Bureau of Meteorology (BOM) Meeting
- Recreation and Sports Portfolio Meeting

Cr Jason Modica

- Australian Inland Botanical Gardens Board Meeting

Cr Min Poole

- Team Mildura Meetings

Cr Gavin Sedgmen

- Refer to table

This table represents attendances by two or more Councillors at the following functions, as advised by Councillor acceptances for such functions:

Function Attended	COUNCILLOR							
	Brown	Cirillo	Eckel	Healy	Milne	Modica	Poole	Sedgmen
Council Forum	✓		✓	✓	✓	✓	✓	✓
Ordinary Council Meeting	✓	✓	✓	✓	✓	✓		✓
Councillor Briefing – Mildura Heritage Study, Part B			✓	✓	✓	✓	✓	✓
Councillor Meetings/CEO Briefings	✓		✓	✓	✓	✓	✓	✓
Mildura Cemetery Trust Meeting					✓	✓	✓	
Mildura Arts and Culture Advisory Committee Meeting				✓		✓		
Mildura Airport and Budget Matters Meeting	✓	✓	✓	✓	✓	✓	✓	✓

Councillors may have attended some of the meetings listed in this report via teleconference/videoconference due to COVID-19.

Attachments

There are no attachments for this report.

10 RESPONSES TO COUNCILLOR QUESTIONS

10.1 CR GLENN MILNE - EFFECT OF CORONAVIRUS ON WAVES MANAGEMENT CONTRACT

Record Number: 02/01/06

“What is the financial effect of the Coronavirus on the Waves and the contract to manage the centre, and could we possibly have a report on that?”

This matter was addressed by General Manager Community in a memorandum provided to Councillors dated 5 May 2020.

The impact of COVID-19 on Council's aquatic facilities has seen the early closure of the outdoor pools and the on-going closure of Mildura Waves.

Council staff have sought legal advice to ensure both parties meet their obligations under the existing contract. Any change to the financial obligations of Council will be in accordance with the contract and based on independent legal advice

Attachments

There are no attachments for this report.

10.2 CR HELEN HEALY - RISK ASSESSMENT – MAYOR’S ROLE AS CEO OF IAA

Record Number: 02/01/06

Response to the Question in part:

“So in keeping with one of Council’s own Risk Policy objectives, ‘to protect the corporate image as a professional, responsible and ethical organisation’, I request of the CEO, to consider sourcing either the Audit & Risk Committee, or an independent risk management assessment into the impact, both in the public and internal arena’s, and present a report to Council in the next meeting in May.”

This matter was addressed by Sarah Philpott, Chief Executive Officer in a memorandum provided to Councillors dated 6 May 2020, and a summary is provided below:

The Audit and Risk Committee have a role in oversight of Council’s strategic and operational risk profile. While the Committee would potentially have involvement in reviewing any risk assessment undertaken in response to the question, the Committee itself does not conduct audits, and would not therefore be suitable to undertake the actual risk assessment itself.

The CEO outlined further options available including:

- Assessment utilising strategic communications expertise
- Assessment utilising Internal Audit
- Assessment via legal advisors
- Internal risk assessment

The memo further outlined practical considerations including:

- How to measure and assess reputational damage
- How and whether a risk assessment would result in additional actionable recommendations
- The obligation which rests upon the individual councilor to manage conflict of interest
- Cost of a risk assessment process

Should Council wish for a risk assessment of this nature to be undertaken, a Council resolution would be required as it is outside of budget, and beyond the current program of risk/audit activities. Should Council resolve for such a risk assessment to be undertaken, next steps would be to scope the assessment and seek quotes from relevant external advisors.

Attachments

There are no attachments for this report.

11 QUESTIONS FROM COUNCILLORS

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - RECREATIONAL VEHICLE (RV) FRIENDLY TOWNS

Councillor: Mark Eckel
File No: 02/01/06
Date: 18 May 2020

1. Summary

The following Notice of Motion has been tabled for the Ordinary Meeting of Council on 27 May 2020.

The process needs to reflect Council's Economic Development & Tourism Statement of the significant complementary opportunity for attracting an RV Market to Mildura particularly in the current climate of COVID-19 and are keen to participate, lead the activity as required.

Mildura Economic Development & Tourism statement

Regarding upcoming Tourism activities and attracting visitors to our region, we are very keen to draw the Nomad market (Caravan's and RV's) as part of a tourism reinvigoration post COVID-19. Obviously, having an RV friendly status helps assist us in that promotion and attraction.

The anecdotal evidence from local suppliers is that Caravan and RV sales have been significant (Jayco have significantly long delivery times based on back orders and local RV construction times are booked out for almost six months). The cancellation of overseas trips (unlikely to be restored for at least 2 years) and cruises means that those individuals are now using the opportunity to travel (and spend) inside of Australia. Mildura should be on the destination list, and our recent profiling on the AZ virtual tour of Australia by the Sunrise breakfast weather team (we will appear this coming Tuesday) means we are ideally placed to capitalise on our status as a destination.

Comments from the Chief executive of Campervan and Motorhome Club of Australia Richard Barwick:

- The camping industry is the fastest growing domestic tourism sector in Australia, generating \$7 billion worth of expenditure as of year ended May 2014.
- In 2015 more than 30,000 RVs were sold in Australia. 22,000 manufactured and 7,000 imported. Similar figures are projected for 2016. It has been reported that Jayco makes a new unit every ten minutes.
- There are currently more than 586,000 RVs (caravans, motor homes, camper trailers) registered in Australia. Projected figure for 2020 is 700,000 RV's.

Mildura Rural City Council Background Information

Since 2000 (over the past 19 years) 6 Caravan Parks have closed down as follows:

- Big 4 Mildura Crossroads Holiday Park.
- Desert City Tourist and Holiday Park.
- Grapevine Tourist Park.

- Orange Grove caravan Park.
- River gardens caravan Park.
- Nangiloc and Colignan Farms Park.

Spend profile of Campervan & Motorhome of Australia (CMCA) members conducted in 2012

Research regarding the niche RV sector is primarily collected by the CMCA compared to the overall caravan and camping sector which is documented through Tourism Research Australia.

The average weekly spends of RV tourists when travelling is \$500. This is generally spent on:

- Fuel \$210.
- Expenses \$160.
- Repairs/maintenance \$25.
- Site fees \$51.
- Other \$46.

When simply stopped at a rest area, 78% will make purchases and spend around \$80. When staying or touring a region they are most likely to make a purchase on the 2nd, 4th and 7th nights.

Average time spent at a location is 3 days.

Average number of days spent travelling is 197 days per annum.

The replenishment cycle of the RV tourist mean that generally RV travellers will stock up on day 1 (fully stocked vehicle), day 2 (need to stock up with fuel and basics), day 4 (need to stock up with more basics) and day 7 (full replenishment of groceries and vehicle needs).

Mildura Rural City Council has an opportunity to increase tourist numbers in a market that at the moment remains untapped. The issue of competitive neutrality should not apply to the RV market as the RV sector generally travel to RV friendly areas that cater for their travel mode, Mildura and District does not currently qualify as an RV friendly area and is not seen as a RV destination.

2. Motion

That Mildura Rural City Council commence immediately the development of a Tourism – Recreational Vehicles (RV), Caravans and Camping Strategy. To bring back to Council as soon as possible the recommendations and actions to encourage and maximise our municipality's attraction in the drive tourism market.

Yours sincerely



Cr Mark Eckel



Cr Glenn Milne

13 PETITIONS

13.1 PETITION - COVID-19 COMMERCIAL PROPERTY RATES WAIVER

File Number: 02/04/01
Officer: General Manager Corporate

1. Summary

A petition has been received requesting a waiver of all rates and charges for commercial properties and businesses that have been severely financially affected by the COVID-19 pandemic for the 2020-2021 financial year.

The petition contains 15 signatures.

A copy of both correspondence and attached petitions has been distributed directly to Councillors as privacy issues prevent inclusion within the Agenda.

2. Recommendation

That Council:

- (i) note this petition;**
- (ii) consider the petition as part of the 2020/21 Budget deliberations;**
- (iii) include a response to the petition within the 2020/21 Draft Budget report to be presented to Council at a Special Meeting in June 2020; and**
- (iv) advise the first named petitioner accordingly.**

14 MANAGEMENT REPORTS

14.1 COUNCILLOR EXPENSES REPORT 1 JANUARY 2020 – 31 MARCH 2020

File Number: 02/01/06
Officer: Chief Executive Officer

1. Summary

In keeping with Council's Councillor Support and Expenses Policy CP012, Councillor expenses are reported quarterly to an Ordinary Meeting of Council. Accordingly, this report presents Councillor's expenses for the period 1 January 2020 – 31 March 2020.

2. Recommendation

That Council note the contents of this report which details Councillor Expenses for the period 1 January 2020 – 31 March 2020.

3. Background

This report has been prepared in accordance with Council's Councillor Support and Expenses Policy CP012.

4. Consultation Proposed/Undertaken

Councillors have been provided with a summary report on their expenses on a monthly basis.

5. Discussion

Summarised in the document attached are figures for allowances and expenses for the Mayor and Councillors for the period 1 January 2020 – 31 March 2020.

6. Time Frame

The report presents Councillor Expenses for the period 1 January 2020 – 31 March 2020.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.4 Financial Sustainability

Goal to be achieved:

- Meet the community's needs in a financially responsible manner.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

The policy aligns with Council's Councillor and Expenses Policy CP012.

Legal/Statutory

There are no legal/statutory requirements associated with this report.

Financial

Financial costs are in accordance with Council's 2019/2020 Operational Budget.

Environmental

There are no environmental impacts associated with this report.

Social

There are no social impacts associated with this report.

Economic

There are no economic impacts associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Councillor Quarterly Expenses 1 January - 31 March 2020

Councillor Expenses for the period 1 January – 31 March 2020

Councillor	1. Allowance	2. Travel & Accommodation	3. Car Mileage	4. Information & Communication	5. Conferences & Training	6. Catering / Meals	7. Misc
Cr Greg Brown	7,184.25	1,653.09	2,231.40	66.00			
Cr Anthony Cirillo	7,184.25			66.00			
Cr Simon Clemence	22,229.88	596.20		66.00			16.55
Cr Mark Eckel	7,184.25	316.87	254.32	270.54			
Cr Helen Healy	7,184.25			66.00			
Cr Jason Modica	7,184.25	363.64	221.00	202.36			16.36
Cr Glenn Milne	7,184.25	1,890.12	315.52	270.54		114.00	
Cr Min Poole	7,184.25	949.54	652.00	270.54		61.68	
Cr Gavin Sedgmen	7,184.25			66.00			50.00

Definition of Expenses

1. Mildura Rural City Council is a Category Two Council and must set allowances in line with the Local Government Act 1989. An adjustment is made annually and gazetted by the Minister. Allowances must also include amount in lieu of superannuation.
2. Travel Costs include cost of flights, taxis, public transport fees, and accommodation etc associated with undertaking duties of a Councillor, 4,758.76
3. Car Mileage recognises the private vehicles costs associated with Councillors travelling and fulfilling Council duties
4. Communication expenses include costs associated with provision of equipment (i-pad, fax, phone), phone reimbursements and monthly telecommunications charges
5. These include registration fees, educational / training costs and meeting expenses
6. Catering costs associated with undertaking responsibilities of Councillor including meal reimbursements,
7. Includes carer expenses, printing, and other expenditure / reimbursements associated with responsibilities in performing Councillor role

14.2 CALL FOR ACTION ON MURRAY-DARLING BASIN

File Number: 15/07/01
Officer: General Manager Community

1. Summary

The purpose of this report is to present Council with a position paper on the Murray-Darling Basin for formal adoption.

2. Recommendation

That Council:

- (i) **adopt the recommended responses to submissions as contained in the *Response to Submissions Call for Action on Murray-Darling Basin 2020* (attached to this report);**
- (ii) **adopt the position paper, Call for Action on Murray-Darling Basin, as presented; and**
- (iii) **use the position paper as the key reference document to advocate on behalf of the community for improved management of the Murray-Darling Basin.**

3. Background

Council has made several submissions throughout the development of the Murray-Darling Basin Plan (the Plan) and its implementation.

Council has remained consistent in its support for a holistic and balanced approach to water management and has a strong desire for a sustainable Murray-Darling Basin. This includes aspiring to achieve social, economic and environmental outcomes for all stakeholders in the Basin as part of the Plan.

The position paper, Call for Action on Murray-Darling Basin, has been developed to assist Mildura Rural City Council (MRCC) in advocating on behalf of our community for improved management of the Murray-Darling Basin. The position paper includes 25 'calls for action' under the themes of:

- Water Management in the Murray-Darling Basin;
- Governance, Transparency and Accountability;
- Water Markets – Trading and Ownership;
- Agricultural Expansion;
- Salinity Impact Zones;
- Community Sustainability;
- Environmental Watering; and
- Common Interests.

4. Consultation Proposed/Undertaken

Three briefing sessions were undertaken with Council between November 2019 and May 2020 to identify the key priorities and refine the position paper based on Council and community feedback.

The draft position paper was placed on public exhibition between 5 March and 17 April 2020. A total of five submissions were received from the community. The request for feedback was promoted through the Council Notices, Have Your Say page on Council's website and Council's Facebook page.

A summary of the submissions received and responses are provided in the attached Summary of Submissions - Call For Action on Murray-Darling Basin 2020.

5. Discussion

Despite having no formal role in the institutional and governance arrangements for water, Council is well equipped to balance complex and often competing social, economic and environmental needs within our municipality.

Council is intimately connected with the local area, the river, ecosystems, topographies, communities, industries and interests that make up the local basin environment.

Council acknowledges that the management of water resources in the Basin is complex, involving different regimes in the four states through which the Murray and Darling rivers and their tributaries flow.

In times of abundance, all water entitlements can be taken up to sustain human life and agricultural production, with enough water remaining to keep our rivers and streams flowing and delivering a healthy environment in the Murray-Darling Basin. However, it is generally accepted that water resources of the Murray-Darling Basin have, to varying degrees across the basin, been over used and under regulated, particularly in the northern basin. This has become most obvious during times of low rainfall and drought.

Different allocation practices across the states means different economic and social outcomes for communities. This was particularly evident in the millennial drought where over use of water combined with drought resulted in environmental stress in almost all of the Murray-Darling Basin.

Prior to the implementation of the Murray-Darling Basin Plan, in times of scarcity, it was the entitlement holders who took first rights to water, and the environment only received any water left over. This meant that ecosystems that depend on our rivers and streams suffered greatly. It is widely recognised among communities and water resource managers that water resources had been over used well before the millennial drought.

The *Commonwealth Water Act* ratified in 2007 sought to optimise social, economic and environmental outcomes from water allocation. The Plan was developed to progress those objectives. The Plan identified that water needed to be returned to the environment as a priority.

To meet this priority, 2,750 giga-litres of water was to be taken from productive consumption. Many mechanisms have been identified which are intended to be used to obtain these savings, including on-farm efficiency programs and irrigation system modernisation to reduce system losses, and an extensive campaign of entitlement buybacks by the Commonwealth and State governments.

6. Time Frame

Council will continue advocating on behalf of the community for improved management of the Murray-Darling Basin following formal adoption of the position paper.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

1.3 Community Health and Wellbeing

Goal to be achieved:

- High levels of community health and wellbeing.

2.1 Environmental Sustainability

Goals to be achieved:

- A healthy and sustainable environment; and
- Conserve natural resources.

3.1 Economic Development and Tourism

Goal to be achieved:

- A vibrant, diverse, innovative and sustainable economy.

4.1 Leadership and Representation

Goal to be achieved:

- Effectively respond to the interests of our community.

8. Asset Management Policy/Plan Alignment

No impact on ongoing operational costs.

9. Implications**Policy**

The position paper aligns with Council's Environmental Sustainability Policy (CP041), in particular the principles of:

- Integrating the principles of sustainability and sustainable development into decision making, taking into account both short-term and long-term perspectives.
- Reducing resource consumption, particularly energy and water.
- Protecting and enhancing the natural environment, taking due care to avoid serious or irreversible environmental harm.

Legal/Statutory

There is no legal or statutory implications associated with this report.

Financial

There is no financial implications associated with this report.

Environmental

Holistic and balanced management of the Murray-Darling Basin for improved environmental, social and economic outcomes.

Social

Holistic and balanced management of the Murray-Darling Basin for improved environmental, social and economic outcomes.

Economic

Holistic and balanced management of the Murray-Darling Basin for improved environmental, social and economic outcomes.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Response to Submissions - Call for Action on Murray Darling Basin 2020
- 2 MRCC Call for Action on Murray-Darling Basin May 2020

Submitter	Key Changes Requested	Response
Kay Pedler	Agrees with details of draft position paper and hopes government will listen.	Noted.
Lindsay Leake	There needs to be a single data base that records all inflows and extractions in the basin.	Relevant to Governance, Transparency and Accountability and Water Markets – Trading and Ownership sections and Call for Actions 9 and 13. Recommendation: Council to consider adding further detail in position paper Action 10 to include inflows and extractions recorded in a single data base.
	There should be a licence to bring water down any stream on a weekly basis.	Addressed in Agricultural Expansion section and Call for Action 14. No change recommended.
	The floodplain environment depends on being flooded and is now suffering extensively due to loss of water to irrigation and climate change.	Addressed in Environmental Watering section and Call for Action 20. No change recommended.

Submitter	Key Changes Requested	Response
Australian Conservation Foundation (Mildura)	Call for Action points 3 and 16 are very similar in intent, as is point 18, to a lesser degree. Amalgamate points 3 and 16.	Call for Action 3 is specifically requesting Commonwealth policy to be developed and implemented, whereas Call for Action 16 is specifically requesting Commonwealth financial assistance. Their separation increases their importance.
		No change recommended.
	Call for Action points 14 and 20 could be construed as being antagonistic to each other.	Both will balance social, economic and environmental needs.
	The importance of the role of indigenous knowledge as to how we might better manage our water resources to support community health, cultural practices and environmental wellbeing has not been addressed.	<p>Recommendation: Council to consider additional call to action: Recognition and application of indigenous knowledge in water management to support community health, cultural practices and environmental wellbeing in the Murray-Darling Basin.</p> <p>Additional information provided in text</p> <p>Consideration should also be given to the fact that Indigenous people sustainably managed the Murray-Darling Basin for thousands of years, and the role of indigenous knowledge as to how we might better manage our water resources to support community health, cultural practices and environmental wellbeing. This includes indigenous people having input into the management of the Murray-Darling Basin, including any water plans.</p>

Submitter	Key Changes Requested	Response
	Call for Action points 7 and 9 do not mention penalties for breaches – supports the enforcement of stricter penalties for water theft and non-compliance.	The Governance, Transparency and Accountability section states that 'there needs to be an increased level of confidence in the system and a commitment to ensuring appropriate monitoring and enforcement where appropriate.' Recommendation: Council to consider inclusion of appropriate enforcement and penalties for non-compliance in Call For Action 9.
	Requests no new licences be allocated until after a Royal Commission.	This is addressed in Call for Action 14 which would see an agricultural expansion mechanism developed to safeguard against the issuing of water licenses that could damage existing horticultural developments. No change recommended.
	Support a renewed commitment by the States to the principles, objectives and goals of the National Water Initiative and the reforms recommended by the Productivity Commission 2018 Inquiry into the National Water Initiative.	Recommendation: Council to consider inclusion of and commitment to obligations in Call for Action 2.
	Recommend that States honour the Water Act (2007) that sets meeting environmental needs as a priority.	This is addressed by the overall intent Call for Action 2 and 8. No change recommended.
	Support a Federal Royal Commission's audit such that it includes impacts on the environment.	This is addressed in Call for Action 1. No change recommended.

Submitter	Key Changes Requested	Response
	<p>Consider sustainable water availability for humans and the natural environment in the context of climate change.</p>	<p>Recommendation: Council to consider including impacts of climate change in Call for Action 4.</p> <p>Additional information provided in text</p> <p>Climate change and its impacts (e.g. more severe droughts, higher temperatures, reduced but more intense rainfall) is already reducing the security of water delivery in the Murray-Darling Basin, and the climate projections indicate this will have an even greater impact in the years ahead. Long-term solutions for the security of water delivery must take into account the current and projected impacts of climate change.</p>
	<p>Acknowledge specifically that river health is paramount to cultural health for many indigenous communities and indigenous input into water management be considered integral to any water plans.</p>	<p>Refer above</p>
	<p>Acknowledge that a triple bottom line approach that allowed short term economic pursuits take precedence over environmental wellbeing has demonstrably failed to deliver social-emotional, mental and economic wellbeing to the people in the Murray-Darling Basin.</p>	<p>This is addressed in the Community Sustainability section.</p>
	<p>Carefully consider future mining, or other extractive projects in MRCC as water extraction for mining purposes can be devastating to aquifers, secondary users and the health of the local communities and environments.</p>	<p>No change recommended.</p>
		<p>Noted. The Community Sustainability section references the Broken Hill pipeline and the fact that it will provide a reliable water source for any increased mining in far west New South Wales.</p>

Submitter	Key Changes Requested	Response
Maria Riedl	<p>Position paper prioritises humans, placing them at the centre of all considerations including economic and social wellbeing, with the protection of a healthy ecosystem and riverine environment listed last in every instance.</p>	<p>See Context section on page 3:</p> <p>'Water is the lifeblood of our community. Healthy rivers underpin human, economic, social and environmental wellbeing in our community. Human health and the natural environment are closely linked: the health of human populations depends fundamentally on the quality of the environment in which we reside and on the capacity of the environment to provide goods and services.'</p> <p>No change recommended.</p>
	<p>The document fails to advocate on behalf of our community for improved management of the Murray-Darling Basin and instead advocates for water security providing economic and social benefits for humans, with the environment being asked to provide the goods and services no matter the cost.</p>	<p>See Environmental Watering section on page 11-12: 'Proposals put forward for use of environmental water or Sustainable Diversion Limit associated projects should not be considered or undertaken without scientific evidence. A rigorous process is required in the development and accountability of projects and the associated environmental impacts and benefits.'</p> <p>Calls to Action 1,2,3,4,25 seek to address improved management of the Murray Darling Basin</p> <p>No change recommended.</p>

Submitter	Key Changes Requested	Response
	Council must base the position paper on the science and have an understanding of the influences that water availability, water-related extreme weather and climate events, such as floods and droughts, and global changes to the climate system have on the Murray-Darling Basin, and what role these influences have in informing Council and their community of the balance required to ensure the structure and functions of ecosystems are maintained and enhanced.	Refer Above
Mallee Regional Innovation Centre (MRIC)	The submission paper primarily focuses on the MRIC, its role and opportunities for collaboration. The issues raised relating to the management of the Murray-Darling Basin align with the draft position paper.	Noted
Others Matters		
Cr Jason Modica – Question at Council Meeting 26 February 2020	Request for letters to be written to our Federal and State members, the Prime Minister, Premiers and all Water Ministers, calling for the outlawing of floodplain harvesting for the benefit of river communities and the health of the rivers in the Murray-Darling Basin.	Recommendation: Address this item in Call for Action 10 by adding and undertake a review of floodplain harvesting. Council to consider writing to Anne Webster MP, Ali Cupper MP, Hon Scott Morrison MP, State and Territory Premiers and Water Ministers, calling for the outlawing of floodplain harvesting.

Call for Action on Murray-Darling Basin

May 2020



Mildura Rural City Council

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Context

Mildura Rural City Council (MRCC) is located in north-west Victoria and forms part of the broader Sunraysia community. Mildura is the Oldest Irrigation Settlement in Australia and is a major service centre for surrounding towns and communities including areas across the border into New South Wales.

Water is the lifeblood of our community. Healthy rivers underpin human, economic, social and environmental wellbeing in our community. Human health and the natural environment are closely linked: the health of human populations depends fundamentally on the quality of the environment in which we reside and on the capacity of the environment to provide goods and services

Water underpins our economy's tourism, manufacturing, wholesale trade, transport and storage operations which have emerged from over a century of horticultural and agricultural activity. None of this will be possible if we do not have water security for our economic and social future.

Sunraysia is an innovative community as evidenced by previous water efficiencies achieved in irrigation and is willing to explore opportunities for the development of new industries to create a secure socioeconomic future. This will also assist in evolving existing industries which will need to integrate the sustainable use of water resources.

Despite having no formal role in the institutional and governance arrangements for water, MRCC is well equipped to balance complex and often competing social, economic and environmental needs within our municipality.

MRCC is intimately connected with the local area, the river, ecosystems, topographies, communities, industries and interests that make up the local basin environment.

This position paper has been developed to assist MRCC in advocating on behalf of our community for improved management of the Murray-Darling Basin.

Vision

A sustainable Murray-Darling Basin that supports human, social, economic and environmental wellbeing in our community.

Call for Action

Mildura Rural City Council affirms its support for a holistic and balanced approach to water management and a desire for a sustainable Murray-Darling Basin. Council believes that a plan is necessary and calls for:

1. **A Federal Royal Commission into the management and sustainability of water in the Murray-Darling Basin with a full remit to conduct an independent audit on water saving schemes, trading, ownership, extraction and allocation and with the power to subpoena representatives including politicians, government agencies and peak bodies.**
2. **Greater cooperation and commitment to obligations between all states on implementing the Murray-Darling Basin Plan.**
3. **Commonwealth policy to be developed and implemented to assist communities that are negatively impacted by the Basin Plan's implementation and the unbundling of water from land.**
4. **Long-term solutions for the security of water delivery in the Murray-Darling Basin, accounting for the current and projected impacts of climate change.**
5. **A published list of water holders in each irrigation system with 1,500 mega-litres or greater.**
6. **All state and federal politicians to publicly declare their water holdings.**
7. **An independent Federal Water Ombudsman tasked with ensuring compliance of water saving schemes, trading, ownership, extraction and allocation.**
8. **A basin-wide audit of each state's compliance with its obligations under the Murray-Darling Basin Plan and this information to be made publically available.**
9. **Compliance, metering and regulation to be uniformly implemented throughout the Murray-Darling Basin with appropriate enforcement and penalties for non-compliance.**
10. **Transparency on dam levels and associated water allocations, inflows and extractions recorded in a single database and undertake a review of floodplain harvesting.**
11. **A public information campaign educating the basin community on water management.**
12. **Water ownership rules to be amended so that water owners must have a water use licence and associated consumptive use to be able to trade water.**
13. **The implementation of a mechanism which supports increased transparency in the water market through providing real-time information on water price and amount of water available.**
14. **Agricultural expansion mechanism to be developed to safeguard against the issuing of water licenses that could damage existing horticultural developments.**
15. **A re-examination of current policies for managing water-use licences in Salinity Impact Zones.**

16. Commonwealth financial assistance for communities negatively impacted by the implementation of the Murray-Darling Basin Plan.
17. Increased Commonwealth investment to preserve and enhance our region's capacity to sustain food and fibre production and enable new and enduring economic activity and economic diversification to mitigate the long-term negative impacts of the Murray-Darling Basin Plan.
18. Further independent research and analysis on the socio-economic impacts of the Murray-Darling Basin Plan's implementation on basin communities.
19. A mechanism to allow the needs of tourism operators to be heard and considered by water system managers and regulators.
20. Recognition and application of indigenous knowledge in water management to support community health, cultural practices and environmental wellbeing in the Murray-Darling Basin.
21. A sustainable approach to watering significant environmental assets which balances social, economic and environmental needs.
22. An increased level of public reporting on the evaluation and outcomes of the use of environmental water readily available to the community.
23. Formal reference groups for the prioritisation and delivery of environmental water.

The implementation of environmental watering plans that also ensure potable water quality and supply is protected. The Federal Government to take additional policy control to ensure common interests are protected for all.

Council's position

Water Management in the Murray-Darling Basin

Council has made previous submissions throughout the development of the Murray-Darling Basin Plan (the Plan) and its implementation. Council has remained consistent in its support for a holistic and balanced approach to water management and has a strong desire for a sustainable Murray-Darling Basin. This includes aspiring to achieve social, economic and environmental outcomes for all stakeholders in the Basin.

Council acknowledges that the management of water resources in the Basin is complex, involving different regimes in the four states through which the Murray and Darling rivers and their tributaries flow.

In times of abundance, all water entitlements can be taken up to sustain human life and agricultural production, with enough water remaining to keep our rivers and streams flowing and delivering a healthy environment in the Murray-Darling Basin.

However, it is generally accepted that water resources of the Murray-Darling Basin have, to varying degrees across the Basin, been over used and under regulated, particularly in the northern Basin. This has become most obvious during times of low rainfall and drought.

Different allocation practices across the states means different economic and social outcomes for communities. This was particularly evident in the millennial drought where over use of water combined with drought resulted in environmental stress in almost all of the Murray-Darling Basin.

Prior to the implementation of the Murray-Darling Basin Plan, in times of scarcity, it was the entitlement holders who took first rights to water, and the environment only received any water left over. This meant that ecosystems that depend on our rivers and streams suffered greatly. It is widely recognised among communities and water resource managers that water resources had been over used well before the millennial drought.

The Commonwealth's Water Act ratified in 2007 sought to optimise social, economic and environmental outcomes from water allocation. The Plan was developed to progress those objectives. The Plan identified that water needed to be returned to the environment as a priority. To meet this priority, 2,750 giga-litres of water was to be taken from productive consumption. Many mechanisms have been identified which are intended to be used to obtain these savings, including on-farm efficiency programs and irrigation system modernisation to reduce system losses and an extensive campaign of entitlement buybacks by the Commonwealth and State governments.

Water savings have come through on-farm efficiency programs and irrigation system modernisation, resulting in a significant investment in irrigation infrastructure both prior and subsequent to the introduction of the plan. This investment has employed and supported many local people and enabled local businesses to remain operational during what otherwise would have been financially devastating times. However, as maximising efficiencies and spending concludes, this benefit to the community will be diminished.

In order to offset this impact, a range of Commonwealth policy and investments should be pursued that would continue to support areas such as innovation in agriculture, rural and regional entrepreneurialism, renewable energy and network augmentations, digital connectivity, population growth, as well as improving connectivity and access to markets.

Climate change and its impacts (e.g. more severe droughts, higher temperatures, reduced but more intense rainfall) is already reducing the security of water delivery in the Murray-Darling Basin, and the climate projections indicate this will have an even greater impact in the years ahead. Long-term solutions for the security of water delivery must take into account the current and projected impacts of climate change.

Council calls for:

- **A Federal Royal Commission into the management and sustainability of water in the Murray-Darling Basin with a full remit to conduct an independent audit on water saving schemes, trading, ownership, extraction and allocation and with the**

power to subpoena representatives including politicians, government agencies and peak bodies.

- Greater cooperation and commitment to obligations between all states on implementing the Murray-Darling Basin Plan.
- Commonwealth policy to be developed and implemented to assist communities that are negatively impacted by the Basin Plan's implementation and the unbundling of water from land.
- Long-term solutions for the security of water delivery in the Murray-Darling Basin, accounting for the current and projected impacts of climate change.

Governance, Transparency and Accountability

There needs to be an increased level of public reporting on the evaluation and outcomes of the use of water readily available to the community. A transparent process that allows the community to view where water is being used, how much is used and the environmental, social and economic benefits, would provide a broader community understanding of the process and outcomes. There needs to be an increased level of confidence in the system and a commitment to ensuring appropriate monitoring and enforcement where appropriate.

MRCC would like to see a published list of water holders in each irrigation system with at least 1,500 mega-litres, as well as a requirement for all state and federal politicians to publically declare their water holdings. Introduction of an independent body, such as a Federal Water Ombudsman, that has the power to investigate any water related issue across jurisdictions and state borders, would provide increased community confidence and compliance in how water is used and managed by government bodies and licensed users.

A basin-wide audit of each state's compliance with its obligations under the Murray-Darling Basin Plan would also strengthen the Plan's transparency and accountability. This information should be made publically available.

Council calls for:

- A published list of water holders in each irrigation system with 1,500 mega-litres or greater.
- All state and federal politicians to publically declare their water holdings.
- An independent Federal Water Ombudsman tasked with ensuring compliance of water saving schemes, trading, ownership, extraction and allocation.
- A basin-wide audit of each state's compliance with its obligations under the Murray-Darling Basin Plan and this information to be made publically available.
- Compliance, metering and regulation to be uniformly implemented throughout the Murray-Darling Basin with appropriate enforcement and penalties for non-compliance

- **Transparency on dam levels and associated water allocations, inflows and extractions recorded in a single database and undertake a review of floodplain harvesting.**
- **A public information campaign educating the basin community on water management.**

Water Markets – Trading and Ownership

The transparency in the water market has been a major concern for our community for some time. Council supports actions by the Victorian Government that improve transparency in the water market. Whilst a transparent water market will not bring down water prices, it will provide confidence that the water markets are working for irrigators and not being distorted. Council seeks a market that provides real-time information on price and amount of water available, increasing transparency whilst respecting commercial privacy. Water ownership rules need to be amended so that water owners must have a water use licence and associated consumptive use to be able to trade water.

Council calls for:

- **Water ownership rules to be amended so that water owners must have a water use licence and associated consumptive use to be able to trade water.**
- **The implementation of a mechanism which supports increased transparency in the water market through providing real-time information on water price and amount of water available.**

Agricultural Expansion

There has been significant investment in permanent horticultural plantings over the past 20 years. These plantings are high value crops and can afford the cost of water, even when the price is high. If water is not available upon demand, yields can be severely reduced and plants can die, resulting in economic loss.

The ongoing expansion of irrigated agriculture upstream from Mildura, on both sides of the Murray River, is a major concern to this community. When another drought occurs, it is our view that these developments will further magnify the issues, creating an environment where large irrigators with the financial capacity will survive, while smaller irrigators including family farmers, unable to compete, will suffer significant hardship and decline. As a consequence, this would further weaken and destabilise the social and economic fabric of our community. This is a concern for all irrigation communities, particularly those downstream of the major developments.

The Water Minister recently called in all new water extraction licenses on the Murray system downstream of the Barmah Choke. Council supports increased scrutiny of all new water extraction on the Murray systems (Victoria and New South Wales).

We seek a mechanism to ensure that all three states that abut the Murray downstream of the Barmah Choke act responsibly and in a way that promotes further development but not at the cost of existing horticulture).

Recent changes to New South Wales policy allowing conversion of existing leasehold land (i.e. Western Lands) will enable a change of purpose restriction, allowing additional irrigation development. Given the area of land involved, this may have a significant impact.

Council calls for:

- **Agricultural expansion mechanism to be developed to safeguard against the issuing of water licenses that could damage existing horticultural developments.**

Salinity Impact Zones

In accordance with the *Victorian Water Act 1989* Salinity Impact Zones are identified for the Murray River irrigation corridor. The only High Impact Zone (HIZ) exists in MRCC covering the majority of the existing MOIA and further upstream between Red Cliffs and Nangiloc. The highest of the Low Impact Zones (L4) continues upstream from this point to the adjoining Hattah-Kulkyne National Park. In turn, lower impact zones (L3, L2) continue upstream from Hattah-Kulkyne to Nyah West but no further. All of the hinterland along this entire stretch of river from the South Australian border is identified in the lowest impact zone (L1).

Under the Water Act, progressively increasing charges where water is traded into an identified Low Impact Zone (LIZ) from a lower impact zone but not vice versa should be considered. In the case of the HIZ, the annual use limit for the land within the HIZ is capped at the level that existed immediately prior to the delegate granting or varying the water use licence, which means once water is traded out of the HIZ it cannot be traded back.

This approach differs to that applied by the South Australia Salinity Zoning Policy and its Water Use Efficiency Policy where calculations based on allowing only 15 per cent past the root zone determine the maximum volume to be applied to the land. A recent revision has removed differences between high and low impact zones. It is not clear whether any similar controls are being implemented in New South Wales. It seems that MRCC outcomes are different to elsewhere in both Victoria and the other states.

The combination of progressively reducing the cap for the HIZ and the application of progressively increasing charges for all the other zones amounts to an 'extinction policy' for horticultural irrigation for not only the MOIA but for the majority of existing MRCC horticultural areas. The lack of consistency indicates that there is a risk of continued disadvantage to the MRCC in the absence of a re-examination of the fundamental basis of technical analysis undertaken in the 1990's and the appropriateness of the existing policy in conjunction with a consolidated strategic approach aligned with MRCC best interests. In the immediate term this

could look to secure Annual Use Licences (AULs) from leaving the existing areas to greenfield sites.

Council calls for:

- **A re-examination of current policies for managing water-use licences in Salinity Impact Zones.**

Community Sustainability

When the Murray-Darling Basin Plan was released anecdotal observations indicated that the consequences and negative impacts of the outcomes were less for Mildura than upstream areas, both within NSW in the northern and southern basin and within the Goulburn-Murray in Victoria. This observation did not emerge in the public reaction to the Plan however, with little noticeable public debate regarding the impacts for Mildura in detail. Instead, a relatively polarised debate mirrored the 'burning of the basin plan' approach as in Griffith.

The inherent risks regarding the success of the Plan's intended roll-out, in order for those lesser impacts to be realised, now remain. If the impacts were less for Mildura in the overall context of the Plan, then they must be greater for other areas and any lessening of impacts for those other areas could increase the impact for Mildura if the remaining available water were to be secured upstream.

Water becoming a tradeable commodity has undoubtedly caused significant hardship to some communities whilst benefiting others. Free market economics has driven water from use on lower value crops to higher value crops. The unbundling of water from land, which occurred prior to the Plan, has allowed trade to occur.

The full extent of the socio-economic impacts of the Plan is still unknown, despite the plan being ratified in 2012. Further independent research and analysis on the socio-economic impacts of the Plan on basin communities is needed. There is little evidence that adequate work has been done in this area and without a full understanding of the socio-economic impacts, it is unlikely that government policy will be developed to assist these communities and their ongoing sustainability. This must occur if we are to see an equitable implementation of the Plan. Council requests that the Commonwealth provides financial assistance and investment to those communities negatively impacted by the implementation of the Plan.

Council welcomes the independent panel which has been established to assess the social and economic conditions impacting communities across the Murray-Darling Basin. The draft Terms of Reference at item B proposes – *the review should take into account the ongoing structural changes in agriculture and communities in the Murray-Darling Basin, and seek to separate the effects of these trends, and events such as drought, from the effects of the water reforms including the Basin Plan*. Consideration also needs to be given to not only ongoing structural changes in agriculture and communities in the Murray-Darling Basin, but also the cumulative

impact of these changes and individuals' concerns for their own welfare and that of their communities.

Consideration should be given to balancing the allocation of water for irrigation, the environment and town water supplies, particularly given the Commonwealth and State Governments increasing push for population growth across regional Australia. A mechanism to allow the needs of tourism operators to be heard and considered by water system managers and regulators is also needed.

Consideration should also be given to the fact that Indigenous people sustainably managed the Murray-Darling Basin for thousands of years, and the role of indigenous knowledge as to how we might better manage our water resources to support community health, cultural practices and environmental wellbeing. This includes indigenous people having input into the management of the Murray-Darling Basin, including any water plans.

Council calls for:

- **Commonwealth financial assistance for communities negatively impacted by the implementation of the Murray-Darling Basin Plan.**
- **Increased Commonwealth investment to preserve and enhance our region's capacity to sustain food and fibre production and enable new and enduring economic activity and economic diversification to mitigate the long-term negative impacts of the Murray-Darling Basin Plan.**
- **Further independent research and analysis on the socio-economic impacts of the Murray-Darling Basin Plan's implementation on basin communities.**
- **A mechanism to allow the needs of tourism operators to be heard and considered by water system managers and regulators.**
- **Recognition and application of indigenous knowledge in water management to support community health, cultural practices and environmental wellbeing in the Murray-Darling Basin.**

Environmental Watering

The need for the maximised use of environmental water for the protection and restoration of environmental assets needs to be considered in conjunction with the political environment which competitively seeks to maximise consumptive use.

Council recognises the time and effort in identifying environmental assets of the region for environmental water. The MRCC is well positioned at the centre of the basin, adjoining a significant length of the Murray River with significant opportunity for potential gain from the use of environmental water. This is evident in the broad range of projects and initiatives being undertaken locally.

Local Government has no formal role nor responsibility for the development or delivery of the Water Resource Plan for our local area, however there would be benefit in Council being

involved to provide broader community input. Local Governments could also play an increased role in the development, implementation and management of environmental water projects with a focus on ensuring the community is engaged and aware of the challenges, benefits and outcomes.

Council would support its inclusion in a formal reference group for the prioritisation and delivery of environmental water in the region involving relevant agencies to increase transparency and awareness. Council would anticipate this group would also include Lower Murray Water, Grampians Wimmera Mallee Water, Department of Environment, Land, Water and Planning, Parks Victoria, Landcare, Traditional Owners among others.

The Hattah Lakes environmental watering program is one of our most significant and iconic sites. There continues to be a significant amount of communication about the project during the construction of the pump delivery system and ongoing provision of water to the Hattah Lakes and associated floodplain. Other projects in the area are based around an engineering solution to deliver environmental water and include Mulcra Island and Lindsay River.

Possible uses for environmental water could include acidification monitoring and prevention, blue-green algae flushing and prevention, and control of pest flora and fauna. Council borders both New South Wales and South Australia so consideration needs to be given to tri-state, cross border, and local government priorities.

Proposals put forward for use of environmental water or Sustainable Diversion Limit associated projects should not be considered or undertaken without scientific evidence. A rigorous process is required in the development and accountability of projects and the associated environmental impacts and benefits.

Council has a broad understanding of the monitoring and evaluation outcomes for environmental water sites, limited to the information that is available to the general public. There needs to be an increased level of public reporting on the evaluation and outcomes of the use of environmental water readily available to the community. A transparent process is required that allows the community to view where water is being used, how much is used and the environmental benefits, providing a broader community understanding of the process and outcomes.

The current approach seems esoteric and agency-dominated due to the technical expertise necessary to effectively engage and/or debate the issues, which are important to the MRCC community. Improvement in community understanding is necessary, together with separation of the political manoeuvring regarding the perceived economic and social impacts, thereby enabling improved transparency to the process. The current cross-over between approaches which seek to implement the management obligations to protect and restore environmental assets and those which seek to deliver improved environmental outcomes under the Sustainable Diversion Limit Adjustment Mechanism in the Plan provides confusion.

An indication of this is the adversarial nature of the discussion around any matter relating to the Plan at various levels of government. This leads to the perception that self-interest dominates decision making rather than sound, scientific and collaborative outcomes that benefit the environment and the community.

Council calls for:

- **A sustainable approach to watering significant environmental assets which balances social, economic and environmental needs.**
- **An increased level of public reporting on the evaluation and outcomes of the use of environmental water readily available to the community.**
- **Formal reference groups for the prioritisation and delivery of environmental water.**
- **The implementation of environmental watering plans that also ensure potable water quality and supply is protected.**

Common Interests

The impact of the current changes along the Lower Darling River are of particular importance within the region. Reduction in Lower Darling horticulture and the Broken Hill pipeline from the Murray (to source Broken Hill water from the Murray instead of the Darling River and Menindee Lakes) raise serious questions for the future.

The Menindee Lakes project to reduce evaporation could see a significant reduction in water held at Menindee, with the water diverted for other purposes. These measures could result in less water reaching the Menindee Lakes and even when water may get there in a flood, it may allow water to make its way to the Murray far quicker than would naturally occur.

This has significant implications for the environment (i.e. the Menindee Lakes, Lower Darling, Darling Anabranch and the Murray downstream of Wentworth), which has flora and fauna that 'evolved' under a flow regime, including input from both the Northern Basin (Barwon-Darling system), and the southern rivers (Murray, Murrumbidgee, Goulburn etc). The project is likely to impact on the ecology of the whole Southern Basin – the Barwon-Darling-Murray pathway is critical to Golden Perch breeding, and the Lower Darling cod population is critical if the Murray has blackwater fish kills every time it floods now.

These measures would also potentially facilitate northern New South Wales irrigators to carry on extracting at the current (or even increased) levels, because if New South Wales allow the water to get to Menindee Lakes it becomes 'shared' with other states. Reduced flows from the Darling would potentially impact licence holders in the South (NSW Murray and Murrumbidgee, VIC Murray, Goulburn etc) because South Australian entitlements may have to come from these places instead of the Menindee Lakes.

The Broken Hill pipeline has made the town reliant on the Murray instead of the Darling. There was no public business case for the pipeline and it has already been built – it does not run via

Pooncarie, lower Darling horticulturalists or the town of Menindee. It has also potentially increased the dependence on the Southern rivers to meet South Australia's entitlements (and in turn impacted allocations for southern basin users). The project will allow increased cotton production in the north and provide a reliable water source for any increased mining in far west New South Wales. In addition, given that substantial areas of tree clearing has continued within the Murray-Darling Basin catchment, there is a risk that the impacts on downstream users will generally increase as a result.

The Barmah Choke provides physical constraints on the delivery of water by restricting the flow of the Murray to around 10,000 mega-litres per day (the lowest flow in any stretch). A default trade restriction is in place at the Choke to deliver a trade balance which requires that trade downstream of the Choke may only occur when there is sufficient matching trade capacity available in the opposite direction. This means that people upstream of the Choke can sell water to buyers downstream of the Choke, but only if the same or greater volume of water has been transferred from downstream to upstream of the Choke first.

An area of concern therefore is this additional pressure for available water to head upstream and with consequential risk of supply issues during heatwave or drought conditions. Heightened concern arising from Lower Murray irrigators' demand peaking at 7,000 mega-litres per day during heatwave conditions is coupled with existing increased irrigation demand anticipated from continued growth in permanent plantings. This is in conjunction with diminished contribution from the Murrumbidgee River as a consequence of mainly cotton irrigation development and uncertainty regarding the impact of the de-commissioning of two Menindee Lakes in New South Wales.

In light of the repercussions arising from the instances above and others, it is therefore both beholden upon and within the power of the Federal Government to take additional policy control to ensure common interest are protected for all.

Council calls for:

- **The Federal Government to take additional policy control to ensure common interests are protected for all.**

Mildura Rural City Council and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purpose and therefore disclaims all liability for any error, loss or other consequence that may arise from you relying on any information in this publication.

14.3 ENDORSEMENT OF SIGNIFICANT TREE REGISTER 2020

File Number: 13/01/21
Officer: General Manager Community

1. Summary

Mildura Rural City Council has completed preparation of a register to identify trees on Council land that are of significance in the municipality. It includes significant trees on land owned by or under the control of Council only.

This register seeks to raise awareness of the value of trees to our community and the need to protect significant trees throughout our municipality for the ongoing net community benefit of residents.

The purpose of this report is to seek endorsement by Council of the draft Significant Tree Register 2020.

2. Recommendation

That Council endorse the draft Significant Tree Register 2020 as presented.

3. Background

The project draws upon the following sources:

- MRCC Significant Tree Register (May 1998);
- National Trust of Australia (Victoria) Register of Significant Trees (2008);
- MRCC Heritage Overlay.

The current Significant Tree Register was prepared by Council in 1998 and identifies significant trees, or groups of trees, located on Council owned or managed land.

Trees listed as significant by the National Trust of Australia (VIC) appear in Heritage Victoria's Victorian Heritage Database and include trees on both public and private land. Trees on private land fall outside the scope of this report and while recognised as significant, trees on the National Trust Australia (VIC) Heritage List have no formal statutory protection unless also covered by a planning scheme overlay (often inclusive of 'tree controls').

The *National Trust Australia (VIC) Register of Significant Trees* is housed in Heritage Victoria's *Victorian Heritage Database* and information is available online. That register includes trees of State-significance on both public and private land, assessed and found to have significance to the community.

The standard used for assessing and classifying significant trees in this register aligns with conventions used by the National Trust of Australia (Victoria) and Heritage Victoria. The HERCON (National Heritage Convention 1998) Criteria is used to establish where known, the importance of vegetation that may be significant or of other special value, according to conventionally accepted criterion A-H. Application of the heritage criteria for this purpose follows generally accepted convention in the evaluation of significant trees.

In addition to the HERCON criteria previously mentioned, the *Significant Tree Register, 2020* uses criteria derived from the National Trust Australia (VIC), developed for application to trees or a group of trees. These criteria may also provide a framework to assess the aesthetic or cultural value of vegetation.

The NTA (Vic) Register of Significant Trees...offers no official statutory protection [via an overlay in the Mildura Planning Scheme] to the trees listed in it. The purpose of the list is to make statutory planners and the community with an interest in arboriculture more aware of the existence of these trees so that appropriate care might be applied in their management (Department of Planning & Community Development, 2008).

4. Consultation Proposed/Undertaken

The Significant Tree Register 2020 was an internal project of Council, executed by staff under the direction of the Coordinator Strategic Planning and with the guidance of a multi-disciplinary project team/ steering committee comprising staff from Council's management team, Parks and Waste Services, Asset Management and Strategic Planning teams.

Council's Heritage Advisor, Mr Garry Stanley also provided input into the project.

No external community consultation was undertaken in completing this project.

5. Discussion

Many councils have tree registers that detail notable trees of significance in their municipality similar to Mildura, recognising the value of trees in our community and acknowledging their:

- Community and social value
- Ecological and environmental value
- Personal and spiritual value
- Practical and commercial value
- Property value and economic value.

This new register updates previous work completed, with reference to and inclusive of significant trees on Council land, nature strips and/or public open space such as parks and reserves with reference to and inclusive of, the following:

- Relevant places of significance identified by National Trust of Australia (Victoria)
- Places of significance included in Council's Heritage Overlay
- Visual assessments undertaken to update and add to Council's existing Significant Tree Register from 1998.

Reasons for identification as 'significant' include:

- Significant heritage value
- Rare or endangered species
- Unique to the local environment
- Historical significance
- Contribution to landscape
- Cultural significance
- Exhibits unusual appearance or shape
- Forms part of a significant avenue or group.

Trees listed in this register primarily occur in the localities of Mildura, Irymple, Red Cliffs, Merbein and Nichols Point. Where a tree has the statutory protection afforded by a Heritage Overlay (HO), the HO Number appears in the Tree Survey Data Sheet for that tree.

Protecting these valuable cultural and heritage assets is an important consideration in planning for land use and development that might involve:

- building and/or works in the vicinity of the root zone of significant trees
- when tree pruning or maintenance activities might be required to
 - control risk such as to overhead electrical lines
 - regular maintenance activities (for example mowing of Council lawns and annual replanting of garden beds)
 - for safety purposes if the tree structure or health becomes poor or
 - for aesthetic reasons where this is appropriate (for example this might include frond and fruit removal for palm trees).

In addition to their aesthetic value, trees in the municipality form part of a wider Council management plan aiming to cool our urban environment. Trees are an effective tool in mitigating the heat island effect resulting from the combination of long, hot, dry summers and the hard impermeable surfaces found in many of our urban environments. Trees provide natural sources of shade over footpaths, public structures and open spaces; giving respite from 'heat island' effect.

For this reason it is imperative that we recognise, respect, care for and carefully manage our significant trees in such a way that their health, vitality and longevity is assured and they continue to provide net benefit to the whole community for the full term of their natural life and for future generations of residents.

Objectives/Scope

The objectives of the register are therefore to:

- provide an accessible ready reference guide for the community (while acknowledging that the register is not inclusive of all significant trees in the municipality)
- raise public awareness and knowledge of significant trees to reinforce their value and worth to the wider community
- elucidate a consistent, analytical approach to assessing significant trees against accepted heritage assessment criteria
- identify significant trees not currently protected in the planning scheme by way of an appropriate overlay, and refer these for assessment as part of other strategic work undertaken by Council, with a view to considering whether an appropriate planning and policy tool should be applied to protect tree assets assessed as having heritage or other significance
- present an instrument for future planning, management and protection of significant trees on Council land

- support Council in appropriately protecting significant trees based on their historical, horticultural or cultural importance
- act as a resource for Council staff undertaking day-to-day decision making involving significant trees (particularly planning, asset maintenance and land manager tasks)
- assist Council staff in the easy identification of significant trees on Council land; recognising the importance of trees in the landscape, guiding their management and ensuring the protection of significant trees in the municipality for future generations.

Visual Assessment

Further to significance identified above, a Visual Tree Assessment for each tree is included in the Significant Tree Register 2020. The method used complies with and is derived from the *Visual Tree Assessment* field method and the internationally accepted standards developed by Clous Matteck and Helge Breloer (1994). Each tree is assessed by appropriately certified Council staff and where appropriate Council applies a *Quantified Tree Risk Assessment System* to trees considered to be a public safety risk.

Council's former Parks Team Leader, Gareth Tyson, completed the original Visual Tree Assessments in 2012 with attribution for any minor data updates since the original assessment given to various Council officers involved with the project since that date.

The Visual Tree Assessment includes a field description, tree health, tree structure and tree size information. It also lists any potential threats and remedies available for each tree.

In many cases (where a Heritage Overlay is not applied) the Tree Survey Data Sheet (citation) notes that detailed heritage assessment is yet to be undertaken. This register notes that assessment is required to determine the heritage value of some tree/s in this register and these instances are identified as further strategic work.

This register will help to raise awareness of the value of significant trees in our community and subsequent updates to this document may identify and include additional significant trees. In addition, Council is developing a process to assist the community to nominate a Council owned or managed tree for further assessment as potentially 'significant'.

Conclusion

The register includes:

- Tree Survey Data Sheet (citation) including a statement of significance and health report for each significant tree or group of trees assessed (where plantings are in multiples of the same or mixed species).
- The Significant Tree Register 2020 that identifies, numbers and maps tree/s in their designated locality of Mildura, Irymple, Merbein, Red Cliffs or Nichols Point.

Significant trees are an essential part of our community heritage. Council actively supports the preservation and conservation of trees under its management and control as an invaluable community resource. It is considered this Significant Tree

Register 2020, prepared for use by the community and Council staff, will assist with raising awareness and protection of significant trees in the municipality.

6. Time Frame

Suggested administrative timeframes can be associated with recommendations arising from the review. These include:

Recommendations for Further work	Date
Day-to-Day operational management continue the process of monitoring tree health and carrying out maintenance or remedial action identified for significant trees in this register.	Ongoing
Council make an electronic version of the register available on its public website.	Following endorsement of the register
Council develop a Significant Tree Nomination Form, policy and process for community use in nominating trees on Council owned and managed land for inclusion in future editions of the register.	Following endorsement of the register
Trees without statutory protection are referred in Stage 1 for heritage assessment in Stage 2 as part of the Mildura Heritage Study Part B	2021
That the Significant Tree Register is reviewed at a maximum of 8 years between reviews	2028
Visual Tree Assessments are completed for trees with statutory protection which have not been included in this register	At next review
Visual Tree Assessments are completed for trees nominated for consideration to be included in future editions of the register	At next review

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

2.5 Strategic Land Use

Goal to be achieved:

- Safe, sustainable and healthy urban environments.

8. Asset Management Policy/Plan Alignment

Significant Trees are registered, recorded, cared for and managed as any other asset of Council; in line with and as part of, Council's asset management policies relating to Urban and Street Tree management. There are no additional costs identified as being associated with the draft Significant Tree Register 2020.

9. Implications

Policy

Retention of significant trees is both a legislative and policy objective of all levels of Government. The local government tier (Council) has responsibility under various pieces of legislation and policy to protect and preserve trees as part of its responsibility for environmental management and net community benefit.

Legal/Statutory

Council's legislative responsibilities and obligations are detailed in a number of pieces of legislation inclusive but not limited to:

- *Environment Protection and Biodiversity Conservation Act 1999* (Cth)
- *Planning and Environment Act 1987* (Vic)
- *Heritage Act 2018* (Vic)
- *Aboriginal Heritage Act 2006* (Vic)
- Mildura Planning Scheme (Vic)

In undertaking its responsibilities for the care and management of trees Council also aligns its practice with a number of Australian standards, regulations and codes of practice including:

- AS4373:2007 Pruning of amenity trees
- AS4970:2009 Protection of trees on development sites
- AS2303:2015 Tree stock for landscape use

Financial

Financial impacts relating to this policy are contained in Council's 2019-2020 operating budget. Primarily this consists of routine maintenance and or remedies to threats as identified in the draft Significant Tree Register 2020.

Environmental

Environmental benefits and impacts are outlined in the draft Significant Tree Register 2020. Support for the care and management of trees with the municipality generally has many environmental benefits, including:

Trees in our municipality assist in cooling our urban environment; providing natural sources of shade over footpaths, public structures and open spaces and giving respite from heat island effect.

Trees have an enormous role to play in the urban environment and improving life for urban residents. "Trees perform services in urban areas such as: cleaning the air and water of pollutants and contaminants, reducing stormwater flooding, improving building energy use and mitigating climate change by reducing the greenhouse effect through carbon sequestration. Other services include pollination, recreation, noise dampening and wind breaks" (Endreny, 2018). Trees also provide biodiversity habitats for birds, mammals, plants and insects" (Disney, 2018).

Social

Social benefits and impacts are outlined in the draft Significant Tree Register 2020. The presence of trees in the public realm is generally considered to support the health of the municipality's residents.

“Streets, parks, playgrounds and backyards are lined with trees that create a peaceful, aesthetically pleasing environment. Trees increase our quality of life by bringing natural elements and wildlife habitats into our urban settings” (Savatree, 2020).

Culturally trees play a central role in many religions such as Hinduism and Buddhism as well as symbols of hospitality in several African communities” (Earth Day Network, 2020). Trees are also culturally significant to Australia’s First Peoples.

Economic

Economic benefits and impacts are outlined in the draft Significant Tree Register 2020.

Properties landscaped to include gardens and established trees generally provide greater amenity appeal to potential purchasers, adding value and producing higher financial return when sold (Savatree, 2020).

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
That Council staff responsible for regulating land management activity, do not reference the register in their decision-making.	The register is promoted across Council, raising awareness of its existence and is presented in an easy-read accessible format that encourages use by Council teams involved in regulating land management activity.	Low

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Endorsement of Significant Trees Register - Final Report 2020



Draft MRCC Significant Tree Register 2020

Document Control

Document
Information

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Role	Name
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We encourage you to consider the environment, when choosing to print and where practicable to read/access an on line/electronic version of this register.



Draft MRCC Significant Tree Register 2020

Cover Tree: Tree No 265, Riverfront, near old pump building opposite Powerhouse/Jaycee Park

Acknowledgement of Country

Mildura Rural City Council acknowledges the Traditional Custodians of the land, which now comprise the Mildura Rural City municipality. We pay our respects to their Elders past, present and emerging, celebrate and respect their continuing cultures and acknowledge the memories of their ancestors.

Disclaimer

Heritage assessment of trees in the municipality is an ongoing process and historical information can be difficult to access and verify. Council acknowledges that a full suite of information is not available for each tree in this register at the time of publication.

While care has been taken to ensure that information contained in the Significant Trees Register is true and correct at the time of printing, changes in circumstances after the time of publication may impact on the accuracy of this information. No liability is accepted for any inclusions, advice given or omissions.

Publication Details

(Not yet presented for adoption)



Draft MRCC Significant Tree Register 2020

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Draft MRCC Significant Tree Register 2020

Introduction

Mildura Rural City Council has undertaken this project to identify trees on Council land that are of significance in the municipality. It includes significant trees on land owned or under the control of Council.

Many councils have tree registers that detail notable trees of significance in their municipality. Mildura Rural City Council recognises the value of trees in our community, acknowledging their:

- community and social value
- ecological and environmental value
- personal and spiritual value
- practical and commercial value
- property value and economic value.

“Streets, parks, playgrounds and backyards are lined with trees that create a peaceful, aesthetically pleasing environment. Trees increase our quality of life by bringing natural elements and wildlife habitats into our urban settings” (Savatree, 2020).

Trees have an enormous role to play in the urban environment and improving life for urban residents. “Trees perform services in urban areas such as: cleaning the air and water of pollutants and contaminants, reducing stormwater flooding, improving building energy use and mitigating climate change by reducing the greenhouse effect through carbon sequestration. Other services include pollination, recreation, noise dampening and wind breaks” (Endreny, 2018). Trees also provide biodiversity habitats for birds, mammals, plants and insects” (Disney, 2018). Culturally trees play a central role in many religions such as Hinduism and Buddhism as well as symbols of hospitality in several African communities” (Earth Day Network, 2020). Trees are also culturally significant to Australia’s First Peoples.

Disney, 2018, writes “urban trees can store almost as much carbon as tropical rainforests. The cost of replacing large mature trees is many thousands of pounds, and replacing [a mature significant tree] with one or more small saplings means you won’t see an equivalent net benefit for many decades after.”

In addition, properties landscaped to include gardens and established trees generally provide greater amenity appeal to potential purchasers, adding value and producing higher financial return when sold (Savatree, 2020).

Trees in our municipality assist in cooling our urban environment; providing natural sources of shade over footpaths, public structures and open spaces and giving respite from heat island effect.

Heat island effect results from the combination of long, hot, dry summers and the hard and impermeable surfaces found in many of our urban environments, such as buildings, footpaths and roads. Simply put this effect is felt where heat is absorbed and retained by hard surfaces and radiated back to those using the space, making for an uncomfortable user experience. The cooling effect of trees can help to make use of public open space a pleasant experience.

Draft MRCC Significant Tree Register 2020

This register seeks to raise awareness of the value of trees and the need to protect significant trees throughout our municipality for the ongoing net community benefit of residents.

Draft MRCC Significant Tree Register 2020

Background

Mildura Rural City Council has developed a significant tree list that identifies significant trees, or groups of trees, located on Council owned or managed land. Reasons for identification as significant include:

- Significant heritage value
- Rare or endangered species
- Unique to the local environment
- Historical significance
- Contribution to landscape
- Cultural significance
- Exhibits unusual appearance or shape
- Forms part of a significant avenue or group.

Many significant trees, protected under various planning scheme overlays, are managed in the same manner as any other tree asset. Management takes into consideration reasons behind the tree's significance and the requirement to obtain planning approval for buildings and works occurring in the tree's vicinity that may affect tree health adversely. (MRCC Urban Tree Policy CP027, p. 10)

With regard to size and heritage significance, Mildura Council believes that size alone, while important in making a tree notable, is not enough to indicate that a tree is of heritage significance. For inclusion in the Heritage Overlay a tree must "have cultural heritage significance rather than amenity or environmental value". (Guidelines for Local Heritage Surveys, July 2019)

Significant trees might be protected by other types of overlays in addition to, or instead of, the Heritage Overlay, such as the Vegetation Protection Overlay or Environmental Significance Overlay. Both these overlays have threshold criteria to meet in establishing significance.

This register updates previous work completed, with reference to and inclusive of significant trees on Council land, nature strips and/or public open space such as parks and reserves, in the following documents:

- National Trust of Australia (Victoria) Register of Significant Trees (2008)
- MRCC Significant Tree Register (May 1998).

Trees listed in this register primarily occur in the localities of Mildura, Irymple, Red Cliffs, Merbein and Nichols Point. Where a tree has the statutory protection afforded by a Heritage Overlay (HO), the HO Number appears in the Tree Survey Data Sheet for that tree. Appendix 3 of this document identifies trees with a HO that require further assessment for inclusion in future revisions of this register. For example, some trees have also been classed as heritage significant as part of the *Mildura (former Shire of Walpeup) Heritage Study* work completed in 2013.

This register will raise awareness of the value of significant trees in our community and subsequent updates to this document may identify and include additional significant trees.

Draft MRCC Significant Tree Register 2020

Council is developing a process to assist the community to nominate a Council owned or managed tree for further assessment as potentially 'significant'.

Trees listed as significant by the National Trust of Australia (Vic) appear in Heritage Victoria's *Victorian Heritage Database* and include trees on both public and private land. Trees on private land fall outside the scope of this report and while recognised as significant, trees on this NTA (Vic) Heritage List have no formal statutory protection unless also covered by a planning scheme overlay (often inclusive of 'tree controls').

Draft MRCC Significant Tree Register 2020

Objectives/Scope

The objectives of this register are to:

- provide an accessible ready reference guide for the community (while acknowledging that the register is not inclusive of all significant trees in the municipality)
- raise public awareness and knowledge of significant trees to reinforce their value and worth to the wider community
- elucidate a consistent, analytical approach to assessing significant trees against accepted heritage assessment criteria
- identify significant trees not currently protected in the planning scheme by way of an appropriate overlay, and refer these for assessment as part of other strategic work undertaken by Council, with a view to appropriate planning and policy tools being applied to protect tree assets assessed as having heritage or other significance
- present an instrument for future planning, management and protection of significant trees on Council land
- support Council in appropriately protecting significant trees based on their historical, horticultural or cultural importance
- act as a resource for Council staff undertaking day-to-day decision making involving significant trees (particularly planning, asset maintenance and land manager tasks)
- assist Council staff in the easy identification of significant trees on Council land; recognising the importance of trees in the landscape, guiding their management and ensuring the protection of significant trees in the municipality for future generations.

Tips for Using this Document – Section by Section

CONTENTS LIST	By checking the contents list you will see the type of information covered in our Significant Tree Register.
INTRODUCTION	The introduction gives you a brief outline of why we need to look after our trees, why they are so valuable and the reasons why trees are important in urban environments.
BACKGROUND	You can use this section to find out the characteristics and features that make a tree significant.
OBJECTIVE & SCOPE	The objectives section tells you about what Council hopes to achieve by writing the register and purposes that the register might be used for.
POLICY CONTEXT	The policy context helps you to understand where the document sits within a broader legislative and policy framework and cross-references various Government Statutes (Commonwealth and State) and Local Government documents and Council policies that influence how we care for and manage significant trees in our municipality.
CONSULTATION	This section tells you whom we spoke with, who provided input into the register and who was involved in creating the register.
KEY PROJECT TASKS AND OUTPUTS	This section tell you the things we did to complete the register, the major tasks involved and what outputs we achieved, such as the register itself. It also details the criteria used in assessment of each tree and talks about the data collected, why we collected the data and how we used it.
ASSESSING SIGNIFICANCE	This section tells you in detail about the different reasons for significance and the standards required for local, regional and state levels of significance. This section also talks about the work of the National Trust of Australia (Vic) and Heritage Victoria and details the classification criteria used by the National Trust to determine significance and Heritage Victoria's HERCON Criteria, used for establishing heritage significance. This section also talks about tree health and structure and how we assessed this.
TREE SURVEY DATA SHEETS	You can use these data sheets/citations to find out information about each tree or group of trees in the register. Use the index to find the tree you're looking for then read in detail about the tree/s.
REFERENCES	This section tells you the places we looked for information on significant trees and cites the sources of information used to produce the register.

Draft MRCC Significant Tree Register 2020

APPENDICES

This is additional information.

Appendix 1 – Has maps of the tree locations.

Appendix 2 – Shows detailed expertly drawn landscape plans for some of our public open space areas and parks.

Appendix 3 – This section lists trees protected in the Mildura Planning Scheme but not included in the list of trees with citations in this register. These trees need further assessment and are likely to be included in future revisions of this document.

INDEX

If you are interested in a tree species or tree/s at a particular location then you can search the index by address or tree type to find the right page number for information about a particular tree/s or species.

Policy Context

Retention of significant trees is both a legislative and policy objective of all levels of Government. The local government tier (Council) has responsibility under various pieces of legislation to protect and preserve trees as part of its responsibility for environmental management and net community benefit. Council also has a number of adopted policies that support its legislative obligations.

Legislation

Environment Protection and Biodiversity Conservation Act 1999 (Cth)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's environmental legislation. It covers essential assessment and approvals, protects significant biodiversity and integrates the management of important natural and cultural places.

Some of the objectives of the EPBC Act are to:

- provide for the protection of the environment, especially matters of national environmental significance
- conserve Australian biodiversity
- enhance the protection and management of important natural and cultural places
- promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources (Australian Government, 2020).

Planning and Environment Act 1987 (Vic)

The objectives below extracted from Section 4 of the *Planning and Environment Act 1987* (PE Act) relate to preservation of the amenity afforded to the community by trees (including significant trees) as part of the environment.

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value (Austlii, 2020).

Heritage Act 2018 (Vic)

The Heritage Act 2017, administered by Heritage Victoria is the Victorian Government's main cultural heritage legislation. The Act identifies and protects heritage places and objects of state-level cultural heritage significance including [but not limited to] gardens, trees and cemeteries (Heritage Victoria, 2020)

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Under the *Heritage Act 2017*, (Part 1, Preliminary Definitions) a 'place' means:

"...(i) a tree...and (j) land associated with any thing specified in paragraphs (a) to (i)".
(Legislation.vic.gov.au, 2020).

Interpretation of this means that the significant trees identified in this register and assessed to have heritage significance are considered a heritage 'place' for the purposes of the Act. The land which is their location may be protected in the planning scheme by means of a planning tool such as a heritage (or other type) of overlay.

Aboriginal Heritage Act 2006 (Vic)

Under the Aboriginal Heritage Act 2006 Part 1 Preliminary Definitions:

"works" includes - ...(c) the removal or destruction of trees..." (Austlii, 2020)

Mildura Planning Scheme (Vic)

Clause 54.03-6 Significant Trees Objectives and Standard A8

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage the retention of significant trees on the site.

Standard A8

- Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Clause 59.06-1 Remove, Destroy or Lop a Tree

An application must be accompanied by the following information as appropriate:

- The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.

21.10-2 Deakin Avenue (Image of Mildura)

Provide for the protection and ongoing maintenance of valued assets (historic buildings, significant trees and installations).

22.02 Heritage (Policy)

- Support the maintenance and management of significant trees in a manner that ensures that they will survive in good condition according to their normally expected lifespan.
 - Encourage strategic replanting programs of significant trees using the same species.
-

Design and Development Overlay Schedule 1 (DD01)

Design Requirements

- Feature lighting is encouraged to highlight historic and key civic buildings, significant trees and art installation/structures.

Policy

Australian Standards, Regulations and Codes of Practice

The following Australian Standards, Regulations and Codes of Practice are a reference to assist management of significant trees on Council land:

- AS4373:2007 Pruning of amenity trees
- AS4970:2009 Protection of trees on development sites
- AS2303:2015 Tree stock for landscape use
- Electricity Industry Act 2000 – Section 93 Powers as to Works
- Electricity Safety (Installations) Regulations 2009 – Section 319
- Electricity Safety (Electric Line Clearance) Regulations 2015 Victoria
- Code of Practice for Electric Line Clearance

Community & Council Plan 2017-2021

2.5 Strategic Land Use

Goal to be achieved:

- Safe Sustainable and healthy urban environments

Local By-Law No 2 – Community Local Law

Local Law 2 requires the community to comply with a number of sections regarding the care and management of street trees (including significant trees) and items for consideration when landowners are undertaking development that might affect trees on Council land.

- | | |
|----------------|---|
| 4.4(a) | Temporary Vehicle Crossings |
| 5.1(a) and (b) | Road and Footpath Obstructions |
| 5.5 | Trees and Plants, Signs and Structures Not to Obstruct or Obscure |

Draft Urban Tree Strategy 2018-2023

Council is currently developing a strategy to detail the management of street trees in accordance with industry best practice to provide improved quality and increased numbers of trees within the townships, resulting in increased canopy cover (MRCC Council Plan p. 51)

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Urban Tree Policy CP027

Council's *Urban Tree Policy CP027* sets out the policy for establishment, protection and management of vegetation situated on Council owned or managed property comprising:

- Residential streets, medians, roundabouts, carparks, tree bays and nature strips.
- Central Business Districts
- Rural roadsides where remnant vegetation has been cleared.
- Gardens, neighbourhood parks, sporting reserves and greenbelts.

Land Manager's Consent Policy CP061

The policy ensures that works conducted on or in Council owned, managed or controlled public land and facilities comply with all relevant policy, legislation or regulatory standards and align with Council's strategic requirements.

Nature Strip Policy

Council is currently developing a policy to guide use and development of nature strips. The policy will cover the care and management of street trees (including significant trees) planted on nature strips and will cross-reference other applicable Council policy documents, including this register.

Roundabout Landscaping Policy OP199

This document sets out the Council policy for vegetation maintenance and landscape development of roundabouts and associated intersection gardens.

Municipal Association of Victoria (MAV) Tree Root Assessment Tool

In 2014 MAV led the development of a Tree Root Risk Assessment tool in conjunction with qualified arborists from a number of councils across Melbourne. This tool assists councils to make consistent, documented decisions about their management of trees and tree root issues (MAV Insurance Report, 2014).

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Consultation

This is an internal project of Council executed by staff under the direction of the Coordinator Strategic Planning and with the guidance of a multi-disciplinary project team/steering committee comprising staff from Council's management team, Parks and Waste Services, Asset Management and Strategic Planning teams.

Council's Heritage Advisor, Mr Garry Stanley also provided input into the project.

No external community consultation was undertaken in completing this project.

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Key Project Tasks/Outputs

Tree Assessment Information

Key project tasks include undertaking an assessment of each tree included in the Significant Tree Register. The method used complies and is derived from the *Visual Tree Assessment* field method and the internationally accepted standards developed by Clous Matteck and Helge Breloer (1994). Each tree is assessed by appropriately certified Council staff and where appropriate Council applies a *Quantified Tree Risk Assessment System* to trees considered to be a public safety risk.

Key project outputs are a:

- Tree Survey Data Sheet including a statement of significance and health report for each significant tree or group of trees assessed (where plantings are in multiples of the same or mixed species). The statement of significance appears in the table field *National Trust Australia (Vic) Heritage Criteria* (please see Table 1 below).
- Significant Tree Register that identifies, numbers and maps tree/s in their designated locality of Mildura, Irymple, Merbein, Red Cliffs or Nichols Point.

What Data are we Collecting and Why?

Each Tree Survey Data Sheet (citation) contains the following information:

Table 1 – Tree Survey Data Template

Town	the locality of the tree/s.
Location	the nearest street address for the tree/s, or the public open space where the tree is growing, if this is a park or reserve, including GIS coordinates.
Access	indicates if there is any restriction on public access to the tree/s.
Heritage Overlay	confirms if the tree or tree group is protected by a Heritage Overlay, in the Mildura Planning Scheme.
Heritage Criteria	used for classification and assessment of the tree/s against conventional criteria used by Heritage Victoria. If an overlay (for example of Heritage Overlay or HO) applies to the tree/s then the register lists the HO number in this section.
National Trust Australia (Vic) Criteria	used for classification and assessment against the National Trust Australia (Vic) tree assessment categories. The assessment identifies what is significant about the tree (for example characteristics of location/context, growth, aesthetics, culture or

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	value) that elevate it to the status of significant. Readers will find a detailed explanation of the application of each criteria later in this document.
National Trust Heritage Register	<p>indicates if the tree is included in the National Trust (Vic) Register.</p> <p>The National Trust Heritage Register is the most comprehensive single heritage register in Victoria, covering all types of cultural and natural heritage, including buildings, trees, landscapes, gardens, public art and pipe organs.</p>
Field Description	provides detail about tree health, tree structure and tree dimensions where assessment has been undertaken. Please note that in some instances this information is not able to be assessed.
Threats	identifies and defines known threats to the tree/s.
Remedial Action	recommends action to be undertaken (generally by Council officers) to ameliorate, mitigate or remedy any known threats to the tree.
Comments	contains any general comments with regard to the tree, particularly with regard to protecting and maintaining the heritage value of the tree/s.

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Assessing Significance

Standards of Significance

The standard used for assessing and classifying significant trees in this register aligns with conventions used by the National Trust of Australia (Victoria) and Heritage Victoria. A brief description of their heritage work is provided for your information below.

The National Trust of Australia (Victoria) or NTA (Vic) is an organisation that actively protects and conserves places of heritage significance for future generations, supporting community engagement in heritage protection and lobbying for the protection of places at risk. (National Trust of Australia (Vic), 2020).

Heritage protection in Victoria is essentially delivered at two levels with a clear separation of responsibilities between State and local government.

Heritage Victoria and the Heritage Council of Victoria (another independent statutory authority) *manage State-level heritage places and objects, and local government with respect to local-level heritage places; working to retain and manage places that have cultural heritage importance to the community, conserving and enhancing places of aesthetic, archaeological, architectural, cultural, scientific or social significance, or otherwise of special cultural value.*

Heritage Victoria is the Victorian State Government's principal cultural (non-Aboriginal) heritage agency with responsibility for identifying, protecting and interpreting Victoria's most significant cultural heritage resources, and giving advice on heritage matters to a variety of groups including: private owners, local and State government, industry and the general community.

Heritage Victoria also:

- *administers the Heritage Act 2017*
- *maintains the Victorian Heritage Register*
- *recommends places and objects that should be included in the Heritage Register*
- *issues permits to make changes to heritage places and objects*
- *manages historic shipwrecks and artefacts*
- *protects Victoria's archaeological heritage*
- *helps conserve significant objects and collections.*

*The Victorian Heritage Database (VHD) is home to the **Victorian Heritage Register** which lists the State's most significant heritage places ... protected under the Heritage Act 2017 [and includes] the records of non-statutory listings held by the National Trust of Australia (Victoria)" (Heritage Victoria, 2020). The Victorian Heritage Database is available online to the community as a resource for additional information about state significant trees.*

Heritage Assessment

Heritage Victoria criteria (applied in assessing items for the National Heritage Register described above) are also used to assess the significance of tree/s in this register. Application of the heritage criteria for this purpose follows generally accepted convention in the evaluation of significant trees.

The assessment data provided in this register is accurate to 2012 and in many cases (where a Heritage Overlay is not applied) notes that detailed heritage assessment is yet to be undertaken. This register notes that assessment is required to determine the heritage value of some tree/s in this register and these instances are identified as further strategic work.

Levels of Significance (National, State, Regional or Local)

In addition to determining the heritage value of the trees in this register, any heritage assessment undertaken may also define the level of significance as either National, State, 'Regional' or 'Local'. As detailed above some trees in this Significant Tree Register appear in the Victorian Heritage Database meaning that they are State significant.

The National Trust Australia, Victoria (NTA Vic) classifies Regional significance as *referring to an item not of State level significance, but more than Local significance, or relating to a specific region of Victoria, eg. The Western District*. While Local significance *refers to a place or object that is important in the context of its local area*. Thus, a tree may not have known heritage value but might still have local or regional significance (National Trust Australia, 2020).

Where heritage significance is not demonstrable, the Council might consider a Vegetation Protection Overlay (VPO) Environmental Significance Overlay (ESO) or Significant Landscape Overlay (SLO). There are thresholds to establish for each of these overlays.

Use of the Heritage Conventions, 1998 (HERCON criteria) establishes whether a heritage place (in this case a tree) meets the threshold of local significance to the State, municipality or locality.

When talking of heritage places including trees it might be considered that threshold tests of significance that apply generally to heritage places also apply to trees. That is *"A [tree] need only meet one test in order to satisfy the threshold of local significance. If it meets more than one test it is not considered more significant – it simply means that the [tree] is significant for a number of reasons. A [tree] might be significant to both local and state wide communities"*.

"Significance can be at the State Level where the [tree] is eligible for nomination to the Victorian Heritage Register database (if not already included). Significance might be Local where a [tree] is significant to a locality or the whole of the municipality. A heritage assessment is to be completed for each [tree] in this register not currently protected in the planning scheme.

It can be difficult to establish significance where historical associations are not well established or are not well demonstrated/reflected in the data available to assessors. The

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threshold test for significance might not be met because the [species of tree] is common, or typical, rather than outstanding and it doesn't satisfy other necessary criteria for it to be deemed significant." (Walpeup Heritage Study Stage 2 Key Findings p 10-12).

Heritage Victoria Assessment Criteria (HERCON)

"The HERCON criteria were adopted at the 1998 National Heritage Convention where delegates, including the Commonwealth Minister and representatives of community and professional organisations agreed on a set of principles intended to inform the new National Heritage System and to shape the necessary legislation. "These principles were also used by the Australian Heritage Commission for the Register of the National Estate" (closed 2007) and the Heritage Council and Heritage Victoria support their use in heritage assessment (Museums Australia Submission to the review of the EPBC Act 2i, 2020).

The HERCON Criteria are used to establish where known, the importance of vegetation that may be significant or of other special value because of its:

Table 2 – HERCON Assessment Criteria

- A** Importance in the course, or pattern, of Australia's natural or cultural history
 - B** Possession of uncommon, rare or endangered aspects of Australia's natural or cultural history
 - C** Potential to yield information that will contribute to an understanding of Australia's natural or cultural history
 - D** Importance in demonstrating the principal characteristics of a class of Australia's natural or cultural places or environment
 - E** Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group
 - F** Importance in exhibiting a high degree of creative or technical achievement at a particular period (relevant to cultural heritage plans rather than vegetation)
 - G** Strong or special associations with a particular community or cultural group for social, cultural or spiritual reasons
 - H** Special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history.
- Source: Vegetation Protection in Urban Areas Planning Practice Note 07 (August 1999)*

Sometimes the heritage significance of a tree/s may be unknown or is unable to be established for lack of available information. Thus, in addition to the above conventional criteria this register employs an additional criterion:

Not Assessed	The heritage significance of an item cannot/has not been determined at the current point in time.
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National Trust of Australia (Victoria) Classification Criteria

The *National Trust Australia (Vic) Register of Significant Trees* is housed in Heritage Victoria's *Victorian Heritage Database* and information is available online. The register includes trees of State-significance on both public and private land, assessed and found to have significance to the community.

In addition to the HERCON criteria previously mentioned, this register uses criteria derived from the National Trust Australia (Vic), developed for application to trees or a group of trees. These criteria may also provide a framework to assess the aesthetic or cultural value of vegetation.

It is noted from correspondence with Heritage Victoria that "*the NTA (Vic) Register of Significant Trees is not endorsed by Heritage Victoria. The list offers no official statutory protection [via an overlay in the Mildura Planning Scheme] to the trees listed in it. The purpose of the list is to make statutory planners and the community with an interest in arboriculture more aware of the existence of these trees so that appropriate care might be applied in their management.*" (Department of Planning & Community Development, 2008).

The *National Trust of Australia (Vic) Register of Significant Trees* (2008) lists its criteria for classification as inclusive of:

Table 3 – NTA (Vic) Assessment Criteria

1	Horticultural Value	Any tree which is of horticultural or genetic value and could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. (No sub categories)
2	Location or Context	Any tree which occurs in a unique location or context and so provides a contribution to the landscape, including remnant native vegetation, important landmarks, and trees which form part of a historic garden, park or town. 2.1 Location or Context 2.2 Historic Garden or Park 2.3 Historic Cemetery 2.4 Important Landmark 2.5 Remnant Native Vegetation 2.6 End of Natural Range 2.7 Contribution to Landscape 2.8 Historic Town 2.9 Historic Planting Style

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-
- | | | |
|---|----------------------------|--|
| 3 | Rare or Localised | Any tree of a species or variety that is rare or of very localized distribution. |
| | | 3.1 Rare or Localised |
| | | 3.2 Only Known Specimen |
| | | 3.3 1 to 10 Known Specimens |
| | | 3.4 10 to 50 Known Specimens |
| | | 3.5 In the Wild |
| | | 3.6 End of Natural Range |
| | | 3.7 Disjunct Community |
| 4 | Particularly Old | Any tree that is particularly old or venerable.
(No sub categories) |
| 5 | Outstanding Size | Any tree outstanding for its large height, trunk circumference or canopy spread. |
| | | 5.1 Outstanding Size |
| | | 5.2 Height |
| | | 5.3 Circumference |
| | | 5.4 Canopy Spread |
| | | 5.5 Height x Circumference |
| | | 5.6 Spread x Circumference |
| | | 5.7 Height x Circumference x Spread |
| 6 | Aesthetic Value | Any tree of outstanding aesthetic significance.
(No sub categories) |
| 7 | Curious Growth Form | Any tree which exhibits a curious growth form or physical feature such as abnormal outgrowths natural fusion of branches, severe lightning damage or unusually 'pruned' forms. |
| | | 7.1 Curious Growth Form |
| | | 7.2 Abnormal Outgrowths |
| | | 7.3 Fusion of Branches |
| | | 7.4 Unusually Pruned |
| | | 7.5 Unusually Damaged |
| 8 | Historical Value | Any tree commemorating a particular occasion (including plantings by Royalty) or having an association with an important historical event. |
| | | 8.1 Historical Value |
| | | 8.2 Cultural Group |
| | | 8.3 Public Feature |
-

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		8.4	World War I
		8.5	World War II
		8.6	British Royalty
		8.7	Non-British Royalty
		8.8	Visiting Dignitary
		8.9	Australian Public Figure
		8.10	Victorian Public Figure
9	Aboriginal Culture	Any tree associated with Aboriginal activities.	
		9.1	Scarred Tree
		9.2	Corroboree Tree
10	Outstanding Example of Species	Any tree that is an outstanding example of its species. (No sub categories).	

(National Trust of Australia (Victoria) Register of Significant Trees, 2008 (p. ii))

Field Description

The method used to complete the elements in the field description (including tree health and structure) complies and is derived from the *Visual Tree Assessment* field method and the internationally accepted standards developed by Clous Matteck and Helge Breloer (1994).

Tree Health

Tree health relates to tree vigour, live crown ration and canopy density. Health is rated according to the following categories:

Table 4 – Tree Health Criteria

Very Good	A particularly healthy tree making good or exceptional growth. The tree should exhibit a full canopy of foliage, be carrying very little dead wood and be free of pests or diseases. The tree should flower and set fruit regularly for that species.
Good	A tree in reasonable condition, growing well. The tree should exhibit an adequate canopy of foliage. There may be some dead wood. Some grazing by insects or possums may be evident.
Poor	The tree is not growing to capacity; extensions growth of the laterals is minimal. The canopy may be thinning or sparse and dead wood may be evident throughout the crown.
Stressed	The tree may be wilting, with no growth or very little growth evident. Foliage may be sparse, small in size, or badly grazed. The tree may be responding to stress by the development of epicormics shoots.

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Fungal fruiting bodies may be present. Insects such as scale or aphid may be attacking the tree, with sooty mould another stress symptom. The tree may be carrying excessive quantities of deadwood, have split or peeling bark and may be unstable in the ground.

Dying

The tree is stressed to the point where it is very unlikely to recover. It may take several years to actually die. The energy requirements of the tree are greater than the tree can produce, so each season the tree is declining. Each year the size or volume of living tissues in the tree may be declining. Symptoms may be:

- No foliage
- Nearly dead
- Very little volume of foliage
- Epicormics shoots only
- Large percentage of dead wood throughout the crown
- Bark dead or peeling back off the branches and the trunk
- Permanent wilting of foliage.

Tree Structure

Tree structure relates to the physical form of the tree, including the trunk/s, main scaffold branches and roots. Structure includes the attributes that may influence the probability of major trunk, limb or root failure.

Structure is rated according to the following categories:

Table 5 – Tree Structure Criteria

Well Structured

The tree has a well-defined and balanced crown. Branch unions appear to be strong with no defects evident in the trunk or the branches. Major limbs are well defined. The tree is considered a good example of the species with a well-developed form. The root flare or buttress suggests a well-developed root system for that species.

Good Structure

The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance, some branch unions may be exhibiting minor structural faults or have the potential to create faults. If the tree has a single trunk, this may be on a slight lean or be exhibiting minor defects.

Poor Structure

The tree may be poorly structured. It may be lop-sided or have a few branches on one side or have large gaps in the crown. Major limbs may not be well-defined. Branches may be rubbing or crossing over. Branch unions may be poor, and faults at the point of attachment or along the branches may be evident. Some limbs may have delaminated. The tree may have a substantial lean. The tree may have suffered major root damage. Poor structure may result from the following:

Co-dominant or Bifurcated Stems

The tree has several major stems, usually two, where the union of the stems may be deformed. These stems may be rubbing or have included bark, and are usually poorly attached to each other. These branch unions are a likely point of failure.

Lopped

The trunk or the major limbs have been reduced with no regard to modern pruning practices. The tree has been severely pruned where the principles or Compartmentalisation of Decay in Trees (CoDiT) have been ignored. Often very little foliage is left on a lopped tree. The health of the tree is compromised and pathogens, possums or insects may attack the tree. Its defence system is severely weakened. The tree structure is destroyed and decay often is the result through the large wounds. The new branches that may develop from the cut ends are usually developed from epicormics shoots are are poorly attached. The branches often fail five, ten or twenty plus years after lopping.

Major Trunk Wound

The trunk of the tree has been damaged. This may be due to fire, earth moving equipment, mowers or other means but it is substantial in size and is likely in time to develop into trunk decay. Tree trunks generally have very poor defence mechanisms to protect them against decay once they have suffered a major wound.

Trunk Decay

The major structure of the tree, the trunk or trunks are being attacked by wood rotting fungi, insects or other pathogens. Depending on the species and the growing conditions and health of the tree, it may take many years for the trunk to decay. This category is used where the decay is considered to be substantial or has the potential to become substantial. The decay may in time cause the tree to become a dangerous tree and whole tree failure may result.

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Defect Root System

The tree may be moving in the ground. There may be no evidence of trunk buttressing. Roots may be evident girdling the base of the trunk. The tree may have been planted in a situation where root growth is impeded and so stability is a problem. There may be cracks in the soil or a gap between the trunk and the soil. The root plate may be raised up on one side above normal grade. This may be an indicator of total tree failure.

Tree Dimensions

Tree dimensions relates to measurements or careful appraisals of the height, diameter at breast height and canopy structure of the tree.

Height

The height of the tree, in metres. This is included for trees, or groups of trees, where the height of the tree is deemed particularly important or significant.

Diameter at Breast Height (DBH)

This is a measurement of the diameter of the tree at a height of 1.4 metres. Where a measurement was not possible at this height, the alternate level of measurement is stated. In cases where there are multiple trunks, each will be identified by its bearing (North (N), South (S), East (E), West (W)).

Canopy

This includes both the planting width and where known the width of the canopy along the north-south (NS) and east-west (EW) bearing.

Tree Survey Data Sheets

Citations and Statements of Significance

Council's former Parks Team Leader Gareth Tyson completed citations for the Trees in this register in 2012. Attribution for any minor data updates since the original assessment is given to various Council officers involved with the project since that date.

For the purposes of completion please note that the trees in the table below were lost in storms or removed due to structural risk since their original assessment was completed in 2012. They no longer appear in this register as their 2012 deemed significance was impacted by replanting.

Table 6 – Trees Removed since 2012


Tree Group	Tree Number
3	20
4	21
16	101
22	109
29	149-152
56	481

For simplicity of reading we have attempted to keep tree citations to one page. Recognising that photographs of the trees may appear smallish, we encourage you to read the register on line in place of a printed copy of this document. An electronic version of the register will allow you to closely examine the photos and enlarge them as desired.

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Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 1</p> <p>Tree No: 1-12</p>	
Location & Access:	<p>Location (Street Address or Park Name): 368 Eleventh Street, Mildura 155-161 Ontario Avenue, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6217179.5190000003 (N) / 605748.79200000002 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 1 on Mildura (Mildura West-D) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: Trees covered by HO210 in the Mildura Planning Scheme</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Change to nature strip maintenance</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 10 May 2012</p>	

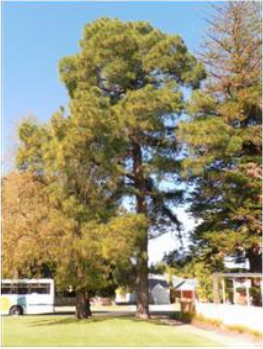
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Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	Phoenix canariensis	
	Tree Group Identifier No:	2	
	Tree No:	13-19	
Location & Access:	Location (Street Address or Park Name):	229-243 Thirteenth Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6216737.3449999997 (N) / 605482.88 (E)	
For mapping please refer to Tree Group Identification No 2 on Mildura (Mildura West-D) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	13 Proximity to water mains/fire services and Overhead electric lines. 14-17 Proximity to overhead electric lines. 18-19 Levels and permeability have recently changed due to construction.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	10 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Avocado</p> <p>Genus & Species: <i>Persia americana var.</i></p> <p>Tree Group Identifier No: 5</p> <p>Tree No: 22</p>	
Location & Access:	<p>Location (Street Address or Park Name): 199 Cureton Avenue, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6217552.773 (N) / 606805.7669999999 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 5 on Mildura (Arts Centre-A) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Rare or Localised</p> <p>MPS Heritage Overlay: Tree covered by HO307 in the Mildura Planning Scheme</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Poor</p> <p>Tree Structure & Condition: Poor - Trunk Decay</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / EW 9m NS 7.5m</p> <p>Measured Height: 4.5m</p> <p>Measured DBH: 0.43m @ base</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Redevelopment of Rio Vista</p> <p>Remedial Action: Install mulch or compost to garden bed.</p>	
Comments:	<p>No comment required.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 10 May 2012</p>	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Pine	
	Genus & Species:	<i>Pinus canariensis</i>	
	Tree Group Identifier No:	6	
	Tree No:	23	
Location & Access:	Location (Street Address or Park Name):	199 Cureton Avenue, Mildura, Rio Vista House, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217529.7460000003 (N) / 606828.9000000002 (E)	
For mapping please refer to Tree Group Identification No 6 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	Tree covered by HO307 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 12m NS 17m	
	Measured Height:	23.5m	
	Measured DBH:	0.8m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Redevelopment of Rio Vista, footpath maintenance of the adjoining path which runs in along the property boundary to the house and gallery.	
	Remedial Action:	Ensure tree is protected during any reconstruction of the path in close proximity.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	10 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Pine	
	Genus & Species:	<i>Pinus canariensis</i>	
	Tree Group Identifier No:	7	
	Tree No:	24	
Location & Access:	Location (Street Address or Park Name):	199	
		Rio Vista House, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217616.1739999996 (N) / 606780.92500000005 (E)	
For mapping please refer to Tree Group Identification No 7 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Outstanding Size	
	MPS Heritage Overlay:	Tree covered by HO307 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 15.5m NS 17.5m	
	Measured Height:	22m	
	Measured DBH:	0.9m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Redevelopment of Rio Vista.	
	Remedial Action:	Ensure tree is protected during the redevelopment of the Mildura Arts Centre and any future garden redevelopment at the site.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	10 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 8</p> <p>Tree No: 25-49</p>	
Location & Access:	<p>Location (Street Address or Park Name): 199 Cureton Avenue, Mildura Rio Vista House, Mildura (Nature Strip)</p> <p>2, 8, 9 & 10 Chaffey Avenue, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6217652.6299999999 (N) / 606820.38300000003 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 8 on Mildura (Arts Centre-A) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: Yes</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Aesthetic Value</p> <p>MPS Heritage Overlay: Tree covered by HO307 in the Mildura Planning Scheme</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Change to irrigation practices, Garden/lawn maintenance activities.</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 10 May 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Norfolk Island Pine</p> <p>Genus & Species: <i>Araucaria heterophylla</i></p> <p>Tree Group Identifier No: 9</p> <p>Tree No: 50</p>	
Location & Access:	<p>Location (Street Address or Park Name): Walnut Avenue end of Sandpiper Drive, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6216015.947999999 (N) / 605520.7149999997 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 9 on Mildura (Mildura West-D) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Outstanding Size</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: 23.5m</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Road maintenance in the immediate vicinity surrounding the tree, dry conditions/reduced rainfall</p> <p>Remedial Action: Ensure tree is protected during any reconstruction of the road which is in close proximity to the base of the trunk.</p>	
Comments:	<p>No comment required.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 14 May 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Moreton Bay Fig	
	Genus & Species:	<i>Ficus macrophylla</i>	
	Tree Group Identifier No:	10	
	Tree No:	51	
Location & Access:	Location (Street Address or Park Name):	65 Douglas Avenue, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6216152.0769999996 (N) / 607607.58200000005 (E)	
<i>For mapping please refer to Tree Group Identification No 10 on Mildura (Mildura East-E) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	Yes	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Rare or Localised Outstanding Size	
	MPS Heritage Overlay:	Trees covered by HO205 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 28.6m NS 31m	
	Measured Height:	17.8m	
	Measured DBH:	2.31m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Development of vacant block into public open space showcasing the tree.	
	Remedial Action:	Ensure that design and construction of the open space does not impact the longevity of the tree.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	14 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	11	
	Tree No:	52-58 & 60-61	
Location & Access:	Location (Street Address or Park Name):	47 -71 Orange Avenue, Mildura 108 Ninth Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6216508.4230000004 (N) / 607310.09100000001 (E)	
<i>For mapping please refer to Tree Group Identification No 11 on Mildura (CBD-B) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Outstanding Size	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities., the redevelopment of commercial properties has seen some nature strips in this section of Orange Avenue paved with pebblecrete reducing the permeability.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
Assessment Completed by:		Gareth Tyson	Assessment Completed date: 14 May 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Palm
	Genus & Species:	<i>Phoenix sp.</i>
	Tree Group Identifier No:	11
	Tree No:	59

Location & Access:	Location (Street Address or Park Name):	71 Orange Avenue, Mildura
	Access:	Unrestricted
	GIS Coordinates:	6216418.5590000004 (N) / 607218.03000000003 (E)

*For mapping please refer to Tree Group Identification No **11** on **Mildura (CBD-B)** town map in Appendix 1*

Assessment:	National Trust Australia (Vic) Heritage Register:	No
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape
	MPS Heritage Overlay:	No
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B

Field Description:	Tree Health:	Very Good
	Tree Structure & Condition:	Good Structure
	Note:	Comments below

Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed
	Measured Height:	Not Assessed
	Measured DBH:	Not Assessed
	Overall Height Estimate:	3m - 6m

Threats & Remedies:	Threats:	Garden/lawn maintenance activities., the redevelopment of commercial properties has seen some nature strips in this section of Orange Avenue paved with pebblecrete reducing the permeability.
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.

Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.
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Assessment Completed by:	Gareth Tyson	Assessment Completed date:	14 May 2012
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Draft MRCC Significant Tree Register 2020


Identification:	Common Name: Date Palm Genus & Species: <i>Phoenix canariensis</i> Tree Group Identifier No: 12 Tree No: 62-65	
Location & Access:	Location (Street Address or Park Name): Mansell Reserve, Mildura (Seventh Street side) Access: Unrestricted GIS Coordinates: 6217693.79 (N) / 606480.223 (E)	
<p><i>For mapping please refer to Tree Group Identification No 12 on Mildura (Arts Centre-A) town map in Appendix 1</i></p>		
Assessment:	National Trust Australia (Vic) Heritage Register: No National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape MPS Heritage Overlay: No Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health: Very Good Tree Structure & Condition: Good Structure Note: Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed Measured Height: Not Assessed Measured DBH: Not Assessed Overall Height Estimate: 3m - 6m	
Threats & Remedies:	Threats: Garden/lawn maintenance activities. Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit. Botanical name corrected MJ (2020). Assessment Completed by: Gareth Tyson Assessment Completed date: 14 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Sky Duster</p> <p>Genus & Species: <i>Washingtonia robusta</i></p> <p>Tree Group Identifier No: 12</p> <p>Tree No: 66</p>	
Location & Access:	<p>Location (Street Address or Park Name): Mansell Reserve, Mildura (Seventh Street Side)</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6217690.3090000004 (N) / 606483.5159999995 (E)</p>	
<p><i>For mapping please refer to Tree Group Identification No 12 on Mildura (Arts Centre-A) town map in Appendix 1</i></p>		
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / EW 15m NS 16m</p> <p>Measured Height: 14.8m</p> <p>Measured DBH: 1.24m</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities.</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 14 May 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Desert Fan Palm	
	Genus & Species:	<i>Washingtonia filifera</i>	
	Tree Group Identifier No:	13	
	Tree No:	67-82	
Location & Access:	Location (Street Address or Park Name):	396 Benetook Avenue, Mildura 16-56 Eleventh Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6214832.5429999996 (N) / 608011.00699999998 (E)	
	<i>For mapping please refer to Tree Group Identification No 13 on Mildura (Mildura East-E) town map in Appendix 1</i>		
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	



Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Desert Fan Palm			
	Genus & Species:	<i>Washingtonia filifera</i>			
	Tree Group Identifier No:	14			
	Tree No:	83-87			
					
			Location & Access:	Location (Street Address or Park Name):	Ellswood Crescent, Mildura
			Access:	Unrestricted	
			GIS Coordinates:	6215123.3140000002 (N) / 608471.03899999999 (E)	
<p><i>For mapping please refer to Tree Group Identification No 14 on Mildura (Mildura East-E) town map in Appendix 1</i></p>					
Assessment:	National Trust Australia (Vic) Heritage Register:	No			
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value			
	MPS Heritage Overlay:	No			
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B			
Field Description:	Tree Health:	Very Good			
	Tree Structure & Condition:	Good Structure			
	Note:	Comments below			
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed			
	Measured Height:	Not Assessed			
	Measured DBH:	Not Assessed			
	Overall Height Estimate:	3m - 6m			
Threats & Remedies:	Threats:	Development of the adjoining vacant land for housing including construction of new road sections and driveway cross overs.			
	Remedial Action:	Ensure that trees are protected during the development of the vacant land and construction of formal kerb and guttering on the Northern side of Ellswood Crescent.			
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.				
	Assessment Completed by:	Gareth Tyson			
	Assessment Completed date:	41044			

Draft MRCC Significant Tree Register 2020

Identification:	Common Name: Sugar Gum Genus & Species: <i>Eucalyptus cladocalyx</i> Tree Group Identifier No: 14 Tree No: 88-92																															
Location & Access:	Location (Street Address or Park Name): Ellswood Crescent, Mildura Access: Unrestricted GIS Coordinates: 6215057.1179999998 (N) / 608542.8109999999 (E)																															
<p><i>For mapping please refer to Tree Group Identification No 14 on Mildura (Mildura East-E) town map in Appendix 1</i></p>																																
Assessment:	National Trust Australia (Vic) Heritage Register: No National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Aesthetic Value MPS Heritage Overlay: No Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B																															
Field Description:	Tree Health: Good Tree Structure & Condition: Good Structure Note: Moderate levels of deadwood																															
Dimensions:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Tree No</th> <th>Planting Width</th> <th>Measured Height</th> <th>Spread</th> <th>Measured DBH</th> </tr> </thead> <tbody> <tr> <td>88</td> <td>4-6m</td> <td>27m</td> <td>EW 11m NS 12.3m</td> <td>1.34m</td> </tr> <tr> <td>89</td> <td>4-6m</td> <td>28.4m</td> <td>EW 17.5m NS 15.3m</td> <td>1.22m</td> </tr> <tr> <td>90</td> <td>4-6m</td> <td>24.4m</td> <td>EW 23.8m NS 23.7m</td> <td>1.87m</td> </tr> <tr> <td>91</td> <td>4-6m</td> <td>22.2m</td> <td>EW 21.1m NS 18.6m</td> <td>1.57m</td> </tr> <tr> <td>92</td> <td>4-6m</td> <td>20.4m</td> <td>EW 15.6m NS 15.3m</td> <td>1.44m</td> </tr> </tbody> </table>		Tree No	Planting Width	Measured Height	Spread	Measured DBH	88	4-6m	27m	EW 11m NS 12.3m	1.34m	89	4-6m	28.4m	EW 17.5m NS 15.3m	1.22m	90	4-6m	24.4m	EW 23.8m NS 23.7m	1.87m	91	4-6m	22.2m	EW 21.1m NS 18.6m	1.57m	92	4-6m	20.4m	EW 15.6m NS 15.3m	1.44m
Tree No	Planting Width	Measured Height	Spread	Measured DBH																												
88	4-6m	27m	EW 11m NS 12.3m	1.34m																												
89	4-6m	28.4m	EW 17.5m NS 15.3m	1.22m																												
90	4-6m	24.4m	EW 23.8m NS 23.7m	1.87m																												
91	4-6m	22.2m	EW 21.1m NS 18.6m	1.57m																												
92	4-6m	20.4m	EW 15.6m NS 15.3m	1.44m																												
Threats & Remedies:	Threats: Development of the adjoining vacant land for housing including construction of new road sections and driveway cross overs. Remedial Action: Ensure that trees are protected during the development of the vacant land and construction of formal kerb and guttering on the Northern side of Ellswood Crescent.																															
Comments:	Proximity to road edge, use of road reserve as access/shortcut(compaction)																															
Assessment Completed by: Gareth Tyson Assessment Completed date: 15 May 2012																																

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 15</p> <p>Tree No: 93-99</p>	
Location & Access:	<p>Location (Street Address or Park Name): 310-324 Etiwanda Avenue, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6215492.0060000001 (N) / 607756.98400000005 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 15 on Mildura (Mildura East-E) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities.</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 15 May 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm
	Genus & Species:	Phoenix canariensis
	Tree Group Identifier No:	15
	Tree No:	100
Location & Access:	Location (Street Address or Park Name):	120 Eleventh Street, Mildura (Etiwanda Avenue)
	Access:	Unrestricted
	GIS Coordinates:	6215311.7120000003 (N) / 607572.16599999997 (E)



For mapping please refer to Tree Group Identification No **15** on **Mildura (Mildura East-E)** town map in Appendix 1

Assessment:	National Trust Australia (Vic) Heritage Register:	No
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape
	MPS Heritage Overlay:	No
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B
Field Description:	Tree Health:	Very Good
	Tree Structure & Condition:	Good Structure
	Note:	Comments below
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed
	Measured Height:	Not Assessed
	Measured DBH:	Not Assessed
	Overall Height Estimate:	3m - 6m
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.	
	Assessment Completed by:	Gareth Tyson
	Assessment Completed date:	15 May 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Silky Oak	
	Genus & Species:	<i>Grevillea robusta</i>	
	Tree Group Identifier No:	17	
	Tree No:	102	
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6215976.398 (N) / 606255.28700000001 (E)	
<i>For mapping please refer to Tree Group Identification No 17 on Mildura (Henderson Park-C) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Poor	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 12.3m NS 15m	
	Measured Height:	18m	
	Measured DBH:	0.68m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	<i>Jacaranda mimosifolia</i>	
	Tree Group Identifier No:	18	
	Tree No:	103	
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6215938.7149999999 (N) / 606290.56900000002 (E)	
<i>For mapping please refer to Tree Group Identification No 18 on Mildura (Henderson Park-C) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Poor	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 23.5m NS 18.3m	
	Measured Height:	14.6m	
	Measured DBH:	0.81m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Willow Myrtle	
	Genus & Species:	<i>Agonis flexuosa</i>	
	Tree Group Identifier No:	19	
	Tree No:	104-105	
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6215967.4720000001 (N) / 606323.74399999995 (E)	
For mapping please refer to Tree Group Identification No 19 on Mildura (Henderson Park-C) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Poor	
	Tree Structure & Condition:	Poor - Trunk Decay	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	104 4m - 6m / EW 10m NS 12m 105 4m - 6m / EW 12m NS 13m	
	Measured Height:	7m	
	Measured DBH:	1.1m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Due to low broad spreading habit trees are often over pruned, undertrimmed to allow for easier lawn maintenance beneath the canopies.	
	Remedial Action:	Isolate trees from lawn areas in mulch or utilise smaller equipment around the trees to reduce the need for canopy up lifting.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Carob	
	Genus & Species:	Ceratonia siliqua	
	Tree Group Identifier No:	20	
	Tree No:	106-107	
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6216026.6679999996 (N) / 606325.66099999996 (E)	
For mapping please refer to Tree Group Identification No 20 on Mildura (Henderson Park-C) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 14m NS 13.4m	
	Measured Height:	11.6m	
	Measured DBH:	0.8m @ 1.1 metres high	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Due to low broad spreading habit trees are often over pruned, undertrimmed to allow for easier lawn maintenance beneath the canopies.	
	Remedial Action:	Isolate trees from lawn areas in mulch or utilise smaller equipment around the trees to reduce the need for canopy up lifting.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Silky Oak	
	Genus & Species:	<i>Grevillea robusta</i>	
	Tree Group Identifier No:	21	
	Tree No:	108	
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6216011.6900000004 (N) / 606329.24300000002 (E)	
For mapping please refer to Tree Group Identification No 21 on Mildura (Henderson Park-C) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Poor - Lopped	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 14m NS 14.5m	
	Measured Height:	19.2m	
	Measured DBH:	0.8m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Monitor branch attachment regularly,	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Norfolk Island Pine
	Genus & Species:	<i>Araucaria heterophylla</i>
	Tree Group Identifier No:	23
	Tree No:	110-111
Location & Access:	Location (Street Address or Park Name):	Henderson Park, Mildura
	Access:	Unrestricted
	GIS Coordinates:	6216067.3619999997 (N) / 606288.00699999998 (E)
	<i>For mapping please refer to Tree Group Identification No 23 on Mildura (Henderson Park-C) town map in Appendix 1</i>	
Assessment:	National Trust Australia (Vic) Heritage Register:	No
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Outstanding Size Aesthetic Value
	MPS Heritage Overlay:	No
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B
Field Description:	Tree Health:	Good
	Tree Structure & Condition:	Good Structure
	Note:	Comments below
Dimensions:	Canopy (Planting Width/East West & North South Spread)	110 4m - 6m / EW 11m NS 11m 111 4m – 6m / EW 11m NS 11m
	Measured Height:	110 24.2m 111 22m
	Measured DBH:	110 0.91m 111 0.99m
	Overall Height Estimate:	3m - 6m
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.
	Remedial Action:	Ensure care is taken during garden renovations not to damage the tree root zone.
Comments:	No comment required.	
	Assessment Completed by:	Gareth Tyson
	Assessment Completed date:	15 May 2012

Draft MRCC Significant Tree Register 2020



Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Aleppo Pine	
	Genus & Species:	<i>Pinus halepensis</i>	
	Tree Group Identifier No:	24	
	Tree No:	112	
Location & Access:	Location (Street Address or Park Name):	Corner of Sixth Street, Mildura and Cureton Avenue, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217839.5130000003 (N) / 606729.86600000004 (E)	
For mapping please refer to Tree Group Identification No 24 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems	
	Note:		
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 17.4m NS 17.3m	
	Measured Height:	16.4m	
	Measured DBH:	South 0.6m North 0.78m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to the trunk and lower canopy.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	25	
	Tree No:	113-118 & 120-121	
Location & Access:	Location (Street Address or Park Name):	Railway Lawns, Seventh Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217069.1330000004 (N) / 607131.6489999998 (E)	
<i>For mapping please refer to Tree Group Identification No 25 on Mildura(CBD-B) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Chilean Wine Palm	
	Genus & Species:	<i>Jubaea chilensis</i>	
	Tree Group Identifier No:	25	
	Tree No:	119	
Location & Access:	Location (Street Address or Park Name):	Railway Lawns, Seventh Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217014.9900000002 (N) / 607182.83600000001 (E)	
<i>For mapping please refer to Tree Group Identification No 25 on Mildura (CBD-B) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	Yes	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	26	
	Tree No:	122-132	
Location & Access:	Location (Street Address or Park Name):	Seventh Street, Mildura (Lawns)	
	Access:	Unrestricted	
	GIS Coordinates:	6216977.748999998 (N) / 607219.16500000004 (E)	
	For mapping please refer to Tree Group Identification No 26 on Mildura (CBD-B) town map in Appendix 1		
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Desert Fan Palm	
	Genus & Species:	<i>Washingtonia filifera</i>	
	Tree Group Identifier No:	27	
	Tree No:	133-139	
Location & Access:	Location (Street Address or Park Name):	Seventh Street, Mildura (Lawns)	
	Access:	Unrestricted	
	GIS Coordinates:	6216800.6210000003 (N) / 607383.327000000005 (E)	
For mapping please refer to Tree Group Identification No 27 on Mildura (CBD-B) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	28	
	Tree No:	140-148	
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura (center median between Seventh and Eighth Street)	
	Access:	Unrestricted	
	GIS Coordinates:	6216863.415 (N) / 607289.66099999996 (E)	
For mapping please refer to Tree Group Identification No 28 on Mildura (CBD-B) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	Trees covered by HO201 in Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Sky Duster
	Genus & Species:	<i>Washingtonia robusta</i>
	Tree Group Identifier No:	30
	Tree No:	153-156
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura (Center median near Tenth Street intersection)
	Access:	Unrestricted
	GIS Coordinates:	6216421.0949999997 (N) / 606835.76399999997 (E)
<p><i>For mapping please refer to Tree Group Identification No 30 on Mildura (CBD-B) town map in Appendix 1</i></p>		
Assessment:	National Trust Australia (Vic) Heritage Register:	No
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape
	MPS Heritage Overlay:	Trees covered by HO201 in the Mildura Planning Scheme
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B
Field Description:	Tree Health:	Very Good
	Tree Structure & Condition:	Good Structure
	Note:	Comments below
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed
	Measured Height:	Not Assessed
	Measured DBH:	Not Assessed
	Overall Height Estimate:	3m - 6m
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.
	Remedial Action:	Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.
Comments:	Recent redevelopment of median (2018) has changed ground cover to garden beds instead of lawn. Consider ongoing plant maintenance and impact on trees. (PW, 2019).	
	Assessment Completed by:	Gareth Tyson
	Assessment Completed date:	16 May 2012



Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	<i>Jacaranda mimosifolia</i>	
	Tree Group Identifier No:	31	
	Tree No:	157-176	
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura (center median between Eleventh and Twelfth Street)	
	Access:	Unrestricted	
	GIS Coordinates:	6216209.3990000002 (N) / 606611.55000000005 (E)	
<i>For mapping please refer to Tree Group Identification No 31 on Mildura (Henderson Park-C) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	Trees covered by HO201 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	

Draft MRCC Significant Tree Register 2020


Assessment Completed date:

16 May 2012


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	Jacaranda mimosifolia	
	Tree Group Identifier No:	32	
	Tree No:	177-192	
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura (Center median between Twelfth and Thirteenth Streets)	
	Access:	Unrestricted	
	GIS Coordinates:	6216044.5269999998 (N) / 606442.77399999998 (E)	
For mapping please refer to Tree Group Identification No 32 on Mildura (Henderson Park-C) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	Trees covered by HO201 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Desert Fan Palm	
	Genus & Species:	Washingtonia filifera	
	Tree Group Identifier No:	33	
	Tree No:	193	
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura & Sixteenth Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6213380.9970000004 (N) / 603750.16200000001 (E)	
For mapping please refer to Tree Group Identification No 33 on Mildura town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Development of Deakin Avenue into the future, Overhead electric lines..	
	Remedial Action:	Monitor changes to Electric Line Clearance regulations which could impact the trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	33	
	Tree No:	194-198	
Location & Access:	Location (Street Address or Park Name):	Deakin Avenue, Mildura & Sixteenth Street, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6213395.5080000004 (N) / 603763.96699999995 (E)	
<i>For mapping please refer to Tree Group Identification No 33 on Mildura (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Development of Deakin Avenue into the future, Overhead electric lines..	
	Remedial Action:	Monitor changes to Electric Line Clearance regulations which could impact the trees.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Hoop Pine	
	Genus & Species:	<i>Araucaria cunninghamii</i>	
	Tree Group Identifier No:	34	
	Tree No:	199	
Location & Access:	Location (Street Address or Park Name):	Rio Vista House, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217634.9129999997 (N) / 606801.5729999997 (E)	
For mapping please refer to Tree Group Identification No 34 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 9.7m NS 9.1m	
	Measured Height:	24m	
	Measured DBH:	0.8m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	Botanical and common name corrected MJ (2020).		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Norfolk Island Pine	
	Genus & Species:	<i>Araucaria heterophylla</i>	
	Tree Group Identifier No:	35	
	Tree No:	200	
Location & Access:	Location (Street Address or Park Name):	Rio Vista House, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217642.4809999997 (N) / 606817.68299999996 (E)	
For mapping please refer to Tree Group Identification No 35 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	Tree covered by HO307 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 7.9m NS 7.8m	
	Measured Height:	22.8m	
	Measured DBH:	0.76m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Olive	
	Genus & Species:	Olea europaea	
	Tree Group Identifier No:	36	
	Tree No:	201-212	
Location & Access:	Location (Street Address or Park Name):	Old Mildura Homestead, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6218325.0930000003 (N) / 606823.11899999995 (E)	
For mapping please refer to Tree Group Identification No 36 on Mildura (Key) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Historical Value	
	MPS Heritage Overlay:	Trees covered by HO201 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 May 2012	


Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 37</p> <p>Tree No: 213-218</p>	
Location & Access:	<p>Location (Street Address or Park Name): 351-355 Eleventh Street, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6217206.977 (N) / 605674.87899999996 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 37 on Mildura (Mildura West-D) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: 213-215; 218 Proximity to footpath and driveways 216-217 Garden/lawn maintenance activities</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 29 June 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Turkish Pine</p> <p>Genus & Species: <i>Pinus brutia</i></p> <p>Tree Group Identifier No: 38</p> <p>Tree No: 219-221</p>	
Location & Access:	<p>Location (Street Address or Park Name): Henderson Park, Mildura</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6216046.8739999998 (N) / 606297.86300000001 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 38 on Mildura (Henderson Park-C) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Historical Value</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities.</p> <p>Remedial Action: Mulch around this stand of trees to highlight significance and protect from maintenance activities.</p>	
Comments:	<p>There has been a plaque beneath these trees in the past, need to reinstate this to highlight significance of the trees.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 29 June 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Murray Pine	
	Genus & Species:	<i>Callitris preissii</i>	
	Tree Group Identifier No:	39	
	Tree No:	222-264	
Location & Access:	Location (Street Address or Park Name):	Cureton Avenue, Mildura (Riverfront)	
	Access:	Unrestricted	
	GIS Coordinates:	6217313.915 (N) / 607166.77000000002 (E)	
<i>For mapping please refer to Tree Group Identification No 39 on Mildura (Arts Centre-A) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Outstanding Size Historical Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
	Field Description:	Tree Health:	Good
Dimensions:	Tree Structure & Condition:	222 Poor - Major Trunk Wound 223-264 Good	
	Note:	damage to trunk	
	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Tallest 11.6m	
	Measured DBH:	Not Assessed	
Threats & Remedies:	Overall Height Estimate:	3m - 6m	
	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Change from individual mulch rings around each tree to mulched lines for the length of the avenue. Relocate plaques from the back row to the opposite side of the trees so that rather than walk between the rows you walk around the group.	
Comments:	Tree 222 requires timber for plaque.		
Assessment Completed by:		Gareth Tyson	Assessment Completed date: 29 June 2012


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Red Gum	
	Genus & Species:	Eucalyptus camaldulensis	
	Tree Group Identifier No:	40	
	Tree No:	265	
Location & Access:	Location (Street Address or Park Name):	Riverfront, Mildura (Near old pump building opposite Powerhouse) & Jaycee Park, Mildura	
	Access:	Unrestricted	
	GIS Coordinates:	6217208.7980000004 (N) / 607333.73199999996 (E)	
For mapping please refer to Tree Group Identification No 40 on Mildura (CBD-B) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 31m NS 33m	
	Measured Height:	24m	
	Measured DBH:	1.85m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Mulch around the dripline of this tree and include some understorey plantings.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Bottle Tree</p> <p>Genus & Species: <i>Brachychiton rupestris</i></p> <p>Tree Group Identifier No: 41</p> <p>Tree No: 266</p>	
Location & Access:	<p>Location (Street Address or Park Name): 199 Cureton Avenue, Mildura Rio Vista House, Mildura (Courtyard at rear)</p> <p>Access: Access may be limited to times when the location is open to the public.</p> <p>GIS Coordinates: 6217544.9450000003 (N) / 606765.00899999996 (E)</p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Rare or Localised</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Good</p> <p>Tree Structure & Condition: Poor - Co-dominant or Bifurcated Stems</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / EW 10m NS 8m</p> <p>Measured Height: 11.8m</p> <p>Measured DBH: 1.42m</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Redevelopment of Rio Vista House and the courtyard area.</p> <p>Remedial Action: Ensure that the tree is protected during any redevelopment</p>	
Comments:	<p>No comment required.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 29 June 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Stone Pine	
	Genus & Species:	<i>Pinus pinea</i>	
	Tree Group Identifier No:	42	
	Tree No:	267	
Location & Access:	Location (Street Address or Park Name):	Rio Vista House, Mildura (Entrance)	
	Access:	Unrestricted	
	GIS Coordinates:	6217595.8770000003 (N) / 606841.7669999999 (E)	
For mapping please refer to Tree Group Identification No 42 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 25.5m NS 23m	
	Measured Height:	19m	
	Measured DBH:	1.19m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Redevelopment of Rio Vista and landscaping	
	Remedial Action:	Ensure that the tree is protected during any redevelopment	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Stone Pine	
	Genus & Species:	<i>Pinus pinea</i>	
	Tree Group Identifier No:	43	
	Tree No:	268	
Location & Access:	Location (Street Address or Park Name):	Rio Vista House, Mildura (Front lawn near entrance)	
	Access:	Unrestricted	
	GIS Coordinates:	6217580.3360000001 (N) / 606852.47900000005 (E)	
For mapping please refer to Tree Group Identification No 43 on Mildura (Arts Centre-A) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Poor	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 20m NS 16m	
	Measured Height:	17m	
	Measured DBH:	1.15m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Redevelopment of Rio Vista and landscaping	
	Remedial Action:	Ensure that the tree is protected during any redevelopment	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	


Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 44</p> <p>Tree No: 269-273</p>	
Location & Access:	<p>Location (Street Address or Park Name): 943-947 Karadoc Avenue, Irymple 2103 Fifteenth Street, Irymple</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6211673.5870000003 (N) / 607469.88 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 44 on Irymple (Key) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Aesthetic Value</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: 269 Poor - Major Trunk Wound 270-273 Good Structure</p> <p>Note: Tree has hole carved and burned into one side.</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities. Proximity to footpaths and driveways.</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>269 Hole carved into one side</p> <p>269-273 Trees are pruned every 12-18 months to remove dead fronds and fruit.</p>	
Assessment Completed by: Gareth Tyson		Assessment Completed date: 14 May 2012


Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Desert Fan Palm</p> <p>Genus & Species: <i>Washingtonia filifera</i></p> <p>Tree Group Identifier No: 45</p> <p>Tree No: 274-286</p>	
Location & Access:	<p>Location (Street Address or Park Name): Karadoc Avenue, Irymple (Between Fifteenth and Sixteenth Streets, Irymple)</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6210837.6100000003 (N) / 606609.0609999999 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 45 on Irymple (Key) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Aesthetic Value</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities.</p> <p>Remedial Action: Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 14 May 2012</p>	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Desert Fan Palm	
	Genus & Species:	<i>Washingtonia filifera</i>	
	Tree Group Identifier No:	46	
	Tree No:	287-317	
Location & Access:	Location (Street Address or Park Name):	Fifteenth Street, Irymple (Between Karadoc Avenue & Sandilong Avenue, Irymple)	
	Access:	Unrestricted	
	GIS Coordinates:	6211610.1770000001 (N) / 607323.08499999996 (E)	
<i>For mapping please refer to Tree Group Identification No 46 on Irymple (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	287-293 Garden/lawn maintenance activities. 295-317 Development of adjoining vacant block.	
	Remedial Action:	287-293 Educate land managers about suitable maintenance options in close proximity to the tree. Minimise damage to base of the palm trees. 295-317 Ensure that the trees are protected during any redevelopment of the site. This avenue appears to have been planted in pairs. There is an opportunity to fill in some gaps where trees have not survived.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
Assessment Completed by:		Gareth Tyson	Assessment Completed date: 14 May 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Kurrajong	
	Genus & Species:	<i>Brachychiton populneus</i>	
	Tree Group Identifier No:	47	
	Tree No:	318-354	
Location & Access:	Location (Street Address or Park Name):	Holney Grove, Irymple (Holney Grove to Railway) Calder Highway, Irymple (South Bound)	
	Access:	Unrestricted	
	GIS Coordinates:	6211165.909 (N) / 607792.29200000002 (E)	
	<i>For mapping please refer to Tree Group Identification No 47 on Irymple (Key) town map in Appendix 1</i>		
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	318-325, 327-331, 334-335, 337-354 Good 326, 332-333, 336 Poor	
	Tree Structure & Condition:	318-325, 328, 332-333, 336, 341, 343-344, 348, 352, 354 Poor - Co-dominant or Bifurcated Stems 326-327, 329-331, 334-335, 337-339, 342, 345-347, 349-351, 353 Good Structure 340 Poor - Lopped	
	Note:	Comments below	
	Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 6m NS 5.5m
Threats & Remedies:	Measured Height:	9.6m	
	Measured DBH:	410E 390W	
	Overall Height Estimate:	3m - 6m	
	Threats:	Overhead electric lines.	
Threats & Remedies:	Remedial Action:	Monitor changes to Electric Line Clearance regulations which could impact the trees.	
	Comments:	No comment required.	
Assessment Completed by:		Gareth Tyson	Assessment Completed date: 29 June 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Aleppo Pine	
	Genus & Species:	<i>Pinus halepensis</i>	
	Tree Group Identifier No:	48	
	Tree No:	355	
Location & Access:	Location (Street Address or Park Name):	2112 Fifteenth Street, Irymple (Outside)	
	Access:	Unrestricted	
	GIS Coordinates:	6211421.9800000004 (N) / 607504.51899999997 (E)	
<i>For mapping please refer to Tree Group Identification No 48 on Irymple (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 13.5m NS 12m	
	Measured Height:	16.4m	
	Measured DBH:	0.63m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Highway maintenance.	
	Remedial Action:	Ensure that the tree is protected during any road maintenance or reconstruction.	
	Comments:	No comment required.	
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	Jacaranda mimosifolia	
	Tree Group Identifier No:	49	
	Tree No:	356-357	
Location & Access:	Location (Street Address or Park Name):	2128 Fifteenth Street, Irymple (Outside)	
	Access:	Unrestricted	
	GIS Coordinates:	6211243.5539999995 (N) / 607680.24399999995 (E)	
For mapping please refer to Tree Group Identification No 49 on Irymple (Key) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Road maintenance or reconstruction.	
	Remedial Action:	Ensure tree is protected during and road maintenance or reconstruction.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Canary Island Date Palm	
	Genus & Species:	<i>Phoenix canariensis</i>	
	Tree Group Identifier No:	50	
	Tree No:	358-371	
Location & Access:	Location (Street Address or Park Name):	Commercial Street, Merbein (River End)	
	Access:	Unrestricted	
	GIS Coordinates:	6218615.2350000003 (N) / 599469.15099999995 (E)	
<i>For mapping please refer to Tree Group Identification No 50 on Merbein (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	recently pruned	
Dimensions:*	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW AVG 7m NS AVG 7m	
	Measured Height:	AVG 13M	
	Measured DBH:	AVG 0.72m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Harbour pest birds.	
	Remedial Action:	Monitor and control pest bird populations.	
Comments:	Trees are pruned every 12-18 months to remove dead fronds and fruit.		
	*All tree dimensions/height measurements are averages.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	17 May 2012	

Draft MRCC Significant Tree Register 2020


Identification:	Common Name:	Elm	
	Genus & Species:	<i>Ulmus sp.</i>	
	Tree Group Identifier No:	51	
	Tree No:	372	
Location & Access:	Location (Street Address or Park Name):	Merbein Swimming Pool, Merbein	
	Access:	Access may be limited to times when pool is open to the public for use.	
	GIS Coordinates:	6218929.6409999998 (N) / 597107.87399999995 (E)	
<i>For mapping please refer to Tree Group Identification No 51 on Merbein (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Rare or Localised	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Poor	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 12m NS 11m	
	Measured Height:	11m	
	Measured DBH:	0.91m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Positioned in a high use area over the Summer period.	
	Remedial Action:	Inspect tree regularly to manage risk associated with any part or whole tree failure in high use area.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	17 May 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Sugar Gum	
	Genus & Species:	<i>Eucalyptus cladocalyx</i>	
	Tree Group Identifier No:	52	
	Tree No:	373	
Location & Access:	Location (Street Address or Park Name):	309 Third Street, Merbein	
	Access:	Unrestricted	
	GIS Coordinates:	6219335.7039999999 (N) / 594608.50800000003 (E)	
For mapping please refer to Tree Group Identification No 52 on Merbein (Key) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Rare or localised	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 28m NS 29m	
	Measured Height:	24m	
	Measured DBH:	1.91m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Changed watering regimes on adjoining vineyard which quite probably supplies a lot of the available water for the tree.	
	Remedial Action:	Monitor use of the adjoining land to ensure that current environmental conditions are sustained.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Red Flowering Gum
	Genus & Species:	Corymbia ficifolia
	Tree Group Identifier No:	53
	Tree No:	374
Location & Access:	Location (Street Address or Park Name):	Kenny Park, Merbein (Near Rotunda)
	Access:	Unrestricted
	GIS Coordinates:	6218950.4850000003 (N) / 597224.06400000001 (E)



For mapping please refer to Tree Group Identification No **53** on **Merbein (Key)** town map in Appendix 1

Assessment:	National Trust Australia (Vic) Heritage Register:	No
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Historical Value
	MPS Heritage Overlay:	No
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B
Field Description:	Tree Health:	Good
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems
	Note:	Comments below
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 2m NS 2m
	Measured Height:	2m
	Measured DBH:	0.1m @ base
	Overall Height Estimate:	3m - 6m
Threats & Remedies:	Threats:	Species locally is susceptible to extended dry periods.
	Remedial Action:	If irrigation regime is altered consideration should be given to supplementary watering for the tree. Recommend that as the tree continues to grow the plaque be shifted from beneath the tree out further and the mulch ring be extended to eliminate the need
Comments:	Plaque beneath the tree reads: <i>Presented to the Citizens of Merbein for the Centenary Year of Federation by the Merbein Friendly Garden Club. Planted by Russell Savage M.L.A. 14.10.2001</i>	
	Assessment Completed by:	Gareth Tyson
	Assessment Completed date:	29 June 2012

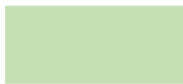
Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Turkish Pine	
	Genus & Species:	<i>Pinus brutia</i>	
	Tree Group Identifier No:	54	
	Tree No:	375	
Location & Access:	Location (Street Address or Park Name):	Kenny Park, Merbein (Near Rotunda)	
	Access:	Unrestricted	
	GIS Coordinates:	6218935.54 (N) / 597221.5949999997 (E)	
<i>For mapping please refer to Tree Group Identification No 54 on Merbein (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Historical Value: World War 1	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems	
	Note:	No central leader resulting in current shape which is more like a large shrub than an upright tree.	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 8m NS 8m	
	Measured Height:	9m	
	Measured DBH:	0.48m @ 800mm from ground	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	As a result of the low and spreading branches as opposed to the central leader the tree will in time out grow its mulch ring and encroach on the adjoining lawn.	
	Remedial Action:	Recommend that as the tree continues to grow the plaque be shifted from beneath the tree out further and the mulch ring be extended to eliminate the need for undertimming to allow for lawn maintenance.	
Comments:	Plaque beneath the tree reads: <i>From the ORIGINAL LONE PINE ON GALLIPOLLI. Grown in the jubilee year 1965. Planted in memory of departed comrades LEST WE FORGET.</i>		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Jacaranda</p> <p>Genus & Species: <i>Jacaranda mimosifolia</i></p> <p>Tree Group Identifier No: 55</p> <p>Tree No: 376-413</p>	
Location & Access:	<p>Location (Street Address or Park Name): 3-101 Jacaranda Street, Red Cliffs 1 Indi Avenue, Red Cliffs</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6202603.8119999999 (N) / 609176.174 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Good</p> <p>Tree Structure & Condition: 376-383, 385-389, 392-395, 399, 401-405, 407-412 Good Structure 384, 390, 396, 413 Poor – Co-dominant or Bifurcated Stem 391, 397 Poor - Major Trunk Wound 398, 400, 406 Poor – Trunk Decay</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: 376-380, 383-389 Garden/lawn maintenance activities. 381-382 Proximity to driveway. 391-392, 393-409, 411-413 Proximity to Kerb.</p>	

Draft MRCC Significant Tree Register 2020

**Remedial Action:**

392 Proximity to kerb, exposed surface roots.
410 Proximity to kerb, overhanging private tree.
376-380, 383-389 Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.
381-382 As the Avenue of Jacarandas is changed over re assess alignment and appropriate spacing to eliminate having trees so close to driveway crossovers which then obstruct vision when accessing the properties.
390-413 As the Avenue of Jacarandas is changed over, centre trees between the kerb and footpath.

Comments:

No comment required.

Assessment Completed by:

Gareth Tyson

Assessment Completed date:

27 June 2012

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Jacaranda</p> <p>Genus & Species: <i>Jacaranda mimosifolia</i></p> <p>Tree Group Identifier No: 55</p> <p>Tree No: 414-418</p>	
Location & Access:	<p>Location (Street Address or Park Name):</p> <p>Access:</p> <p>GIS Coordinates:</p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register:</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment:</p> <p>MPS Heritage Overlay:</p> <p>Heritage Victoria Criteria for Classification and Assessment:</p>	<p>Barclay Square, Red Cliffs (Adjoining Barclay Square & Adjoining Second Hand Shop)</p> <p>Unrestricted</p> <p>6203041.7240000004 (N) / 609188.31299999997 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1</i></p> <p>No</p> <p>Location or Context: Contribution to Landscape</p> <p>No</p> <p>Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>
Field Description:	<p>Tree Health:</p> <p>Tree Structure & Condition:</p> <p>Note:</p>	<p>Good</p> <p>414, 416-418 Good Structure</p> <p>415 Poor – Trunk Decay (extends 3m up trunk)</p> <p>Comments below</p>
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread)</p> <p>Measured Height:</p> <p>Measured DBH:</p> <p>Overall Height Estimate:</p>	<p>4m - 6m / Not Assessed</p> <p>Not Assessed</p> <p>Not Assessed</p> <p>3m - 6m</p>
Threats & Remedies:	<p>Threats:</p> <p>Remedial Action:</p>	<p>Proximity to kerb, Garden/lawn maintenance activities.</p> <p>As the Avenue of Jacaranda's is changed over center trees between the kerb and footpath.</p>
Comments:	<p>No comment required.</p> <p>Assessment Completed by:</p> <p>Assessment Completed date:</p>	<p></p> <p>Gareth Tyson</p> <p>27 June 2012</p>

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	<i>Jacaranda mimosifolia</i>	
	Tree Group Identifier No:	55	
	Tree No:	419-438	
Location & Access:	Location (Street Address or Park Name):	Quandong Park, Red Cliffs (Nature strip adjoining)	
	Access:	Unrestricted	
	GIS Coordinates:	6203786.8219999997 (N) / 609187.9919999997 (E)	
For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	419 Proximity to intersection, overhead powerlines, Garden/lawn maintenance activities. 420-438 Overhead powerlines, Garden/lawn maintenance activities	
	Remedial Action:	Monitor changes to Electric Line Clearance regulations which could impact the trees.	
	Comments:	No comment required.	
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	27 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	Jacaranda mimosifolia	
	Tree Group Identifier No:	55	
	Tree No:	439-466	
Location & Access:	Location (Street Address or Park Name):	Jacaranda Street, Red Cliffs (Nature strip south west side)	
	Access:	Unrestricted	
	GIS Coordinates:	6203584.4040000001 (N) / 609175.72199999995 (E)	
For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	439-445, 453, 455-466 Good 446-449 Poor*	
	Tree Structure & Condition:	439-445, 453, 455-466 Good Structure 446-452, 454 Poor – Trunk Decay	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	439-440, 446-460 Proximity to kerb and road. 441-443 Proximity to kerb and road, use of surrounding nature strip as car park. 444-445 Proximity to kerb and road, construction on adjoining property. 461-466 Proximity to kerb and road, overhead power lines.	

Draft MRCC Significant Tree Register 2020

Remedial Action:

As the Avenue of Jacaranda trees is changed over re assess alignment and appropriate spacing to eliminate having trees so close to kerb and traffic lane.

Comments:

*448 Hit by car

459-461 Part of a group of young trees but contributing to the avenue.

Assessment Completed by:

Gareth Tyson


Assessment Completed date:

16 June 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Jacaranda	
	Genus & Species:	Jacaranda mimosifolia	
	Tree Group Identifier No:	55	
	Tree No:	467-477	
Location & Access:	Location (Street Address or Park Name):	Jacaranda Street, Red Cliffs (Nature strip north east side)	
	Access:	Unrestricted	
	GIS Coordinates:	6202342.8640000001 (N) / 609173.19700000004 (E)	
For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	467-468, 470-477 Good 469 Poor	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	16 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name: Jacaranda Genus & Species: <i>Jacaranda mimosifolia</i> Tree Group Identifier No: 55 Tree No: 478-480	
Location & Access:	Location (Street Address or Park Name): Access: GIS Coordinates:	
		Calder Highway, Red Cliffs (Heading to Werrimull Road from Red Cliffs) Unrestricted 6201876.7149999999 (N) / 609170.38300000003 (E)
For mapping please refer to Tree Group Identification No 55 on Red Cliffs (Barclay Square) town map in Appendix 1		
Assessment:	National Trust Australia (Vic) Heritage Register: National Trust Australia (Vic) Criteria for Classification and Assessment: MPS Heritage Overlay: Heritage Victoria Criteria for Classification and Assessment:	No Location or Context: Contribution to Landscape No Referred for Assessment in Stage 2 of MRCC Heritage Study Part B
Field Description:	Tree Health: Tree Structure & Condition: Note:	Good Poor - Co-dominant or Bifurcated Stems Comments below
Dimensions:	Canopy (Planting Width/East West & North South Spread) Measured Height: Measured DBH: Overall Height Estimate:	4m - 6m / Not Assessed Not Assessed Not Assessed 3m - 6m
Threats & Remedies:	Threats: Remedial Action:	Changed management practices on vineyard. Monitor any changes to land use into the future.
Comments:	No comment required. Assessment Completed by: Assessment Completed date:	Gareth Tyson 29 June 2012

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Aleppo Pine	
	Genus & Species:	<i>Pinus halepensis</i>	
	Tree Group Identifier No:	57	
	Tree No:	482	
Location & Access:	Location (Street Address or Park Name):	Barclay Square, Red Cliffs	
	Access:	Unrestricted	
	GIS Coordinates:	6203072.862999999 (N) / 609229.14300000004 (E)	
For mapping please refer to Tree Group Identification No 57 on Red Cliffs (Barclay Square) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value	
	MPS Heritage Overlay:	Tree covered by HO303 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 12m NS 14m	
	Measured Height:	23m	
	Measured DBH:	0.85m	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name: Jacaranda Genus & Species: <i>Jacaranda mimosifolia</i> Tree Group Identifier No: 58 Tree No: 483-485																	
Location & Access:	Location (Street Address or Park Name): Barclay Square, Red Cliffs Access: Unrestricted GIS Coordinates: 6203081.9900000002 (N) / 609237.91799999995 (E)																	
<p><i>For mapping please refer to Tree Group Identification No 58 on Red Cliffs (Barclay Square) town map in Appendix 1</i></p>																		
Assessment:	National Trust Australia (Vic) Heritage Register: No National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape MPS Heritage Overlay: Tree covered by HO303 in the Mildura Planning Scheme Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B																	
Field Description:	Tree Health: Good Tree Structure & Condition: Good Structure Note: Comments below																	
Dimensions:	Canopy (Planting Width) 4m - 6m <table border="0" style="margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Tree No</th> <th style="text-align: left;">Measured Height</th> <th style="text-align: left;">Spread</th> <th style="text-align: left;">Measured DBH</th> </tr> </thead> <tbody> <tr> <td>483</td> <td>13.1m</td> <td>EW 13.5m NS 10.6m</td> <td>0.66m</td> </tr> <tr> <td>484</td> <td>13.6m</td> <td>EW 11.8m NS 12.6m</td> <td>0.61m</td> </tr> <tr> <td>485</td> <td>17m</td> <td>EW 13.2m NS 13.3m</td> <td>0.7m</td> </tr> </tbody> </table>		Tree No	Measured Height	Spread	Measured DBH	483	13.1m	EW 13.5m NS 10.6m	0.66m	484	13.6m	EW 11.8m NS 12.6m	0.61m	485	17m	EW 13.2m NS 13.3m	0.7m
Tree No	Measured Height	Spread	Measured DBH															
483	13.1m	EW 13.5m NS 10.6m	0.66m															
484	13.6m	EW 11.8m NS 12.6m	0.61m															
485	17m	EW 13.2m NS 13.3m	0.7m															
Threats & Remedies:	Threats: Garden/lawn maintenance activities. Remedial Action: Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.																	
Comments:	No comment required. Assessment Completed by: Gareth Tyson Assessment Completed date: 29 June 2012																	


Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Camphor Laurel</p> <p>Genus & Species: <i>Cinnamomum camphora</i></p> <p>Tree Group Identifier No: 59</p> <p>Tree No: 486</p>	
Location & Access:	<p>Location (Street Address or Park Name): Barclay Square, Red Cliffs</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6203096.6809999999 (N) / 609251.84600000002 (E)</p>	
<p><i>For mapping please refer to Tree Group Identification No 59 on Red Cliffs (Barclay Square) town map in Appendix 1</i></p>		
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape</p> <p>MPS Heritage Overlay: Tree covered by HO303 in the Mildura Planning Scheme</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Comments below</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / EW 15.2m NS 18m</p> <p>Measured Height: 15.8m</p> <p>Measured DBH: 0.9m @ 0.4m</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Garden/lawn maintenance activities.</p> <p>Remedial Action: Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.</p>	
Comments:	<p>No comment required.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 29 June 2012</p>	


Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Irish Strawberry	
	Genus & Species:	Arbutus unedo	
	Tree Group Identifier No:	60	
	Tree No:	487	
Location & Access:	Location (Street Address or Park Name):	Barclay Square, Red Cliffs	
	Access:	Unrestricted	
	GIS Coordinates:	6203118.784 (N) / 609282.7909999997 (E)	
For mapping please refer to Tree Group Identification No 60 on Red Cliffs (Barclay Square) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape	
	MPS Heritage Overlay:	Tree covered by HO303 in the Mildura Planning Scheme	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / EW 9.3m NS 8.1m	
	Measured Height:	5.2m	
	Measured DBH:	0.69 @ 0.3	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Garden/lawn maintenance activities.	
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	29 June 2012	

Draft MRCC Significant Tree Register 2020

Identification:	Common Name:	Norfolk Island Pine		
	Genus & Species:	<i>Araucaria heterophylla</i>		
	Tree Group Identifier No:	61		
	Tree No:	488-491		
Location & Access:	Location (Street Address or Park Name):	Barclay Square, Red Cliffs		
	Access:	Unrestricted		
	GIS Coordinates:	6203100.4900000002 (N) / 609288.33600000001 (E)		
				
<p>For mapping please refer to Tree Group Identification No 61 on Red Cliffs (Barclay Square) town map in Appendix 1</p>				
Assessment:	National Trust Australia (Vic) Heritage Register:	No		
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape		
	MPS Heritage Overlay:	No		
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B		
Field Description:	Tree Health:	Good		
	Tree Structure & Condition:	Good Structure		
	Note:	Comments below		
Dimensions:	Canopy (Planting Width)	4m – 6m		
	Tree No	Measured Height	Spread	Measured DBH
	488	20.4m	EW 11.3m NS 11.4m	0.67m
	489	20.8m	EW 9.3m NS 9m	0.65m
	490	18.6m	EW 8.9m NS 9.5m	0.51m
	491	17m	EW 6.7m NS 6.2m	0.44m
Threats & Remedies:	Threats:	488-490 Garden/lawn maintenance activities. 491 Proximity to play equipment.		
	Remedial Action:	Educate land managers about the suitable maintenance options in close proximity to the tree to minimise damage to any parts above or below ground.		
Comments:	Tree 491 is situated next to swing and as a result tree roots have been cut on swing side.			
	Assessment Completed by:	Gareth Tyson		
	Assessment Completed date:	29 June 2012		

Draft MRCC Significant Tree Register 2020

Identification:	<p>Common Name: Kaffir Plum</p> <p>Genus & Species: <i>Harpephyllum caffrum</i></p> <p>Tree Group Identifier No: 62</p> <p>Tree No: 492</p>	
Location & Access:	<p>Location (Street Address or Park Name):</p> <p>Access:</p> <p>GIS Coordinates:</p>	<p>Corner Guava Street & Indi Avenue, Red Cliffs Maternal and Child Health Centre, Red Cliffs</p> <p>Unrestricted</p> <p>6203183.3650000002 (N) / 609606.97600000002 (E)</p>
	<p><i>For mapping please refer to Tree Group Identification No 62 on Red Cliffs (Key) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register:</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment:</p> <p>MPS Heritage Overlay:</p> <p>Heritage Victoria Criteria for Classification and Assessment:</p>	<p>No</p> <p>Location or Context: Contribution to Landscape Historical Value: British Royalty</p> <p>No</p> <p>Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>
Field Description:	<p>Tree Health:</p> <p>Tree Structure & Condition:</p> <p>Note:</p>	<p>Good</p> <p>Poor - Co-dominant or Bifurcated Stems</p> <p>Comments below</p>
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread)</p> <p>Measured Height:</p> <p>Measured DBH:</p> <p>Overall Height Estimate:</p>	<p>4m - 6m / EW 9.3m NS 10.7m</p> <p>6.4m</p> <p>0.47m</p> <p>3m - 6m</p>
Threats & Remedies:	<p>Threats:</p> <p>Remedial Action:</p>	<p>Maintenance of building and gardens inside the yard.</p> <p>Ensure that the tree is protected when ever work is undertaken on the site.</p>
Comments:	<p>The plaque beneath the tree reads: TO COMMEMORATE PRINCESS ELIZABETH'S 21ST BIRTHDAY 21-4-47</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 29 June 2012</p>	

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Identification:	<p>Common Name: Canary Island Date Palm</p> <p>Genus & Species: <i>Phoenix canariensis</i></p> <p>Tree Group Identifier No: 63</p> <p>Tree No: 493-505</p>	
Location & Access:	<p>Location (Street Address or Park Name): Nichols Point Cemetery, Nichols Point</p> <p>Access: Unrestricted</p> <p>GIS Coordinates: 6215586.7489999998 (N) / 612162.60499999998 (E)</p> <p><i>For mapping please refer to Tree Group Identification No 63 on Nichols Point (Key) town map in Appendix 1</i></p>	
Assessment:	<p>National Trust Australia (Vic) Heritage Register: No</p> <p>National Trust Australia (Vic) Criteria for Classification and Assessment: Location or Context: Contribution to Landscape Historical Value</p> <p>MPS Heritage Overlay: No</p> <p>Heritage Victoria Criteria for Classification and Assessment: Referred for Assessment in Stage 2 of MRCC Heritage Study Part B</p>	
Field Description:	<p>Tree Health: Very Good</p> <p>Tree Structure & Condition: Good Structure</p> <p>Note: Recently pruned</p>	
Dimensions:	<p>Canopy (Planting Width/East West & North South Spread) 4m - 6m / Not Assessed</p> <p>Measured Height: Not Assessed</p> <p>Measured DBH: Not Assessed</p> <p>Overall Height Estimate: 3m - 6m</p>	
Threats & Remedies:	<p>Threats: Over pruning.</p> <p>Remedial Action: Ensure trees are pruned in accordance with Australian Standard 4373-2007.</p>	
Comments:	<p>Trees are pruned every 12-18 months to remove dead fronds and fruit.</p> <p>Assessment Completed by: Gareth Tyson</p> <p>Assessment Completed date: 15 May 2012</p>	

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Identification:	Common Name:	Aleppo Pine	
	Genus & Species:	<i>Pinus halepensis</i>	
	Tree Group Identifier No:	64	
	Tree No:	506	
Location & Access:	Location (Street Address or Park Name):	Nichols Point Cemetery, Nichols Point	
	Access:	Unrestricted	
	GIS Coordinates:	6215790.7560000001 (N) / 612170.5119999999 (E)	
For mapping please refer to Tree Group Identification No 64 on Nichols Point (Key) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Historical Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Poor - Co-dominant or Bifurcated Stems	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Any changes to road construction or offsets.	
	Remedial Action:	Ensure tree is protected during any reconstruction of the road which is in close proximity to the base of the trunk.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

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Identification:	Common Name:	Lemon Scented Gum	
	Genus & Species:	<i>Corymbia citriodora</i>	
	Tree Group Identifier No:	65	
	Tree No:	507	
Location & Access:	Location (Street Address or Park Name):	Nichols Point Cemetery, Nichols Point	
	Access:	Unrestricted	
	GIS Coordinates:	6215780.5949999997 (N) / 612187.973 (E)	
For mapping please refer to Tree Group Identification No 65 on Nichols Point (Key) town map in Appendix 1			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Aesthetic Value Historical Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Compaction of site due to limited off road parking inside the cemetery grounds.	
	Remedial Action:	Formalise site protection around the tree possibly including bollards and mulch.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

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Identification:	Common Name:	Aleppo Pine	
	Genus & Species:	<i>Pinus halepensis</i>	
	Tree Group Identifier No:	66	
	Tree No:	508-509	
Location & Access:	Location (Street Address or Park Name):	Nichols Point Cemetery, Nichols Point	
	Access:	Unrestricted	
	GIS Coordinates:	6215742.318 (N) / 612206.82299999997 (E)	
<i>For mapping please refer to Tree Group Identification No 66 on Nichols Point (Key) town map in Appendix 1</i>			
Assessment:	National Trust Australia (Vic) Heritage Register:	No	
	National Trust Australia (Vic) Criteria for Classification and Assessment:	Location or Context: Contribution to Landscape Historical Value	
	MPS Heritage Overlay:	No	
	Heritage Victoria Criteria for Classification and Assessment:	Referred for Assessment in Stage 2 of MRCC Heritage Study Part B	
Field Description:	Tree Health:	Very Good	
	Tree Structure & Condition:	Good Structure	
	Note:	Comments below	
Dimensions:	Canopy (Planting Width/East West & North South Spread)	4m - 6m / Not Assessed	
	Measured Height:	Not Assessed	
	Measured DBH:	Not Assessed	
	Overall Height Estimate:	3m - 6m	
Threats & Remedies:	Threats:	Any changes to road construction or offsets, continued cleaning around the base of the trees.	
	Remedial Action:	Investigate opportunities to install organic mulch around the base of the trees which will help to alleviate compaction in the immediate vicinity as well as aid with water retention.	
Comments:	No comment required.		
	Assessment Completed by:	Gareth Tyson	
	Assessment Completed date:	15 May 2012	

Draft MRCC Significant Tree Register 2020

Significant Tree Nomination

Council is currently developing a process to assist the community to nominate trees on Council land for assessment and potential inclusion in future revisions of the Significant Tree Register.

When this process is complete you will have the opportunity to nominate a tree in our municipality that you think is special or significant. The tree could be particularly old or large, have outstanding aesthetic features, or shape, have heritage significance, or be an unusual type. It can be a single tree, a group, or an avenue of trees. The tree/s can be in a park or reserve, on a Council nature strip or along a roadside reserve.

By nominating it for recognition as significant, we can help our community to see and value its special features.

Table 6 of this register includes some trees already nominated to have Visual Tree Assessments completed with a view to their inclusion in future editions of this register.

In the interim if you would like to nominate a tree on Council land as potentially significant, please contact Council's Strategic Planning Team.

Draft MRCC Significant Tree Register 2020

Recommendations (Future Work)

It is recommended that:

1. Review of the *Significant Tree Register* is conducted at a maximum of 8 years between reviews.
2. Significant trees listed in the register that do not currently have statutory protection be nominated in Stage 1 of the Mildura Heritage Study Part B for further assessment in Stage 2 of the Mildura Heritage Study Part B, with a view to establishing/demonstrating heritage significance and inclusion in the Mildura Planning Scheme's Heritage Overlay.
3. Where heritage assessment at 2 above is unable to establish/demonstrate heritage significance for the significant trees listed in the register, that these trees be considered/assessed for another form of statutory protection. For example this might mean establishing/demonstrating thresholds for a Vegetation Protection Overlay (VPO) or Significant Landscape Overlay (SLO) or Environmental Significance Overlay (ESO) or another type of overlay that is yet to be determined or choosing the 'no statutory protection' option
4. Significant trees on Council owned or managed land that are listed in the Mildura Planning Scheme's Schedule to the Heritage Overlay, but without citations in the register, be recommended for Visual Tree Assessments with a view to formally cataloguing their significance and for inclusion in future editions of the register.
5. In addition to 4 above Visual Tree Assessments are carried out for trees nominated in the table below with a view to inclusion in future editions of this register.

Table 7 – Significant Tree Nominations

Common Name	Botanical Name	Location	Reason for Nomination (Heritage Criteria/National Trust Criteria)
Palm Trees		Mildura CBD Roundabouts	Heritage Advisor Recommendation (13/3/2020)
Norfolk Island Pines	<i>Araucaria heterophylla</i>	Eleventh Street, Mildura	Heritage Advisor Recommendation (13/3/2020)
Landscape Plan		Syd Mills Park	Heritage Advisor Recommendation (13/3/2020)
Desert Fan Palm	<i>Washingtonia filifera</i> NTA Register T11932	Third Street, Merbein	Recommendation from Mildura Heritage Study Pt B (28/4/2020)
Desert Fan Palm	<i>Washingtonia filifera</i> NTA Register T11933	Calder Highway, Merbein	Recommendation from Mildura Heritage Study Pt B (28/4/2020)
Desert Fan Palm	<i>Washingtonia filifera</i> NTA Register T11934	Main Avenue, Merbein	Recommendation from Mildura Heritage Study Pt B

Draft MRCC Significant Tree Register 2020

			(28/4/2020)
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6. Council complete its *Nature Strip Policy*, currently under development, with reference to the care and management of Significant Trees planted on Council nature strips.
7. Council complete its *Urban Tree Strategy*, currently under development, with reference to care and management of Significant Trees that are also street trees.
8. Council develop a Significant Tree Nomination Form and associated process so that the community can nominate trees on Council owned and managed land for inclusion in future editions of the register.
9. Council make an electronic version of the register available on its public website www.mildura.vic.gov.au
10. Day-to-day Council operational management continue the process of monitoring tree health and carrying out any maintenance or remedial actions identified for Significant Trees in this register.

Conclusion

Information in this register is based on assessments completed in 2012 with minor updates noted where appropriate. Council has commissioned further assessments and it is envisioned that future editions of this register will update the current information about trees listed in this document and expand the list to add to the recognised stock of significant trees across our municipality.

Significant trees are an essential part of our community heritage. Council actively supports the preservation and conservation of trees under its management and control as an invaluable community resource. This Significant Tree Register is prepared for the use of the community and Council staff to assist with raising awareness of significant trees in the municipality.

Protecting these valuable cultural and heritage assets is an important consideration in planning for land use and development that might involve:

- building and/or works in the vicinity of the root zone of significant trees
- when tree pruning or maintenance activities might be required to
 - control risk such as to overhead electrical lines,
 - regular maintenance activities (for example mowing of Council lawns and annual replanting of garden beds)
 - for safety purposes if the tree structure or health becomes poor or
 - for aesthetic reasons where this is appropriate (for example this might include frond and fruit removal for palm trees).

In addition to their aesthetic value, trees form part of a wider Council management plan aiming to cool our urban environment. Trees are an effective tool in mitigating the heat island effect resulting from the combination of long, hot, dry summers and the hard and impermeable surfaces found in many of our urban environments.

For this reason it is imperative that we recognise, respect, care for and carefully manage our Significant Trees in such a way that their health, vitality and longevity is assured and they continue to provide net benefit to the whole community for the full term of their natural life and for future generations of residents.

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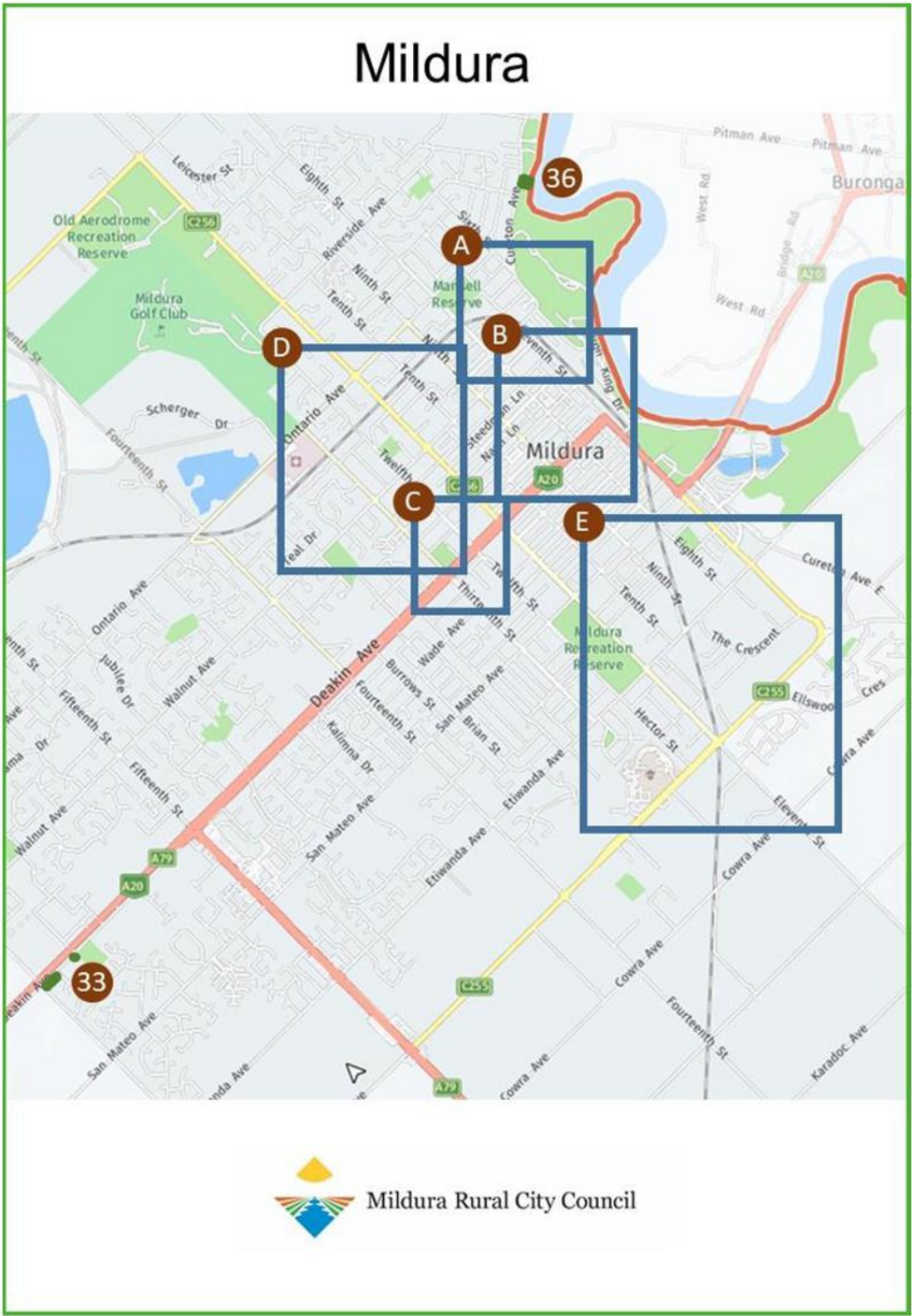
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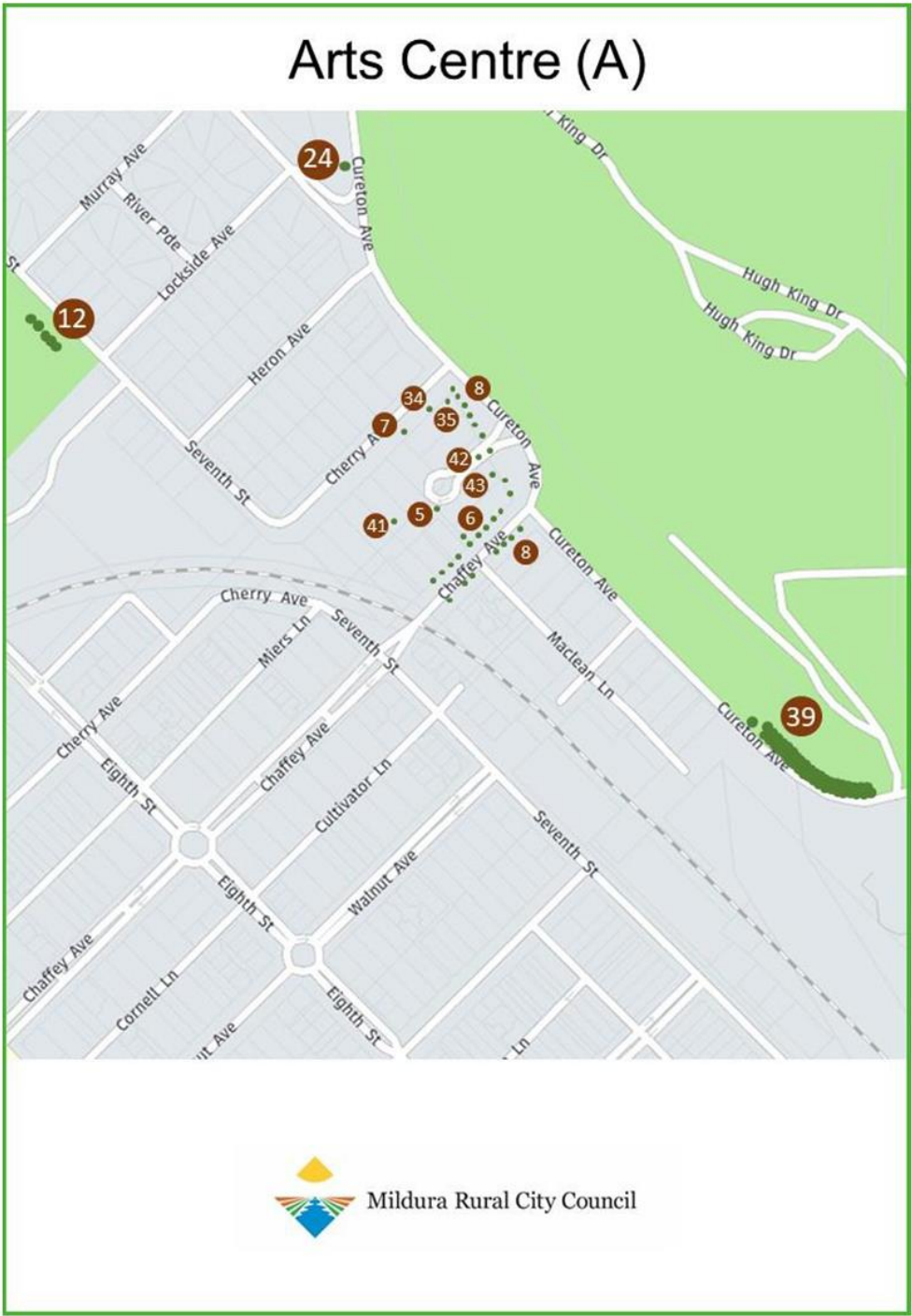
Appendix 1 – Town Mapping References

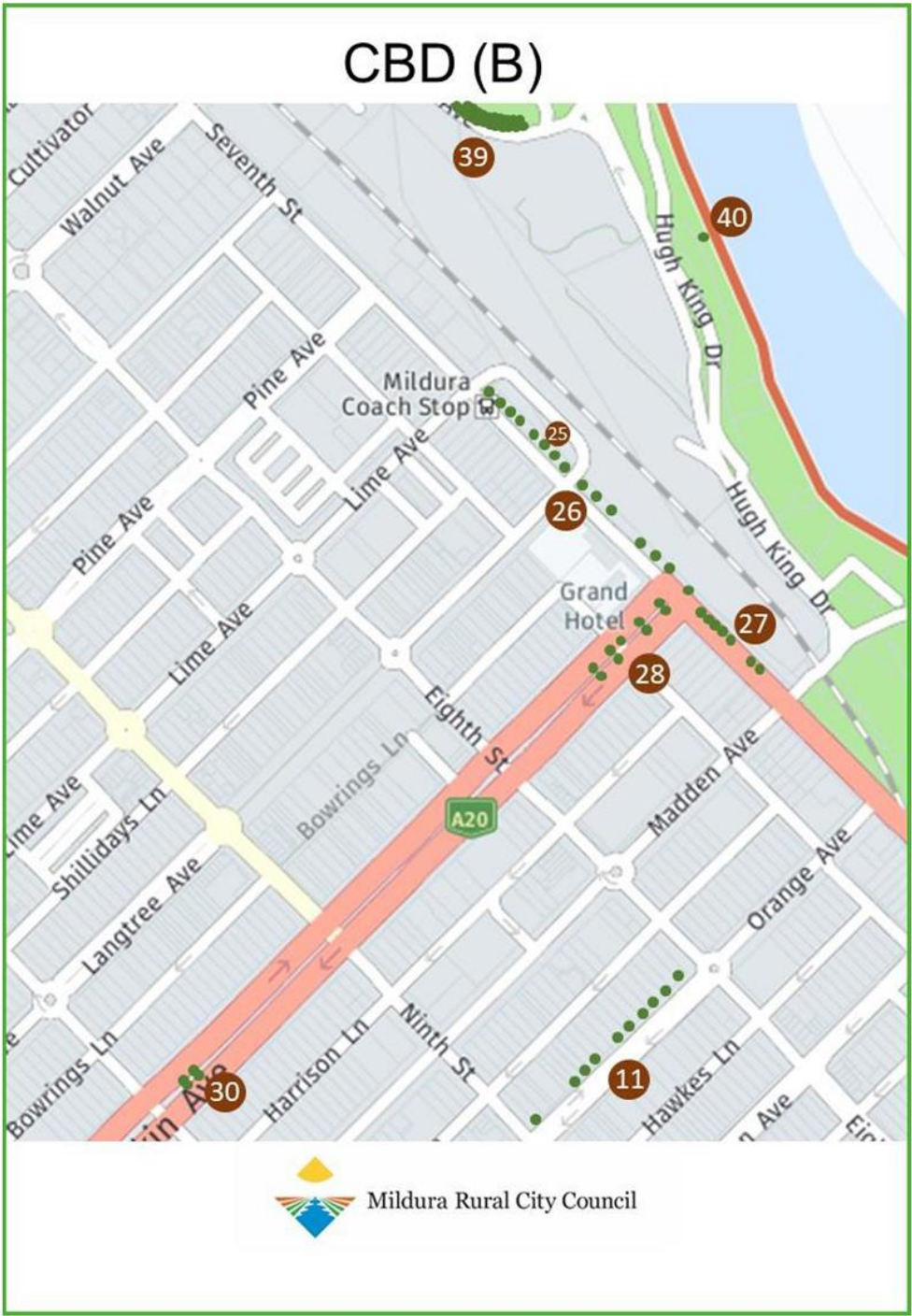
Tree locations are mapped by *Tree Group Identifier Number* in the following pages for the localities of Mildura (including separate maps for Mildura Arts Centre, Mildura CBD, Henderson Park, Mildura West and Mildura East), Irymple, Merbein, Nichols Point Cemetery and Red Cliffs.

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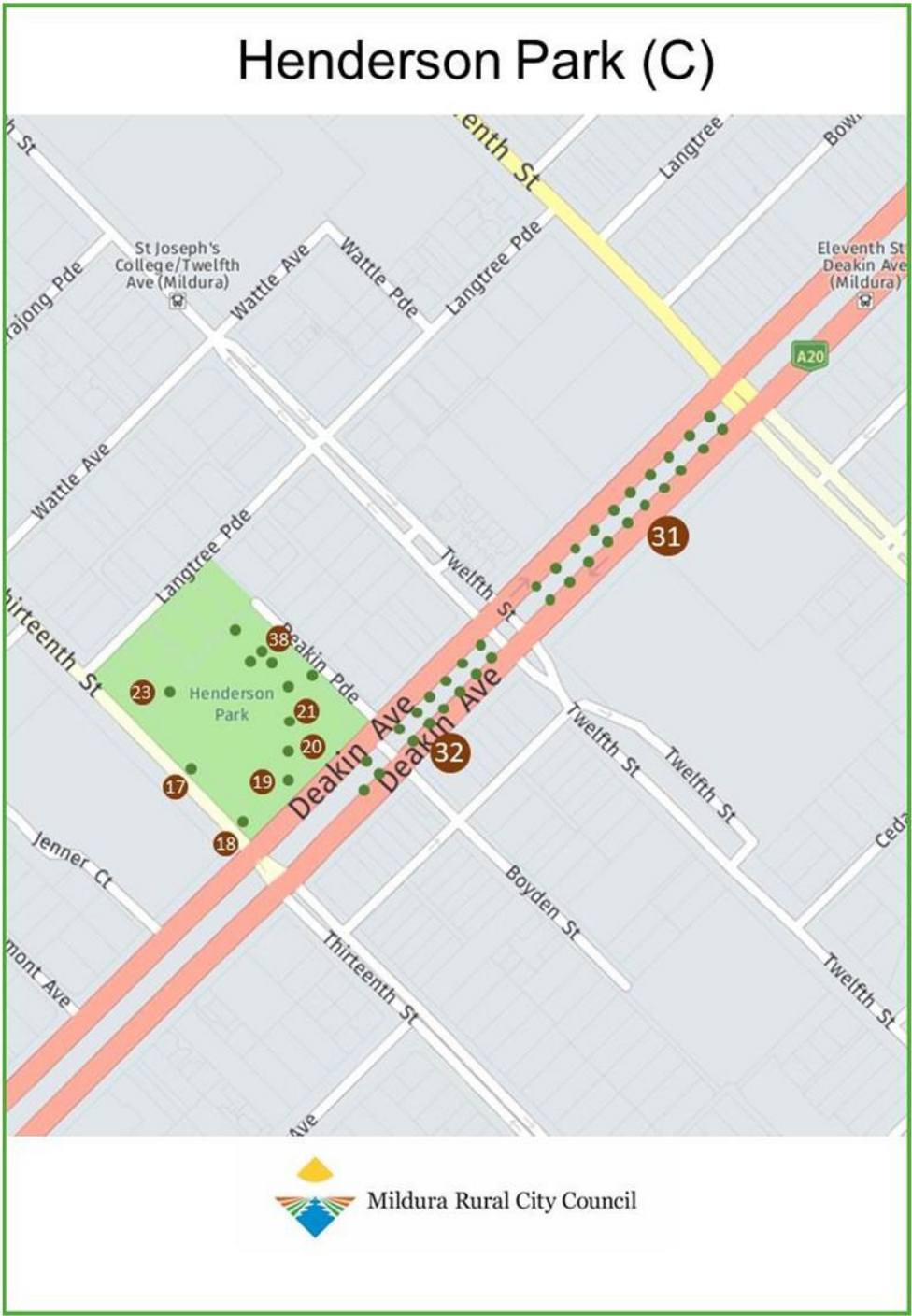


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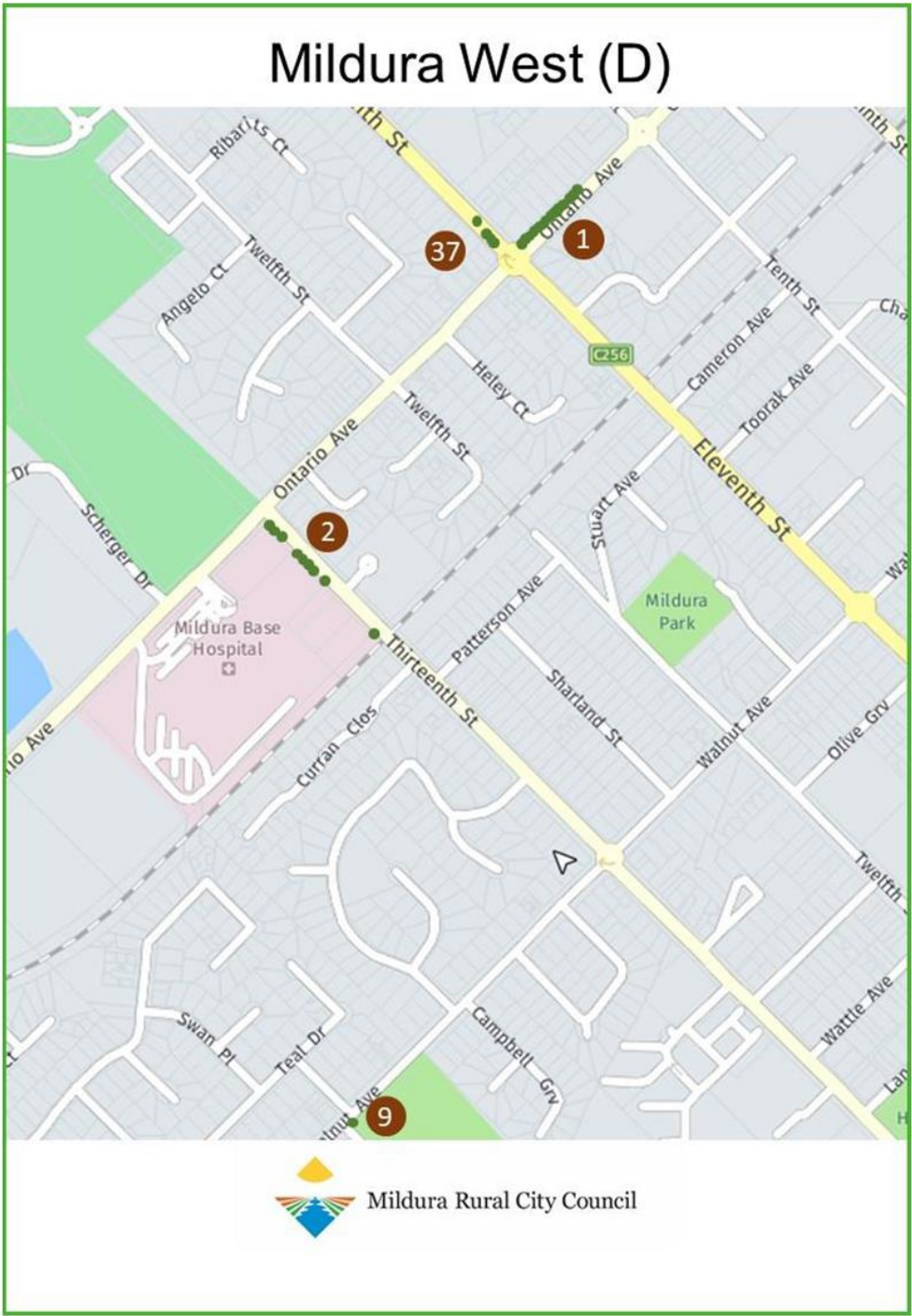




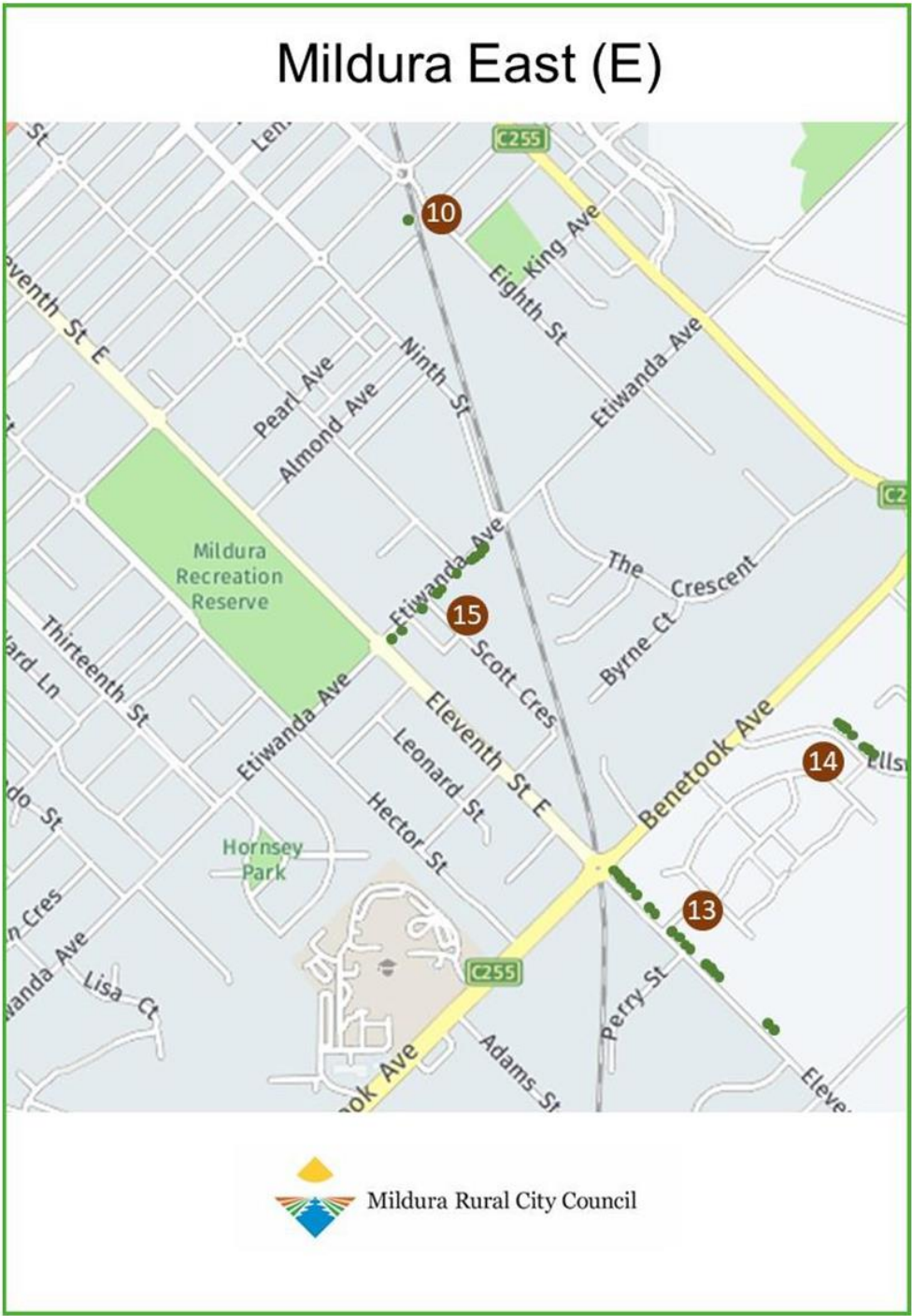
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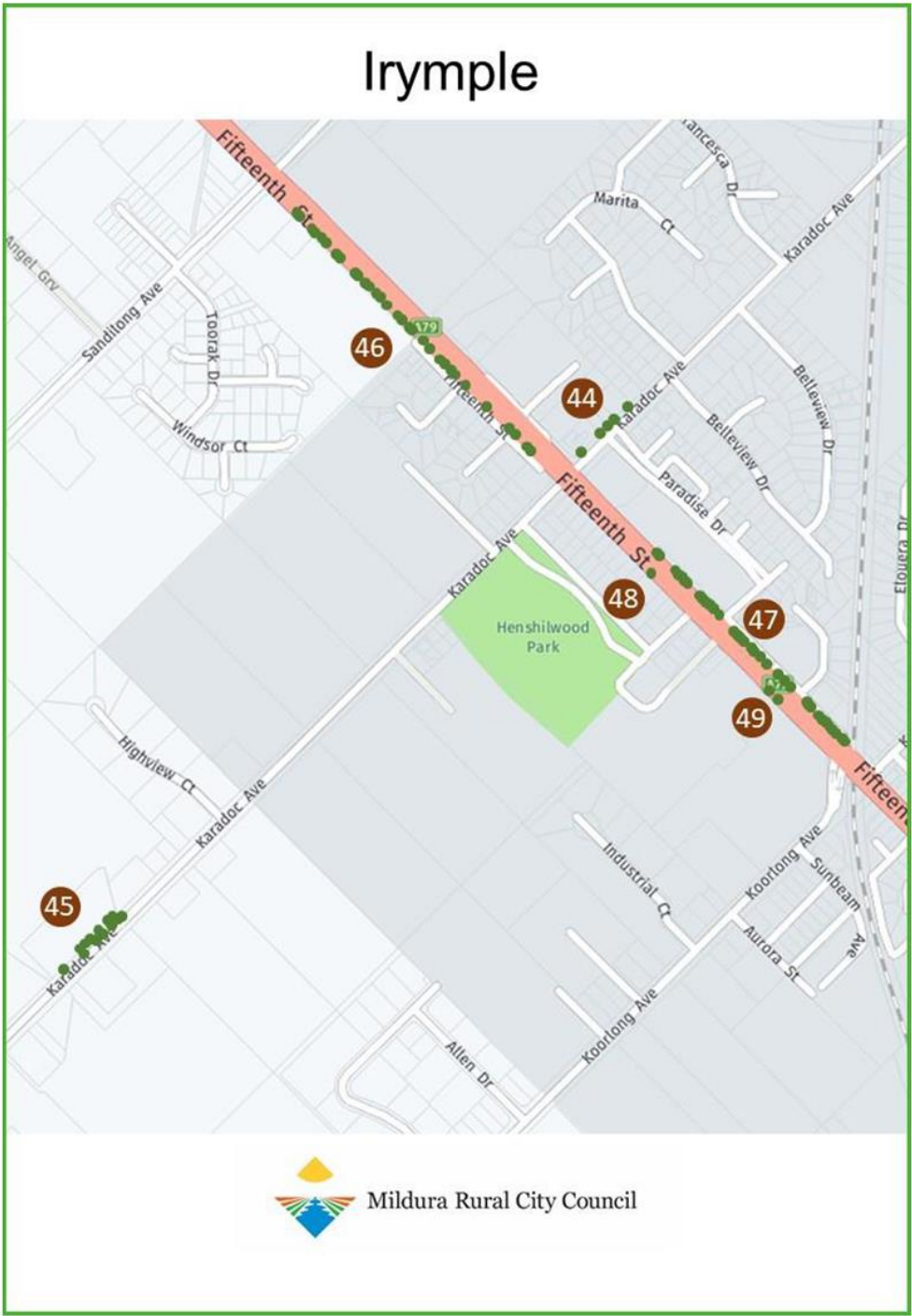
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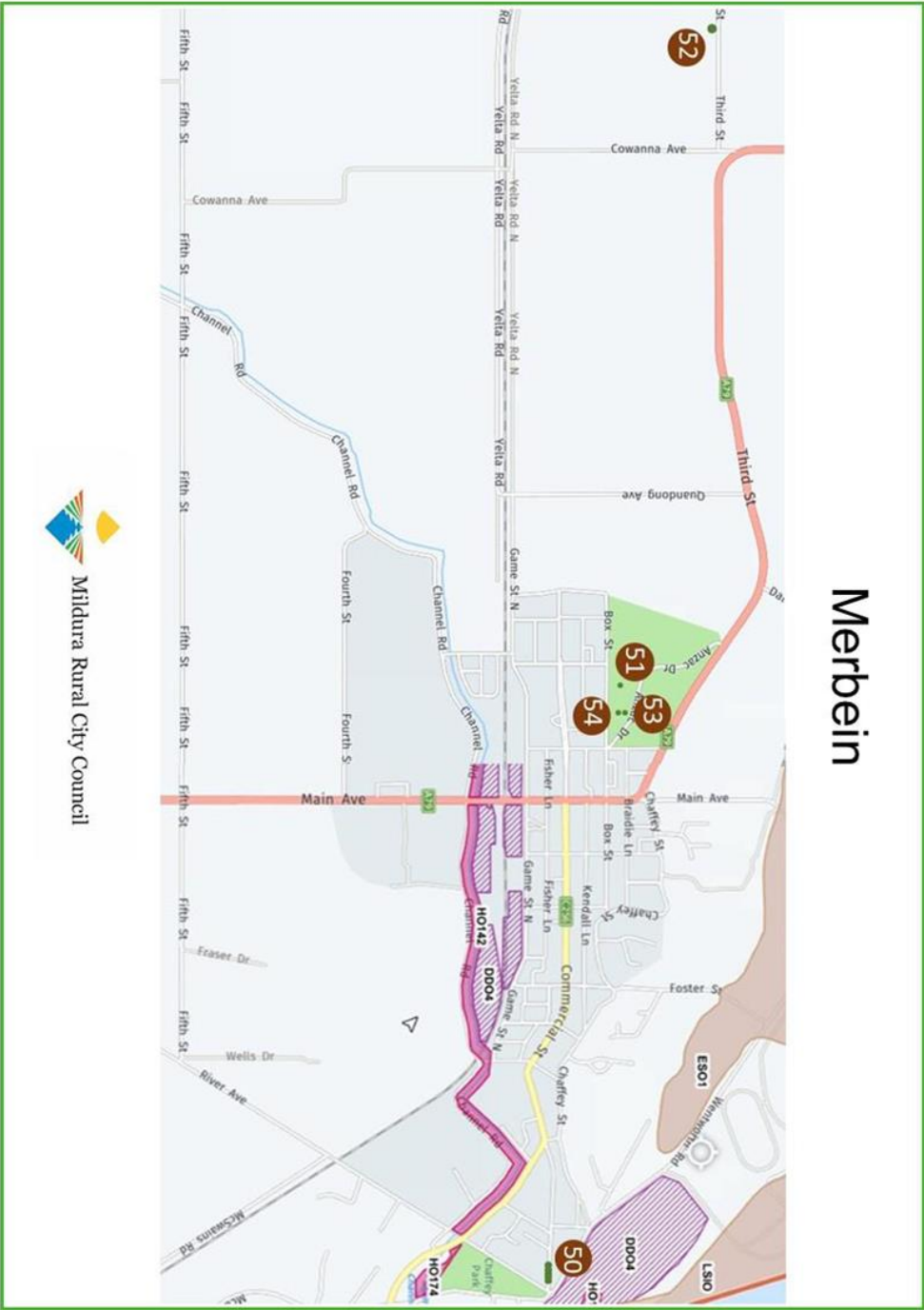
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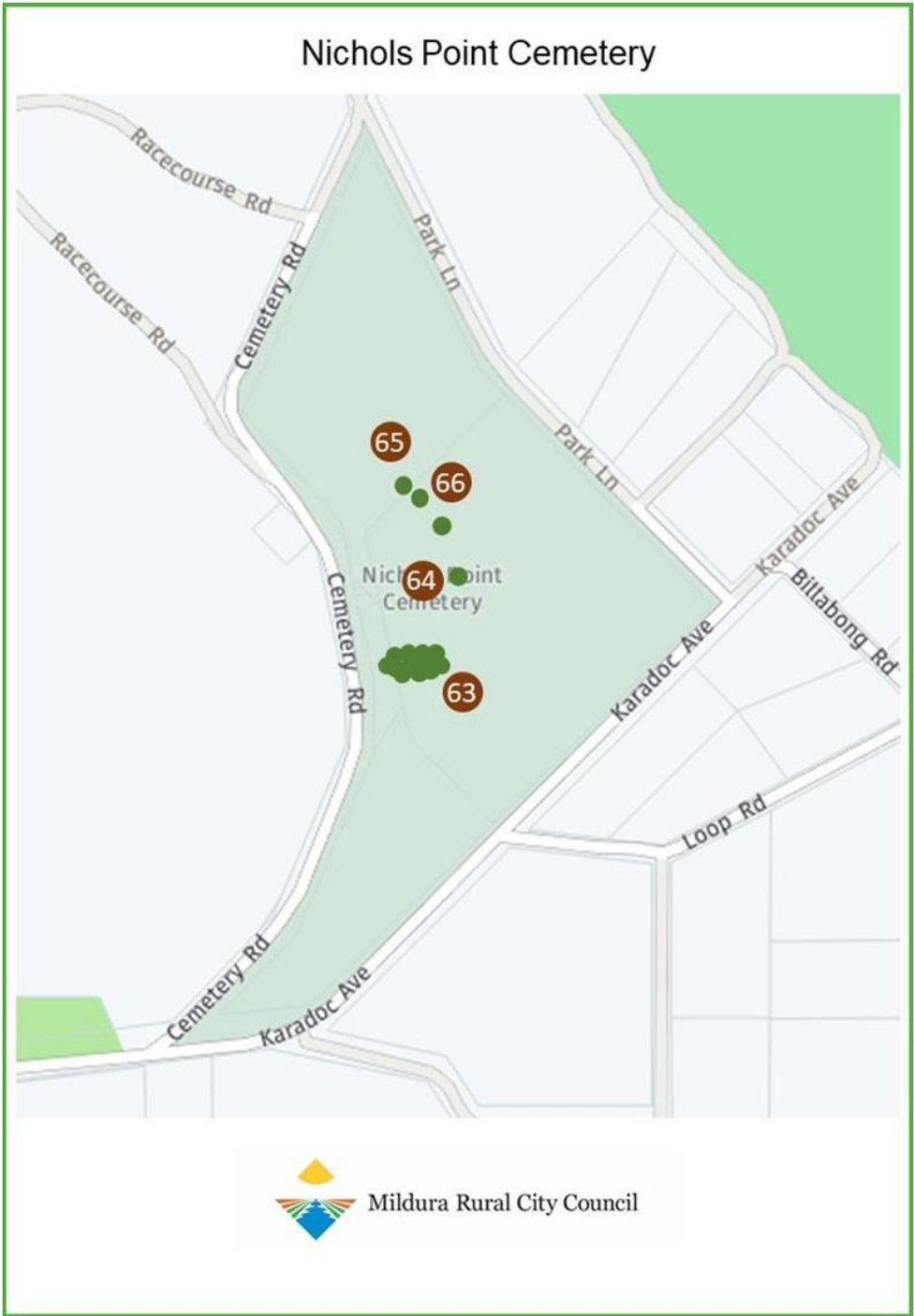
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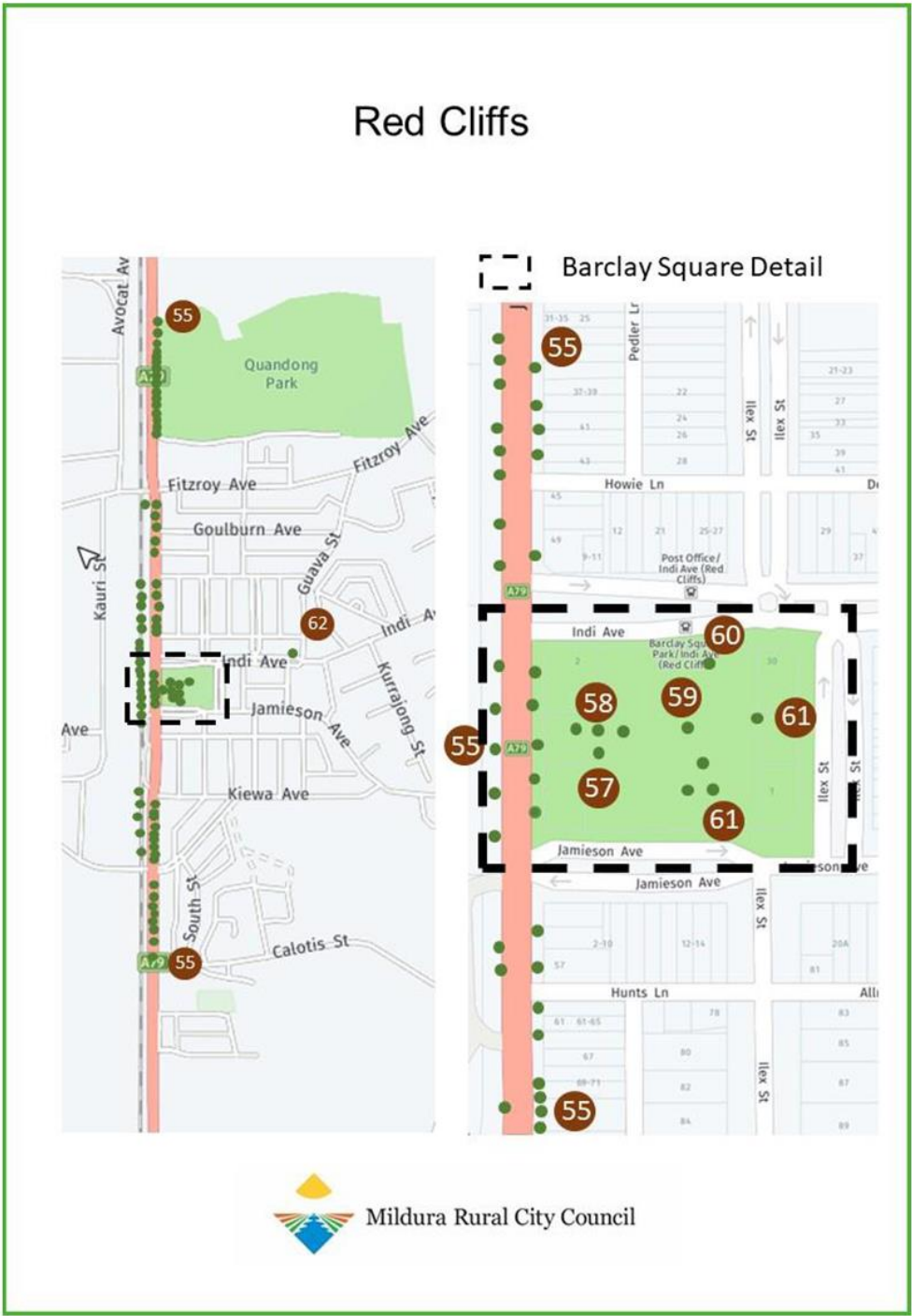


Merbein



Mildura Rural City Council





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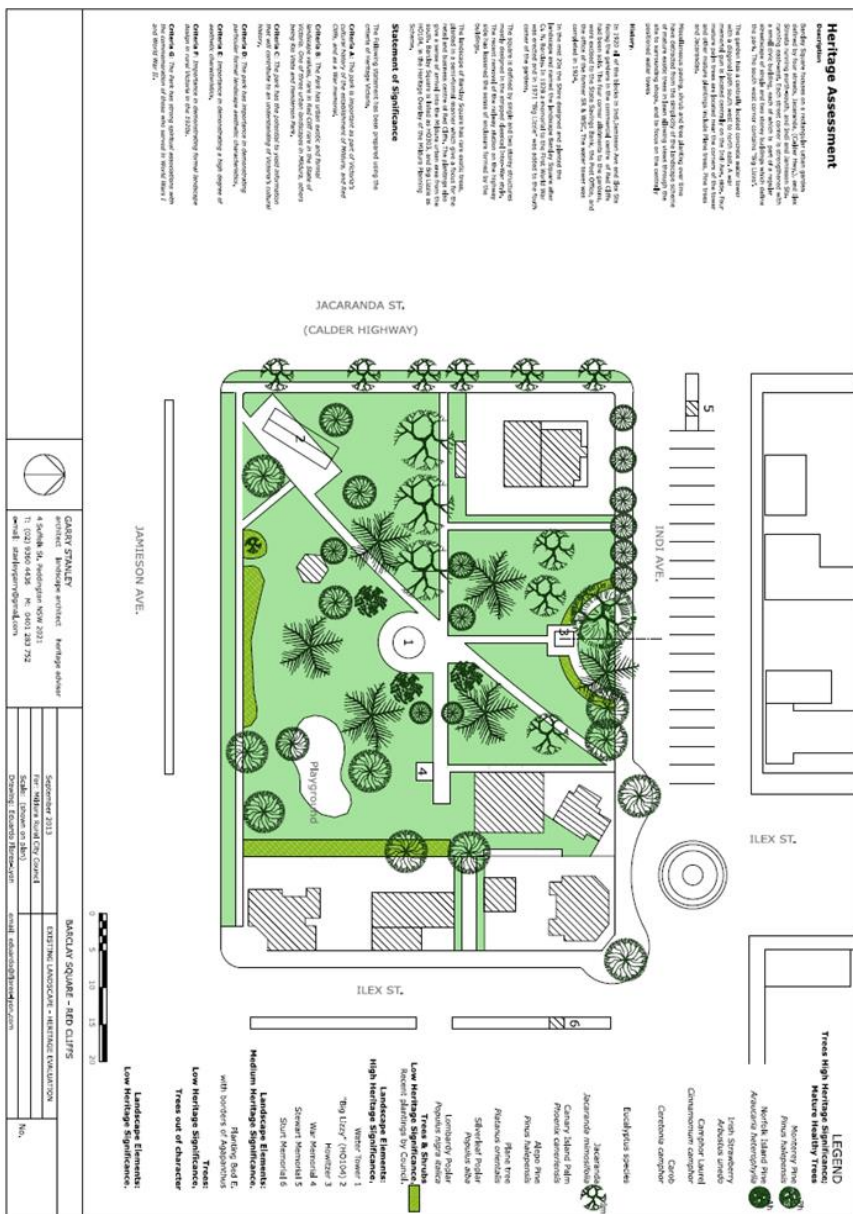
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Appendix 2 – Landscape Plans and Heritage Assessment

Mildura Council's Heritage Advisor Garry Stanley has prepared the following heritage assessment/landscape plans that detail the species of trees in Barclay Square Red Cliffs, Henderson Park Mildura and the grounds of Rio Vista Mildura. A Heritage Overlay in the Mildura Planning Scheme protects these trees. You will find one or more citations in this register to provide further detail about the tree species in these plans.

Barclay Square Red Cliffs Landscape Plan

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Rio Vista/Arts Centre Site (HO6) Cureton Avenue Mildura Landscape Plan



Appendix 3 – Significant Trees in the Mildura Planning Scheme

Trees listed in this appendix, but not included in this register, include Council managed trees in the **Schedule to Clause 43.01 of the Heritage Overlay in the Mildura Planning Scheme**. As such their heritage significance is established and they have statutory protection.

These trees require a *Visual Tree Assessment* to be completed to update their details. While they remain 'future work' for the purposes of this register, it is anticipated that they will be added to future editions of the document.

Schedule to Clause 43.01 Heritage Overlay (Extract)

PS Map Ref	Heritage place
HO202	<i>Eucalyptus camaldulensis</i> Murray River riverfront extending from the riverbank to Cureton Avenue and Seventh Street and between the lock and the George Chaffey Bridge (Map 27HO)
HO203	<i>Eucalyptus ficifolia</i> Adjacent to 214 and 224 Walnut Avenue, Mildura (Map 27HO)
HO206	<i>Ficus macrophylla</i> 2-6 Chaffey Avenue, Mildura (Map 27HO)
HO207	<i>Washingtonia phoenix</i> South side of Seventh Street and adjacent to Mildura Railway Station and the Grand Hotel between Deakin and Langtree Avenues, Mildura (Map 27HO)
HO208	<i>Washingtonia</i> Chaffey Avenue between Seventh Street & Cureton Avenue and along Cureton Avenue west of Chaffey Avenue, Mildura (Map 27HO)
HO209	<i>Washingtonia</i> Mildura Education Centre in Deakin Avenue, Mildura, being an avenue of palms along the driveway of the centre (Map 28HO)
HO212	<i>Pinus radiata</i> 380-382 Walnut Avenue, Mildura (Map 28HO)
HO213	<i>Washingtonia</i> Near corner of Thirteenth Street and Ontario Avenue, Mildura (Map 27HO)
HO214	<i>Dale Palm</i> South side of Thirteenth Street and east of Ontario Avenue, Mildura (Map 27HO)

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PS Map Ref	Heritage place
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HO216	2-6 Chaffey Avenue, Mildura (Map 27HO)
HO217	Washingtonia
HO218	33 Chaffey Avenue, Mildura (Map 27HO)
HO310	Date Palm
HO412	35 Chaffey Avenue, Mildura (Map 27HO)
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Credits and Acknowledgements

Project Steering committee

Mark Jenkins (Manager Community Futures)
Peter Douglas (Coordinator Strategic Planning)
Jacqui Murnane (Project Officer)
Wade Vincent (Parks Team Leader – Trees)
Dean Umback (Parks & Gardens Coordinator)
Matt George (Manager Parks & Waste Services)

With Assistance From

Garry Stanley (Heritage Advisor)
George Hibbard (Strategic Planner)
Sima Vaez (Strategic Planner)
Danielle Mazzini (MRCC Parks Administration & Depot Officer)

And Former Council Staff (2012-2020)

Steven Horvath (Strategic Planner)
Ammar Habasch (Strategic Planner)
Phoebe Wilson (Strategic Planner)
Gareth Tyson (Parks Team Leader - Trees)



Draft MRCC Significant Tree Register 2020

14.4 COMMUNITY GRANTS PROGRAM - POSTPONED

File Number: 16/02/03
Officer: General Manager Community

1. Summary

The purpose of this report is to seek approval from Council to postpone the February 2020 round of the Community Partnership and Events Funding and Support Grants until Government restrictions around COVID-19 have lifted.

2. Recommendation

That Council:

- (i) approve to postpone the awarding of the February 2020 round of the Community Partnership Grants;
- (ii) approve to postpone the awarding of the February 2020 round of the Events Funding and Support Grants with the exception of a grant to Arts Mildura Inc for the 2020 Mildura Writer's Festival; and
- (iii) approve the following grant application totalling \$3,792 for funding through the February 2020 round of the Events Funding and Support Grants as presented in the table below:

Applicant	Event	Recommended Funding
Arts Mildura Inc	2020 Mildura Writer's Festival	\$3,792
Total Funding Recommended		\$3,792

3. Background

Applications for the current grant round opened on Monday, 3 February and closed on Monday, 16 March 2020. The grants have now been through an assessment with recommendations completed.

The Community Grants Program is designed to provide financial assistance to local community organisations. The February grant round opened up in five categories including Arts Development, Community Partnerships, Events Funding, Recreation Development and Recreation Facilities.

The recommendation to award Recreation Development, Recreation Facilities and Arts Development Grant Programs are being presented at the May Council meeting for approval under separate reports.

4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the grant program through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook)
- Local radio and newspaper advertising
- Council staff networks.

A Grants Information Session was also held in January prior to the grant round opening on 3 February 2020.

Potential applicants were encouraged to discuss their project with Council's Officer's prior to submitting an application and assistance was available upon request throughout the grant application period.

Following the Council meeting, all grant applicants, with the exception of the application in relation to the 2020 Writer's Festival, will be notified via letter informing them that they are currently being postponed.

5. Discussion

The current situation of COVID-19 restrictions has left Council uncertain whether applications being received this round for events and projects will proceed without disruption.

Community Partnerships

The Community Partnership Grants program is a partnership between Council and local community based agencies, to support the delivery of local projects and programs that clearly improve the health and wellbeing of our whole community as well as a means to enable Mildura Rural City Council to achieve the goals of the current Council Plan.

Community Partnership grants are made available once every three years, with funding of up to \$30,000, distributed over the three years, with a maximum of \$10,000 available each financial year.

Funding through this round is for programs or projects being held or undertaken between 30 June 2020 and 30 June 2023.

The outcome of the formal assessment process resulted in eight out of nine eligible applications being recommended for funding. These applications total \$205,988.00 over the three years.

It is recommended the decision to award the Community Partnership Grants be postponed for an initial three months with a decision to be determined later in the year once COVID-19 restrictions are lifted and specific recovery requirements for the community have been further defined.

Events Funding and Support

The Event applications have been through a complex assessment leaving each applicant in a different category:

Status of Event	Action
Event was held in 2019/20 prior to COVID-19 restrictions or first application and have applied in 2020/21.	Depending on the restrictions and timing of event, if the event proceeds fund the recommended amount from assessment with new agreement in place.

Event cancelled in 2019/20 due to COVID-19 restrictions and have applied in 2020/21.	Event to retain 2019/20 funds to be utilised for 2020/21 event in the same format as originally proposed with new agreement in place.
Event postponed in 2019/20, still considering delivering a modified event in 2020 and have applied in 2020/21.	<p>2019/20 funding retained to deliver 2020/21 event at the same time and in the same format as originally proposed, with new agreement in place.</p> <p>If the opportunity presents for a modified event to be delivered (ie. Restrictions on gatherings eased) event organisers will be given the opportunity to discuss with the events team and complete a variation outlining how their event will differ from original proposal.</p> <p>Event to be assessed based on new format and funding based on this proposal.</p>
Event modified 2020/21	Modified event in virtual format to engage with community and still meet intended outcomes – Fund \$3,792 to Arts Mildura Inc for the 2020 Mildura Writer's Festival which is discussed below.
Event cancelled and did not apply 2020/21.	Invoice sent for funds to be returned.
Event cancelled, next event in 2021/22 financial year.	Apply for 2021/22 funding.

A major concern is that if some events were going to proceed they would do so in a modified format and not generate the same economic benefit our intended outcomes originally outlined in the application. Such events must be carefully considered and further assessment needs to take place to review how the modifications impact the event, once this is clarified the event funding can be reassessed..

In many cases there are events that are extremely unlikely to go ahead due to the restrictions. Action plans that have been developed gives us the opportunity to assess events as restrictions are eased and avoids Council requesting the return of funds if the event was not to proceed.

Postponing the outcome of awarding the Events grant until COVID-19 restrictions are lifted, will give Council the opportunity to continue to assess the environment for events over the next three months and work with event organisers. At this time we will be more informed as to what the short term future of the event landscape and social gatherings looks like. This will also give us the opportunity to channel funding to higher priorities to boost our economic and tourism value through our recovery response.

It is, however, recommended to award funding to one event. The Mildura Writer's Festival, scheduled to be held in July, will be delivered through a virtual platform where all sessions will be live streamed to engage with the community and provide an event which retains its intended outcomes as per the original grant application of sharing stories with audiences. This provides the Mildura community an important link to others in such uncertain times.

Budget	Action	Amount
2019/2020 (events have already received funding)	Roll 19/20 funding over to 20/21 event.	\$86,421
2020/2021 (maximum amount of funding)	Assess events ongoing and award if restrictions allow to be delivered in original format.	\$164,838.50
	Allowance for modified events to replace 2019/20 scheduled event.	\$30,000
2020/ 2021	Award now for modified community event to proceed virtually in July.	\$3,792

6. Time Frame

The timeframe for awarding these grants is expected to be no more than three months however this will depend on the Government restrictions.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

1.2 Community Development

Goals to be achieved:

- Improved accessibility to facilities, services and activities;
- Improved level of inclusion and active participation in the community; and
- Improved access to educational opportunities.

3.1 Economic Development and Tourism

Goals to be achieved:

- A vibrant, diverse, innovative and sustainable economy; and
- Support quality tourism services and experiences.

3.2 Events

Goals to be achieved:

- Support quality and diverse community events; and
- Develop and support major events and conferences to attract visitors.

8. Asset Management Policy/Plan Alignment

There are no asset management or ongoing operational costs associated with this report.

9. Implications**Policy**

The grant programs and associated processes have been conducted in accordance with the following Council policies:

- Grants Policy CP021
- Arts Development Grants Policy CP054
- Recreation Assistance Grant Schemes Policy OP073
- Community Development Grant Schemes CP052
- Events Funding and Support Policy CP010

Legal/Statutory

Compliance with Disclosure of Interest Section 79 – *Local Government Act 1989*.

Financial

All grant programs are funded within Council's operational budget for 2019-20 with the exception of Events Funding and Support where the current round is funded from within Council's operational budget for 2020-21 and the Community Partnership Grants which run over three financial years commencing in 2019-2020.

Grant Program	Budget	Recommended for Award
Community Partnerships	\$205,988 (over three years)	Postponed
Events Funding & Support	\$350,000	\$3,792 (with remainder of grants to be postponed)

Environmental

There are no environmental impacts associated with this report.

Social

Provision of these grants provide opportunities for a range of social and community outcomes, including community wellbeing, engagement and participation, and development of strong and resilient communities.

Economic

Major events funded through the Events Funding and Support Grants can result in significant economic returns to our community through tourism and visitation to our municipality.

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low
Community Dissatisfaction with placing Community Partnerships and Event Funding on hold	Communicate Council decisions to organisations if funding is diverted to recovery based activities.	Low

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

14.5 ARTS DEVELOPMENT GRANT PROGRAM 2019-20 FEBRUARY ROUND

File Number: 16/02/19
Officer: General Manager Community

1. Summary

The purpose of this report is to consider recommendations for funding through the Arts Development 2019-20 February Round grant program.

2. Recommendation

That Council approve the following grant applications totalling \$6,380 for funding through the Arts Development 2019-20 February Round grant program as presented in the table below:

Applicant	Project or Event Title	Description	Recommended Funding
Arts Mildura	Mildura Dust Off	Mildura Dust Off is a 10-day residency in the museum of innocence (Arts Mildura) by internationally regarded artists Peter Fraser and Frank Van De Ven.	\$2,000
Mallee Pride Incorporated	Mallee Pride - Queer Film Screening	Mallee Pride will host a quarterly queer film screening. The project will address the lack of LGBTIQ+ community engagement in the arts and creative projects, specifically film. The films will be selected to represent particular communities at risk, including transgender and gender diverse, Aboriginal and/or Torres Strait Islander and LGBTIQ+ Elders. The project will provide an opportunity for the LGBTIQ+ to experience, be inspired by and contribute to the arts.	\$2,000
Merbein Village Band Incorporated	Merbein Village Band Musical Leader	The project is designed to fill an expressed need for musical leadership and direction to encourage people of all ages, with abilities or	\$2,000

		disabilities, including Nursing Home residents in learning an instrument. The project seeks funding to ensure the band retains a skilled and experienced leader who will ensure equity and access for all members regardless of skill level, and develop their music skills.	
Mallee Folk Club	Mallee Folk Club Music Making Gatherings	Members gather to play a range of instruments, predominantly ukuleles, but including banjo, fiddle, guitars, mandolin, percussion. A community group who come together to enjoy the great benefits of making music and to offer a strong sense of belonging and connectedness, bringing people together across age, culture and ability.	\$380
Total Funding Recommended:			\$6,380

3. Background

Council's Arts Development grants program is designed to provide financial assistance to local community organisations to participate in and experience the arts, be it performing or visual arts activities including artistic and production skills development, establishment of new arts organisations, audience and market development, educational opportunities, conservation and preservation of cultural heritage, as well as professional assistance.

Arts Development grants are made available once per financial year, with funding available up to \$2,000.

4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the Arts Development grant program through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook) – Council and Mildura Arts Centre
- Local radio and newspaper advertising
- Council staff networks

Grants Information Sessions were also held on Wednesday, 29 January in Mildura.

Potential applicants were encouraged to discuss their project with Council's Arts and Culture Development Manager prior to submitting an application and assistance was available upon request throughout the grant application period.

Following the Council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

5. Discussion

A total of four applications was received for this round, worth a total value of \$6,380 (GST exclusive).

A pre-eligibility check of all applications was undertaken prior to the compliant applications being formally assessed by the selected grants assessment panel. This check identified all applications as being compliant.

The assessment panel for this round was made up of the following council officers:

- Marketing and Development Team Leader, Mildura Arts Centre
- Information Systems Project Officer
- School Focused Youth Service Officer.

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines and then ranked according to the panel's combined total scores.

COVID-19 IMPACT

Applicants have been contacted regarding their submissions and to discuss the impact of COVID-19 to the implementation of their proposed events. At this stage, applicants confirmed that they are committed to deliver the events, where some will continue as intended, however may use digital platforms for delivery, or where there is a delay due to social distancing, it is anticipated they will occur by 30 June 2021 which aligns with the grant guidelines.

Recommendations for funding were made based on a combination of both the available budget and the application's overall assessment score and were presented to the Portfolio Councillor for Arts and Culture and General Manager Community at a meeting held Friday, 1 May 2020.

As a result of this process all applications are being recommended for funding.

6. Time Frame

Applications opened on Monday, 3 February 2020 and closed Monday, 16 March 2020. Subject to approval by Council, applicants will be notified in June 2020.

All grants are to be spent within 12 months of receiving the funds.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

1.5 Arts, Culture and Heritage

Goals to be achieved:

- Increased access to a diverse range of arts and cultural experiences;
- A community that values and embraces its history and diverse cultural heritage; and
- The significance of our region's Indigenous culture is recognised through arts and cultural experiences.

8. Asset Management Policy/Plan Alignment

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

All approved projects will need to meet Asset Management plans and policies.

9. Implications**Policy**

The Arts Development grant program aligns with Council's Grants Policy CP021 and its associated guidelines along with the Arts Development Grants Policy OP054.

Legal/Statutory

Compliance with *Disclosure of Interest Section 79 – Local Government Act 1989*.

Financial

The Arts Development 2019-20 (February Round) grant program is within Council's operational budget financial year 2019-20.

Environmental

There are no environmental implications associated with this report.

Social

The grants provide opportunities for community development, engagement and participation in arts and culture activities within our municipality.

Economic

There are some economic opportunities, particularly tourism for the region, within this year's projects.

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable assessment process. Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council's adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

11. Conflicts of Interest

There were no conflicts of interest declared during this round.

The Arts and Culture Development Manager provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment process.

Attachments

- 1 Arts Development Grant - Guidelines - February Grant Round 2020

Arts Development Grant Guidelines 2020



Mildura Rural City Council

Introduction

Arts Development grants provide opportunities for our community to participate in and experience the arts - be it performing or visual arts activities (including artistic and production skills development), establishment of new arts organisations, audience and market development, educational opportunities, conservation and preservation of cultural heritage, as well as professional assistance.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email antonette.zema@mildura.vic.gov.au

Who can apply?

To be eligible to apply for an Arts Development Grant you must:

- Have a project taking place between **1 July 2020 – 30 June 2021 (inclusive)**.
- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and programs within these boundaries (or propose to).
- Schools can only apply for grants that benefit the school on a non-infrastructure basis and demonstrate that they are separate to the normal school curriculum e.g. a program that introduces behavioural change.
- Not have grant overdue for acquittal with Mildura Rural City Council.

What will be funded?

Arts Development Grants are made available to support the goals of our Community and Council Plan 2017-2021. To achieve this, through this program we want to fund projects or programs that:

1. Increase access to a diverse range of arts and cultural experiences.
2. A community that values and embraces its history and diverse cultural heritage.
3. The significance of our region's Indigenous cultural is recognised through arts and cultural experiences.

Priority will be given to projects catering for a demonstrated community need.

Arts Development Grants – Grant Program Guidelines (February 2020)

Potential Projects

Examples of projects or events that may be eligible for funding include:

- The establishment of new arts groups and/or support for established groups
- Collaborations with or fees for arts professionals
- Programs and activities promoting the arts, culture and heritage
- Exhibition development and displays
- Artistic and Production development (events, festivals or performing arts)
- Opportunities for engagement and participation in visual or performing arts, history and heritage.
- Education, workshops or mentoring opportunities in arts, culture and heritage
- Professional Development and Skill Development including artistic, production, governance, or safety training
- Venue hire and/or production costs (e.g. materials, sets, props, framing etc.)
- Advertising and promotion
- Subsidised costs for disadvantaged participants.

What will not be funded?

You cannot apply for an Arts Development grant if:

- Re-current or ongoing funding from Council is needed.
- You could fully fund the project from other sources (e.g. user fees, fundraising, other funding bodies, business or other sponsorship).
- Your organisation has significant infrastructure and resources - unless the project is unique, not your core business and provides an additional service with demonstrated high community need.
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- You receive funding for the project through another Council grant program.
- A clear statement of your organisation's financial position can't be provided on request.
- You wish to fund management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power or labour costs not directly associated with your project.

Arts Development Grants – Grant Program Guidelines (February 2020)

- You wish to fund computer products for administration use that does not contribute directly to the grant program.
- You wish to fund the replacement of consumable items and/or equipment.
- The purpose of your project is of a political nature.
- The purpose of your grant is for a religious group or purpose - unless the project is non-denominational and demonstrates a broader community benefit.
- You wish to fund assistance to an individual person.
- You are a commercial enterprise or Government entity (not applicable to Events).
- Your project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- You want to fund general fundraising campaigns, activities and appeals.
- Your organisation supports or the intended purpose of your project promotes gambling or alcohol, drugs or tobacco use.
- You wish to fund travel, study or conferences (including feasibility studies).
- Your organisation has not satisfactorily acquitted a previous grant.
- Your project replicates a service or program that already exist within the community (projects that compliment or expand the capability of existing programs will be considered).
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You to wish fund the costs associated with preparing a grant application and/or the sourcing of quotes.

How much can I apply for?

Funding is up to \$2,000.

How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal www.mrcc.smartygrants.com.au.

Important Milestones

1. **Grant round open.** Monday 3 February 2020
2. **Submit your application.** By 4pm, Monday 16 March 2020
3. **Applications assessed.**
4. **Council Meeting (decision).** Wednesday, 27 May 2020
5. **Applicants notified.** Early June 2020

Assessment, evaluation and acquittal

Assessment of applications

Applications for Arts Development grants will be assessed by independent assessors according to the following weighted criteria and will be presented to Council for consideration following the closure of the funding round.

What is your project idea? (55%)

- An overall description of the objectives and aims of the project.
- How does your project contribute to the achievement of objectives outlined in the Arts, Culture and Heritage section of the Council Plan?
- Does your project have a focus on arts, culture or heritage development and ongoing benefits to the community?
- Does your project have a degree of innovation to provide an example for others in the community?
- Project demonstrates a commitment to addressing access to arts participation and engagement within the community.
- Project contribution to youth development with particular emphasis on the engagement of young people and youth.
- Have you demonstrated your project's ability to achieve and demonstrate outcomes?
- Have you demonstrated how the project will have long term benefit and become self-reliant into the future?

Project Delivery

Who will carry out the project? (15%)

- A clearly outlined project management team who will deliver project is in place.
- Clearly defined accountability and governance structures and delegations are in place.

How will the project be carried out? (10%)

- Have you demonstrated the ability to complete the project within budget and within the designated timeframe?
- Are there any social and environmental considerations associated with any procurement of goods and services?

What partnerships do you have? (10%)

- What partnerships have been explored with other community groups to deliver the project as part of a wider community project?

Timeline and Budget (10%)

- Has a detailed budget that articulates all monetary and in-kind support been provided?
- Has a timeline that estimates when key objectives and tasks will be undertaken and completed by been provided?

Information for successful applicants

All applicants will be notified in writing of Council's decision following the Council Meeting. Successful applicants will be presented with a certificate of acknowledgement, by a representative member of Council at a Presentation ceremony.

Project evaluation and financial acquittal

All successfully funded projects will be required on the completion of the project to:

- Acknowledge Council's funding. This can be done as part of a speech at the event, in writing, in the media and/or promotional material for the event per funding agreement guidelines.
- Spend the grant funds as outlined in the approved grant application and in accordance with the terms of the funding agreement.
- Complete the funded project within 12 months of approval.
- Return any unspent funds to Council at the end of the grant period.
- Seek consent from Council for any modifications required that alter the original approval to the funds being spent. All requests will be considered and the applicant will be notified of Council's decision. Approval must be received before alterations can proceed.
- Complete and submit an online Mildura Rural City Council Arts Development Grant Acquittal form, with required financial evidence (e.g. receipts) as well as other forms of evidence, video, media marketing material, photographs etc. to accompany the project evaluation, which details specifically how the funding was spent to achieve the funded project objective/s (refer to acquittal guide for further information).

Application Conditions

Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.

General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- A copy of your organisation's most recent bank statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request

Definitions

ABN The Australian Business number (ABN) is a unique 11-digit identifier that makes it easier for businesses and all levels of government to interact.

<https://abr.business.gov.au/>

Acquittal The process by which a funding recipient demonstrates in writing to the funding body that it has expended all funds in accordance with the terms and conditions of the funding agreement on completion of the project.

(refer to Community Project Grant Acquittal document on Council website, for further information)

Auspice Means to lend support, in the context of a grant application, an unincorporated organization will require an Auspice organisation that is an incorporated entity Grant.

GST Goods and services tax, often referred to as GST is a broad based tax of 10% on most goods, services and other items sold or consumed in Australia. GST is paid in addition to the grant amount to applicants who are registered with the ATO for GST.

<https://www.business.gov.au/Registrations/Register-for-taxes/Register-for-Goods-and-Services-Tax-GST>

Incorporated Association An incorporated organization separates individual members from the entity. Incorporation makes a group of people, a single legal entity with certain rights and legal protections.

<https://www.consumer.vic.gov.au/clubs-and-fundraising>

In-Kind Contribution A contribution is an investment which be either non-financial (volunteer time, free venue donated goods) or financial from the organization or the community group, that goes towards the project or program to make it happen.

Capital Works This refers to; upgrades or modifications to facilities or buildings, structural alterations/ improvements or the installation of fixed built items, any addition that will add to the capital value.

Land Managers Consent Grant applications seeking funds relating to Capital Works on Council land, or to a Council owned facility, requires a land managers consent form to be submitted to council for processing and approval at the time of the grant application.

Consent is also required from Land Owners other than Council i.e. DELWP and approval (or proof of application) from the relevant Land Owner must be submitted to council at the time of the grant application

Grant A Grant is a payment made by Council to an eligible applicant for a specific purpose or project that demonstrates community benefit and assists people living in the Mildura Rural City Council Municipality to achieve its strategic goals and objectives. Grants are subject to an application process and are awarded following Council endorsement.

Notes:

14.6 RECREATION GRANT PROGRAM 2019-20 (FEBRUARY ROUND)

File Number: 16/02/01
Officer: General Manager Community

1. Summary

The purpose of this report is to consider recommendations for funding through the Recreation Grants Program 2019-20 (February Round).

2. Recommendation

That Council approve the following grant applications totalling \$144,444.70 for funding through the Recreation Grants Program 2019-20 (February Round) as presented in the table below:

Recommended for Recreation Development Program:

Applicant	Description	Recommended Funding
Ouyen Golf Club	Ouyen Junior Golf - 2020 Junior Development Program	\$1,400.00
Murrayville Football Club	Upgrade Club fridge to a commercial one.	\$3,000.00
Wanderers Baseball Club	Purchase line marker and portable safety nets	\$3,000.00
Werrimull Football Netball Club	Sound/PA system upgrade	\$2,800.00
Sunraysia Chess Club	Purchase equipment and technology	\$1,699.33
Mildura District Badminton Club	Purchase minor equipment	\$1,146.67
Total Funding Recommended		\$13,046.00

Recommended for Recreation Facilities Upgrade Grant

Applicant	Description	Recommended Funding
Ouyen Inc.	The project will see the upgrade of Ouyen Inc. owned building to enable its use as a community gym.	\$9,053.34
Football Federation Sunraysia	Planning and Design for the Installation/Upgrade of Pitch Lighting at Soccer Park, Old Aerodrome Ovals	\$10,868.00
Murrayville Lawn Tennis Club	To purchase and install outdoor flood lighting to four of the clubs tennis courts.	\$15,000.00
Ouyen Rams Cricket Club	Installation of a two-lane synthetic cricket practice facility at Blackburn Park, Ouyen.	\$15,000.00
Mildura Bowls Club	The development of detailed plans and QS costing for Stage One	\$10,546.66

Applicant	Description	Recommended Funding
	Mildura and Workers Bowls Club Toilet and Kitchen Upgrade.	
Mildura Murray Masters Swimming Club Inc.	Upgrade of indoor pool starting block platforms with a non-slip surface.	\$12,465.35
Sunraysia Baseball League	Construction of 2 x 18m x 3m skillion roofed shelters with concrete slab.	\$15,000.00
Mildura Clay Target Club	Installation of female friendly and wheelchair accessible toilets.	\$15,000.00
Underbool Recreation Reserve committee of management	A lighting upgrade to comply with the Netball Victoria regulations of 200 lux standard for training.	\$15,000.00
Millewa - Carwarp Landcare Group	Line marking of the lawn tennis courts at Johansen Reserve, Lake Park Drive, Cullulleraine to enable community use.	\$1,000.00
Mildura Swimming Club	An upgrade of the starting blocks for the 50m pool.	\$12,465.35
Total Funding Recommended		\$131,398.70

3. Background

Council's Recreation grants program is designed to provide financial assistance to local sport and recreation groups to maintain and develop their facilities and also to develop the programs and opportunities they offer to the community.

Recreation grants are made available twice per financial year and is comprised of the following two funding streams:

- Development: Funding up to \$3,000 per project.
- Facilities Upgrade: Funding up to \$15,000 per project.

Funding through this round is for projects being held or undertaken between 1 July 2020 and 30 June 2021.

The maximum amount of funding that eligible groups can apply for each application was increased in this round of Grants. Recreation Facility Upgrade grants were increased from \$6,000 to \$15,000, and Recreation Development Grants from \$1,000 to \$3,000. Funding is provided on a 2:1 ratio (Council 2: Applicant 1).

There are no projects that will not be able to proceed as a result of the current COVID-19 situation. Each applicant has been contacted and has confirmed their ability to meet the financial commitment made in the application.

4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the Recreation Grants Program 2019-20 (February Round) through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook)
- Local radio and newspaper advertising
- Council staff networks
- Grant Workshops

Potential applicants were encouraged to discuss their project with Council's Recreation Officer prior to submitting an application and assistance was available prior to and throughout the grant application period.

5. Discussion

Applications for the current grant round opened on Monday, 3 February 2020 and closed on Monday, 16 March 2020.

A total of 24 applications were received for this round, with a total value of \$225,778.03 requested from applicants.

A pre-eligibility check of all applications is undertaken prior to being formally assessed by an independent grants assessment panel. The purpose of the pre-eligibility check is to check that applicants and their projects meet the basic eligibility criteria as outlined in the grant's guidelines. This check identified that all applications were eligible for funding in this round.

The assessment panel for this round was made up of the following council officers:

- Manager Leisure & Cultural Services
- Governance & Risk Coordinator
- Recreation Development Coordinator

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines (copies attached to this report) and then ranked according to the panel's combined total scores.

Recommendations for funding were made based on a combination of both the available budget and the application's overall assessment score and were presented to the Portfolio Councillor for Sport and Recreation via a confidential briefing note dated 5 May 2020.

As a result of this process 17 out of 24 eligible applications being recommended for funding. Details of the applications not recommended for funding are contained in a separate Confidential Memorandum which will be distributed to Councillors prior to the May 2020 Ordinary Council Meeting.

6. Time Frame

Subject to approval by Council, applicants will be notified in June 2020.

All grants are to be spent within 12 months of receiving the funds.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

1.6 Recreation and Sport

Goals to be achieved:

- Increased participation in sport and recreation activities; and
- Increased access to a diverse range of quality sporting and recreation facilities and programs.

8. Asset Management Policy/Plan Alignment

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

All approved projects will need to meet Asset Management plans and policies.

9. Implications**Policy**

The Recreation Grants Program and associated processes have been conducted in accordance with the following Council policies and guidelines:

- Grants Policy CP021
- Recreation Assistance Grant Schemes Policy OP073
- Recreation Facilities Upgrade Grant Guidelines
- Recreation Development Grant Guidelines.

The existing Recreation Grants Schemes Policy requires applications to be ranked accordingly based on defined scoring protocols and a determination made as to whether each application meets an acceptable standard, before a report is forwarded to Council regarding the recommended distribution of grants funding.

Legal/Statutory

Compliance with *Disclosure of Interest Section 79 – Local Government Act 1989*.

Financial

The Recreation Grants Program (February Round) is within Council's operational budget financial year 2019-20.

Environmental

Three of the projects have identified environmental benefits through retrofitting of existing infrastructure.

Social

Provision of Recreation Grants Program funding recognises the importance of sport and recreation in fostering social and community engagement, development of strong and resilient communities and the general health and well-being of communities and individuals.

Economic

Council's Recreation Grants Program funding for this round, in partnership with recipient group contributions will result in more than \$339,000 being invested into to the local sport and recreation community.

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low
Projects not funded will impact on ability to deliver priority projects in masterplans.	Support Club to resubmit application to next round of grants.	Med
Unsuccessful applicants will be unhappy with Council.	Support applicants to resubmit application to next round of grants.	Low

11. Conflicts of Interest

No conflicts of interest were declared during this round.

The Recreation Officer, Grant Owner provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment process.

Attachments

- 1** Recreation Development Grants - Grant Program Guidelines - February Grant Round 2020
- 2** Recreation Facilities Upgrade Grants - Grant Program Guidelines - February Grant Round 2020
- 3** Recreation Assistance Grant Schemes Policy - OP073 - May 2012



Recreation Development Grant Guidelines February 2020



Mildura Rural City Council

Introduction

Recreation Development grants are designed to assist recreation groups to undertake projects that encourage new leisure initiatives with the potential to expand the range and quality of recreation opportunities or increase participation in a particular activity.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email sue.obrien@mildura.vic.gov.au

Who can apply?

To be eligible to apply for a Recreation Development grant you must:

- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area, and/or provide services and programs within these boundaries (or propose to).

What will be funded?

Recreation Development Grants are made available to support the goals of the Community and Council Plan 2017-2021. Through this program we aim to fund projects or programs that are targeted at:

1. Increasing participation in sport and recreation.
2. Ensuring our community has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

Priority will be given to projects catering for a demonstrated community need.

Potential Projects

Examples of projects that may be eligible for funding include:

- Coaching clinics
- Training and development
- Purchase of minor equipment.

What will not be funded?

You cannot apply for a Recreation Development grant if:

- Re-current or ongoing funding from Council is needed.
- Your project is eligible for funding under another government or statutory body.
- The request for funding is for a maintenance project, club administration costs, repair of equipment or payment of utilities (rent, power, telephone etc.).
- Your project has been funded through this grant program previously.
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish to fund the costs associated with preparing a grant application and/or the sourcing of quotes.
- Projects proposing to install or upgrade assets or infrastructure which is located on property owned privately or by a public company will not be eligible.

How much can I apply for?

Eligible groups can apply for up to **\$3,000**.

Recreation Development grants are paid on a '2 for \$1' basis (funding ratio) - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project.

Applicants can claim part of their required contribution as in-kind or voluntary support.

The following examples have been developed to assist you to understand funding ratios.

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$3,000	\$1,500	\$0	\$4,500	Yes	This project is eligible as the 2:1 funding ratio has been met and there is no in-kind support.
\$3,000	\$750	\$750	\$4,500	Yes	This project is eligible as the 2:1 funding ratio has been met and in-kind support does not exceed the permitted value.
\$3,000	\$0	\$1,500	\$4,500	No	This project is not eligible as there is no cash contribution from the applicant.
\$3,000	\$500	\$1,000	\$4,500	No	This project is not eligible as in-kind support exceeds the permitted value.
\$3,000	\$2,000	\$0	\$5,000	Yes	This project is eligible as the 2:1 funding ratio has been exceeded by the applicant contributing more than 1/3 of the total project cost.

How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal www.mrcc.smartygrants.com.au.

Important Milestones

1. **Grant round open.** 3 February 2020
2. **Submit your application.** 4pm, Monday 16 March 2020
3. **Applications assessed.** 15 May 2020
4. **Council Meeting (decision).** 27 May 2020
5. **Applicants notified.** Early June 2020

Assessment, evaluation and acquittal

Assessment of applications

Applications for Recreation Development Grants will be assessed by independent assessors according to the following criteria and will be presented to council for consideration following the closure of the funding round.

- Your project's potential to increase or maintain recreation opportunities available to the community.
- How well your project aligns to what is identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles e.g. increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The applicant must show that it is capable of contributing the required funds or in-kind support to meet the funding ratio.
- Sustainability.

Information for successful applicants

All applicants will be notified in writing of Council's decision following the Council Meeting. Successful applicants will be presented with a certificate of acknowledgement, by a representative member of Council at a Presentation ceremony.

Project evaluation and financial acquittal

All successfully funded projects will be required on the completion of the project to:

- Acknowledge Council's funding This can be done as part of a speech at the event, in writing, in the media and/or promotional material for the event per funding agreement guidelines
- Spend the grant funds as outlined in the approved grant application and in accordance with the terms of the funding agreement.
- Complete the funded project within 12 months of approval.
- Return any unspent funds to Council at the end of the grant period.
- Seek consent from Council for any modifications required that alter the original approval to the funds being spent. All requests will be considered and the applicant will be notified of Council's decision. Approval must be received before alterations can proceed.
- Complete and submit an online Mildura Rural City Council Recreation Development Grant Acquittal form, with required financial evidence (e.g. receipts) as well as other forms of evidence, video, media marketing material, photographs etc. to accompany the project evaluation, which details specifically how the funding was spent to achieve the funded project objective/s. (refer to acquittal guide for further information)

Application Conditions

Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.
- For projects with a total cost of \$4,500 or less, in-kind support cannot exceed 50% of your required contribution. For projects with a total cost of \$4,501 or more the contribution cannot exceed 25%.

General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- A copy of your organisation's most recent Bank Statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

Definitions

ABN The Australian Business number (ABN) is a unique 11-digit identifier that makes it easier for businesses and all levels of government to interact

<https://abr.business.gov.au/>

Acquittal The process by which a funding recipient demonstrates in writing to the funding body that it has expended all funds in accordance with the terms and conditions of the funding agreement on completion of the project.

Auspice Means to lend support, in the context of a grant application, an unincorporated organization will require an Auspice organisation that is an incorporated entity. Grant

GST Goods and services tax, often referred to as GST is a broad based tax of 10% on most goods, services and other items sold or consumed in Australia. GST is paid in addition to the grant amount to applicants who are registered with the ATO for GST.

<https://www.business.gov.au/Registrations/Register-for-taxes/Register-for-Goods-and-Services-Tax-GST>

Incorporated Association An incorporated organization separates individual members from the entity. Incorporation makes a group of people, a single legal entity with certain rights and legal protections.

<https://www.consumer.vic.gov.au/clubs-and-fundraising>

In-Kind Contribution A contribution is an investment which be either non-financial

(volunteer time, free venue donated goods) or financial from the organization or the community group, that goes towards the project or program to make it happen

Capital Works This refers to; upgrades or modifications to facilities or buildings, structural alterations/ improvements or the installation of fixed built items, any addition that will add to the capital value.

Land Managers Consent Grant applications seeking funds relating to Capital Works on Council land, or to a Council owned facility, requires a land managers consent form to be submitted to council for processing and approval at the time of the grant application.

Consent is also required from Land Owners other than Council i.e. DELWP and approval (or proof of application) from the relevant Land Owner must be submitted to council at the time of the grant application

Grant A Grant is a payment made by Council to an eligible applicant for a specific purpose or project that demonstrates community benefit and assists people living in the Mildura Rural City Council Municipality to achieve its strategic goals and objectives. Grants are subject to an application process and are awarded following Council endorsement.

Notes:

Recreation Facilities Upgrade Grant Guidelines February 2020



Mildura Rural City Council

Introduction

Recreation Facilities Upgrade grants are designed to assist recreation groups to undertake projects that encourage new leisure initiatives with the potential to expand the range and quality of recreation opportunities or increase participation in a particular activity.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email sue.obrien@mildura.vic.gov.au

Who can apply?

To be eligible to apply for a Recreation Facilities Upgrade grant you must:

- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and programs within these boundaries (or propose to).

What will be funded?

Recreation Facilities Upgrade Grants are made available to support the goals of the Community and Council Plan 2017-2021. Through this program we aim to fund projects or programs that are targeted at:

1. Increasing participation in sport and recreation.
2. Ensuring our community has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

Priority will be given to projects catering for a demonstrated community need.

Potential Projects

Examples of projects that may be eligible for funding include:

- Construction of new buildings/facilities
- Alterations, renovations or extensions to existing facilities (permanent fixtures)
- Construction of ramps or fencing
- Resurfacing of recreation areas e.g. Tennis courts
- Connection of water and/or electricity to an existing or new building
- Security for facilities
- Special projects may also be submitted for consideration, e.g. internal road works, hall improvements.

What will not be funded?

You cannot apply for a Recreation Facilities Upgrade grant if:

- Re-current or ongoing funding from Council is needed.
- Your project is eligible for funding under another government or statutory body.
- Projects proposing to install or upgrade assets or infrastructure which is located on property owned privately or by a public company will not be eligible.
- The request for funding is for a maintenance project, club administration costs, repair of equipment, purchase of equipment such as tractors, mowers and sporting goods which are not a permanent fixture of the facility and/or the payment of utilities (rent, power, telephone etc.)
- Your project has been funded through this grant program previously.
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish to fund the costs associated with preparing a grant application and/or the sourcing of quotes.

How much can I apply for?

Eligible groups can apply for up to \$15,000

Recreation Facilities Upgrade grants are paid on a '\$2 for \$1' basis (funding ratio) - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project.

Applicants can claim part of their required contribution as in-kind or voluntary support.

The following examples have been developed to assist you to understand funding ratios.

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$15,000	\$7,500	\$0	\$22,500	Yes	This project is eligible as the 2:1 funding ratio has been met and there is no in-kind support.
\$15,000	\$6,300	\$1,200	\$22,500	Yes	This project is eligible as the 2:1 funding ratio has been met and in-kind support does not exceed the permitted value.
\$15,000	\$0	\$7,500	\$22,500	No	This project is not eligible as there is no cash contribution from the applicant.
\$15,000	\$3,750	\$3,750	\$22,500	No	This project is not eligible as in-kind support exceeds the permitted value.
\$15,000	\$8,000	\$0	\$23,000	Yes	This project is eligible as the 2:1 funding ratio has been exceeded by the applicant contributing more than 1/3 of the total project cost.

How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal

www.mrcc.smartygrants.com.au.

Important Milestones

1. **Grant round open.** 3 February 2020
2. **Submit your application.** 4pm, Monday 16 March 2020
3. **Applications assessed.** 15 May 2020
4. **Council Meeting (decision).** 27 May 2020
5. **Applicants notified.** Early June 2020

Assessment, evaluation and acquittal

Assessment of applications

Applications for Recreation Facilities Upgrade Grants will be assessed by independent assessors according to the following criteria and will be presented to council for consideration following the closure of the funding round.

- Your project's potential to increase or maintain recreation opportunities available to the community.
- How well your project aligns to what is identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles e.g. increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The applicant must show that it is capable of contributing the required funds or in-kind support to meet the funding ratio.
- Permanency of proposed works including ongoing maintenance required by Council.

Information for successful applicants

All applicants will be notified in writing of Council's decision following the Council Meeting. Successful applicants will be presented with a certificate of acknowledgement, by a representative member of Council at a Presentation ceremony.

Project evaluation and financial acquittal

All successfully funded projects will be required on the completion of the project to:

- Acknowledge Council's funding This can be done as part of a speech at the event, in writing, in the media and/or promotional material for the event per funding agreement guidelines
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- Complete and submit an online Mildura Rural City Council Recreation Facilities Upgrade Grant Acquittal form, with required financial evidence (e.g. receipts) as well as other forms of evidence, video, media marketing material, photographs etc. to accompany the project evaluation, which details specifically how the funding was spent to achieve the funded project objective/s. (refer to acquittal guide for further information)

Application Conditions

Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$4,999. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.
- For projects with a total cost of \$22,500 or less, in-kind support cannot exceed 50% of your required contribution. For projects with a total cost of \$22,501 or more the contribution cannot exceed 25%.

Special Conditions

- Approval must be given for any capital works projects on land or facilities owned or managed by Mildura Rural City Council. Groups must apply for and receive approved Land Manager Consent prior to submitting a grant application. The approval process may take up to 6 weeks from receipt of a completed application form. For further details please contact thomas.stevenson@mildura.vic.gov.au.
- Projects on land or facilities owned or managed by Mildura Rural City Council must be undertaken by a Council approved contractor and all quotes supplied within a grant application must be from approved contractors. For details on current approved contractors please contact thomas.stevenson@mildura.vic.gov.au.
- For projects on land or facilities not owned or managed by Mildura Rural City Council, evidence of approved land manager's consent from the relevant land owner must be submitted with a grant application.

General Conditions

- Late applications will not be accepted.
- A copy of your organisation's most recent Bank Statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

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Capital Works This refers to; upgrades or modifications to facilities or buildings, structural alterations/ improvements or the installation of fixed built items, any addition that will add to the capital value.

Land Managers Consent Grant applications seeking funds relating to Capital Works on Council land, or to a Council owned facility, requires a land managers consent form to be submitted to council for processing and approval at the time of the grant application.

Consent is also required from Land Owners other than Council i.e. DELWP and approval (or proof of application) from the relevant Land Owner must be submitted to council at the time of the grant application

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Notes:



Recreation Assistance Grant Schemes

Policy - OP073

Prepared	Reviewed	Approved	Date
Recreation Development Officer	Manager Leisure and Culture	CMT	May 2012
Trim File: 18/02/01		To be reviewed: May 2013	
Document Owner: Manager Leisure and Culture Services		Review Frequency: Annually	
CEO Signature:			

1. The purpose of this policy is

To provide principles to be applied to offer grants to recreation and sporting organisations to undertake minor capital works and to conduct recreation programs.

2. Policy Statement

Council provides assistance to recreation and sporting groups by means of two (2) grants as follows:

Recreation Facilities Upgrade Grant Scheme:

- recognises the desire and willingness of recreation and sporting groups to improve their facilities or to build new facilities.
- financially assist organisations in the development of improved facilities in order to offer members extended programs.

Recreation Development Grant Scheme:

- encourages new leisure initiatives at a local level which have the potential to expand the range and quality of recreation opportunities.
- to enable modification or extension to established programs and activities that will lead to greater public participation in quality recreation pursuits.

3. Principles

The Mildura Rural City Council is aware of the importance to the community of recreation and service organisations and believes it has a commitment to assist with the provision of a range of facilities and programs which will enable residents of the municipality to enhance and improve their quality of life.

Eligibility

Council will consider grant applications from incorporated community groups and eligible service organisations that are non-profit and either based within the municipality, or provide services and activities within these boundaries. New groups, proposing to establish themselves within the boundaries of the municipality, are also eligible to apply.

To be eligible to apply for funding, organisations must be a non-for-profit constituted body, or legal entity, such as an Incorporated Association, or be sponsored or auspiced by one. Details of eligibility and non-eligibility are to be outlined in the respective grants program documentation.

If the organisation is not a legal entity, an eligible organisation can apply on their behalf, provided they have the necessary legal entity status to enter into a funding agreement with Council and administer funding on their behalf. Eg if a small voluntary committee is auspiced by a larger parent organisation, the parent organisation may be able to apply for funding on behalf of the committee.

Projects catering for a demonstrated community need will be given first preference.

Advertisement of Grants

Council grants will be advertised at defined intervals throughout the year, in accordance with an agreed schedule. Council will use all media (including radio, television, print and internet) and its service networks to advertise grant funding opportunities, including important closing dates for applications.

In addition, Council will conduct a number of community information sessions across the municipality and produce a Grants Program booklet to highlight grant availability. Staff will be made available to assist with application enquiries.

Applications

- Applications shall be submitted on the appropriate form available from Council's website or hard copy from any of Council's Customer Service Centers.
- Council's Recreation Reference Group will make recommendations to Council regarding the distribution of funds.
- Once grants have been allocated, the funds will be forwarded to the organisations concerned.
- Successful organisations will need to seek formal approval from Council before undertaking the projects if on Council owned or managed land. This includes any necessary permits such as planning or building permits.
- Upon the completion of a project, the organisation concerned will submit to the Mildura Rural City Council details of expenditure to indicate the funds were utilised for the intended project.

Assessment Process

Council will establish an appropriate Grants Assessment Team who will individually score applications received, based on meeting the agreed selection criteria.

To ensure probity and fairness, each member will complete a Disclosure of Conflict of Interest Declaration prior to the grant assessment process. Advice or information given to one application will be made available to all of the applicants. To ensure impartiality, Council officers who have assisted with an application, should not be involved in the assessment process.

Applications will then be ranked accordingly based on defined scoring protocols and a determination made as to whether each application meets an acceptable standard, before a report is forwarded to Council regarding the recommended distribution of grants funding.

A maximum of 55% available annual funding will be allocated to any one funding round.

After consideration of applications and current program objectives, Council may propose an alternative form of assistance to meet the stated objectives of the application. This may include supporting a new initiative, project or other event, as recommended by the Chief Executive Officer for discretionary assistance.

Recreation Facilities Upgrade Grant Scheme

Key Outcomes

- To financially assist organisations in the development of improved facilities in order to offer members extended programs.
- To recognise the desire and willingness of community groups to improve their facilities or to build new facilities.

Assessment Criteria

- Potential to increase or maintain recreation opportunities available to the community.
- Identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles eg increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The club must show that it is capable of the projects in funds or in-kind support.
- Permanency of proposed works including ongoing maintenance required by Council.

In addition to the abovementioned assessment criteria, consideration will be given to the following:

- Amount of funds available.
- Number of applications and funds sought.
- Distribution of funds across the municipality.
- Receipt of previous funding.
- Urgency of project.
- Secondary benefits.

Recreation Development Grant Scheme:

Key Outcomes

- Encourage new recreation initiatives.
- Development of new skills or advancement of skills for club members or volunteers.
- The purchase of equipment for community use for programs and activities promoting general recreation activities.

Assessment Criteria

- Potential to increase or maintain recreation opportunities available to the community.
- Identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles eg increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The club must show that it is capable of the projects in funds or in-kind support.
- Sustainability

In addition to the abovementioned assessment criteria, consideration will be given to the following:

- Amount of funds available.
- Number of applications and funds sought.
- Distribution of funds across the municipality.
- Receipt of previous funding.
- Urgency of project.
- Degree of innovation.

4. Who is responsible for implementing this policy?

Recreation Development Officer

5. Legislation and other references

5.1 Legislation

Disclosure of Interest Section 79 – *Local Government Act*

5.2 Documents

This Policy is implemented in conjunction with the following documents:

- Grants Policy CP021

5.3 Risk Assessment Reference

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	✓
Committees		Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance		Project Management	
Environmental Sustainability		Public Image and Reputation	✓

14.7 ADOPTION OF AMENDMENT TO COUNCIL MEETING SCHEDULE

File Number: 02/01/06
Officer: General Manager Corporate

1. Summary

In accordance with Section 89(4) of the Local Government Act 1989, Council must provide reasonable notice to the public of Council meeting dates. Council determined the meeting times, dates and venues for the 2020 calendar year at the November 2019 Ordinary Meeting of Council, however an amendment to this schedule is required as the result of the ongoing COVID-19 situation.

2. Recommendation

That Council resolve to hold the June Ordinary Council Meeting in Mildura or by virtual means, in accordance with the directions at the time from the Victorian Chief Health Officer.

3. Background

Council resolved at its Ordinary Council Meeting held 27 November 2019, to implement the 2020 Council Meeting and Forum Schedule, this included holding an Ordinary Council Meeting in Ouyen.

4. Consultation Proposed/Undertaken

Councillors and the Executive Leadership Team were consulted on the changes to this schedule.

5. Discussion

Due to the current COVID-19 restrictions and the uncertainty of when these restrictions will be lifted, it is recommended that the June Ordinary Council Meeting not be held in Ouyen as planned, instead, this meeting will be held in Mildura, or by another means appropriate to the directions of the Victorian Chief Health Officer closer to the meeting.

6. Time Frame

This report applies to the June Ordinary Council Meeting which was scheduled to be held in Ouyen.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.2 Communication and Engagement

Goals to be achieved:

- Communicate effectively with the community; and
- Engage effectively with the community.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

There are no policy implications associated with this report.

Legal/Statutory

Adopting this schedule meets the statutory requirements in the *Local Government Act 1989*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

14.8 ADOPTION OF COUNCIL REPRESENTATION ON ADVISORY COMMITTEES & EXTERNAL ORGANISATIONS POLICY CP007

File Number: 18/02/01
Officer: General Manager Corporate

1. Summary

The purpose of this report is to present the Council Representation on Advisory Committees & External Organisations Policy CP007 and seek Council's resolution to adopt the updated policy.

2. Recommendation

That Council adopt the updated Council Representation on Advisory Committees & External Organisations Policy CP007 as presented.

3. Background

The purpose of this policy is to provide guidance for a consistent approach to the appointment, review, reporting and support processes in relation to Council representation on advisory committees and external organisations.

4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's Strategic Management Team.

5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. No changes have been made to this policy since it was last adopted by Council.

6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.1 Leadership and Representation

Goal to be achieved:

- Elected members engaged effectively with the community.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

This report updates the current Council Representation on Advisory Committees & External Organisations Policy.

Legal/Statutory

This policy complies with all requirements under the *Local Government Act 1989* and the *Local Government Act 2020*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Councillor Representation on Advisory Committees & External Organisations Policy CP007



Council Representation on Advisory Committees & External Organisations Policy

Policy – CP007

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	ELT	Council	27/05/2020	
Trim File: 18/02/01			To be reviewed: May 2023	
Document Owner: MCA			Review Frequency: 3 Years	

1. The purpose of this policy is

To provide guidance for a consistent approach to the appointment, review, reporting and support processes in relation to Council representation on advisory committees and external organisations.

2. Policy Statement

Council recognises it is important for it to be represented on various external committees to ensure the interests of the community are considered.

3. Principles

In determining how the municipality should be best represented, the following needs to be considered:

- 3.1 Councillors are the representatives of the Mildura municipality.
- 3.2 Certain appointments are guided by statutory requirements and ministerial appointments.
- 3.3 While linkage between available positions and relevant Portfolio Councillors is preferred, for reasons relating to workload, areas of interest, skills and expertise, this is not always possible.
- 3.4 Councillors shall have the opportunity to determine whether a Councillor or Council Officer is the most appropriate representative in situations where this option is available.
- 3.5 The appointment of Council Officers to advisory Committees and external organisation should be guided by the following:
 - a) The status/position of other stakeholders on external organisations.

- b) The level of policy development and decision making involved in the external organisations and the potential impact and influence in relation to Council priorities and direction.
- c) The opportunity to influence Council's profile and reputation.
- d) Acknowledgement that Council Officers will be directly invited to sit on external organisations as a representative of Council based on their professional role, level of industry expertise and skills in relevant areas.

4. Appointment Process

- 4.1 Councillor appointments to be made outside of the annual review process in item 7.1 should be the subject of a report to Council. Depending on the nature of the advisory committee or external organisation, the matter should be first discussed with the Mayor, Deputy Mayor or relevant Portfolio Councillor. If considered necessary, the matter should be raised at a Council Forum. A register of Councillor appointments will be maintained by the Chief Executive Officer.
- 4.2 Should a Councillor be approached by a member of the public to be a member of an advisory committee or an external organisation, the appointment will depend on the nature of the request.
 - a) If the Councillor is being asked as an individual then he/she must make the determination in a private capacity.
 - b) If the Councillor is being asked as a member of Council, then he/she should first discuss the matter with the Mayor, Deputy Mayor or relevant Portfolio Councillor.
- 4.3 In cases where the Councillor representative is unable to attend a meeting, the alternate Portfolio Councillor as identified on the adopted schedule shall attend in his/her place.
- 4.4 Having regard to the principles in (3) above, the appointment of Council officers to advisory committees and external organisations will be at the discretion of the Chief Executive or General Manager. This may be undertaken in consultation with the Mayor, Deputy Mayor or relevant Portfolio Councillor.

5. Councillor Representation on Section 86 Special Committees

- 5.1 Councillor representatives on Special Committees shall act in an advisory capacity only.
- 5.2 As such, Councillor representatives shall not stand as Chairperson and shall not have voting rights.

6. Support for Councillor Appointments

- 6.1 All Councillor appointments will be supported by a member of the Executive Leadership Team.
- 6.2 Executive Leadership Team support to Councillors will include pre-meeting liaison and advice regarding forthcoming meetings to determine representation required. Advice to be provided should include the nature of impending business ie policy making, significant decision making or networking/information sharing.

7. Review and Assessment Process

- 7.1 On an annual basis, the list of Councillor appointments should be submitted to Council to allow for a review that provides for the following;
 - a) Reallocation of positions to other Councillors or Council Officers if considered necessary.
 - b) Assessment of whether Council representation is still considered beneficial.
- 7.2 The schedule submitted on an annual basis should provide for an assessment of the previous year's activity and a comment on continued alignment with Council policy or direction.

8. Reporting Process

- 8.1 **Councillor positions:** As issues of significant interest arise, Councillors will bring these matters to the attention of fellow Councillors. In addition to reporting on issues as they arise, at least one summary status report over a 12 month period should be provided in relation to Councillor appointments. These reports should be distributed to all Councillors or raised at a Council Forum, if required. The summary status report should contain at least the following items:
 - the purpose of the committee/organisation
 - the activities undertaken over the previous 12 months
 - the relevance of the committee/organisation to Council
 - any major issues which Council needs to be aware of in relation to the activities of the committee/organisation.
- 8.2 **Council Officer positions:** Reporting on positions held by Council officers will occur through normal Departmental operations. Significant matters will be brought to the attention of Councillors through means introduced by the Chief Executive Officer. This may occur through updates to the Executive Leadership Team, Portfolio Councillor, briefing notes to Councillors or to Council Forums or reports to Council. The Chief Executive Officer or relevant General Manager shall determine the most appropriate method depending on need and nature of issue.

9. Who is responsible for implementing the policy

Manager Corporate Administration

10. Definitions

Section 86 Committee Committees set up under Section 86 of the *Local Government Act 1989* to which Council can delegate certain functions, duties or functions

11. Legislation and other references

11.1 Legislation

Local Government Act 1989
Local Government Act 2020

11.2 Documents

Nil

11.3 Risk Assessment Reference

Please tick the corporate risk(s) that this policy is addressing.

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	
Committees	✓	Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

14.9 ADOPTION OF RELEASE OF CONFIDENTIAL INFORMATION POLICY CP030

File Number: 18/02/01
Officer: General Manager Corporate

1. Summary

This report is represented to the May Council Meeting following the resolution to lay this matter on the table at the Ordinary Meeting of Council held on 22 April 2020.

The purpose of the report originally was to present the Release of Confidential Information Policy CP030 and seek Council's resolution to adopt the updated policy however additional information with regard the policy, particularly in the context of the new *Local Government Act 2020* has been obtained since the April Council Meeting.

This additional information will form the basis of the next Management Report (Item 14.10) however that information highlights that the draft policy presented in this report no longer requires adoption.

2. Recommendation

That Council take no further action with regard to the Adoption of Release of Confidential Information Policy Report as layed on the table at the 22 April 2020 Council Meeting.

3. Background

The purpose of this policy is to provide guidelines for the release of information discussed by Council or a Special Committee in meetings closed to members of the public.

4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's Strategic Management Team.

5. Discussion

Council polices are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed.

The changes proposed are not material in nature and include:

- Information pertaining to confidential matters discussed at Councillor Briefing Sessions: and
- Clarification of statutory provisions pertaining to confidential information.

6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.1 Leadership and Representation

Goal to be achieved:

- Effectively respond to the interests of our community.

4.2 Communication and Engagement

Goal to be achieved:

- Engage effectively with the community.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

This report updates the current Release of Confidential Information policy.

Legal/Statutory

This policy complies with all requirements under the *Local Government Act 1989*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Release of Confidential Information Policy CP030 DRAFT



Release of Confidential Information Policy

Policy - CP030

Prepared	Reviewed	Approved	Date	Council Minute No.
<u>GMCS Governance</u>	ELT	Council	<u>23 February 2017</u>	<u>2017/0040</u>
Trim File: 18/02/01			To be reviewed: <u>February-April 2023</u>	
Document Owner: <u>GMCS General Manager Corporate</u>			Review Frequency: 3 Years	

1. The purpose of this policy is

To provide guidelines on the appropriate timeframe for the release of information discussed by Council or its Special Committees in confidential sessions-meetings closed to members of the public.

2. Policy Statement

Mildura Rural City Council operates in an environment which requires compliance with good governance principles, including those of public accountability and scrutiny transparency. Council seeks to comprehensively inform the public of issues under consideration and the nature of decisions made by Council and its Special Committees.

In order to contribute to the environment of open decision-making, Council ensures the number of matters considered by it or its committees in confidential sessions is kept to a minimum. It is necessary to balance the need for Council and its Special Committees to consider certain matters in confidential sessions against the fundamental principle of open decision-making.

3. Statutory Provisions

Councillors receive confidential information in accordance with section 77 and section 89(2) of the Local Government Act 1989 (the Act).

Section 77 states that a person who is, or has been, a Councillor or a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

Section 89(2) of the Act allows Council or a Special Committee to resolve that a meeting be closed to members of the public to discuss any of the following:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;

- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

If Council or a Special Committee resolves to close a meeting to members of the public the reason will be recorded in the minutes of the meeting, as required under section 89(3).

Documents and information considered during the closed parts of a meeting are confidential information for the purposes of this policy.

4. Councillor Briefing Sessions

Councillor briefing sessions, (including Council Forum):

- are informal meetings and are not bound by Local Law No 1 Conduct of Council Meetings;
- enable staff to present proposals and information to Councillors, some of which may never be presented to Council for a formal decision;
- allow Councillors and staff to have discussions and contribute freely; and
- assist Councillors in making informed decisions if and when the matters are presented to Council for a decision.

Any information or presentation provided at a Councillor Briefing Session that is confidential in nature will be clearly identified with the following statement:

"The following item and any information attached are confidential and are provided to you for the purpose of fulfilling your functions as a Councillor. This information is not to be further distributed and its content is not to be discussed with, or disclosed to anyone other than your fellow Councillors and members of Council staff who are directly involved in its preparation and distribution.

The information has been designated as confidential by the Chief Executive Officer in accordance with section 77(2)(c) of the Local Government Act 1989 (the Act) on the grounds that it relates to <insert details> as defined under section 89 of the Act."

5. Confidential Information

In accordance with section 77(2) of the Act, information is confidential information if:

- The information was provided to the Council or Special Committee in relation to a matter considered by the Council or Special Committee at a meeting closed to members of the public, and the Council or Special Committee has not passed a resolution that the information is not confidential.

- The information has been designated as confidential information by a resolution of the Council or Special Committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or Special Committee has not passed a resolution that the information is not confidential.
- The information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential. Confidential information of this type will contain the following statement:

"In accordance with section 77 of the Local Government Act 1989 (the Act), this document has been designated as confidential by the Chief Executive Officer as it relates to <insert details> as defined under section 89 of the Act."

6. Principles

~~Pursuant to Section 89 of the Local Government Act 1989 Council or a Special Committee can resolve at the meeting be closed to members of the public if the meeting discusses any of the follows:~~

- ~~(a) personnel matters~~
- ~~(b) the personal hardship of any resident or ratepayer~~
- ~~(c) industrial matters~~
- ~~(d) contractual matters~~
- ~~(e) proposed developments~~
- ~~(f) legal advice~~
- ~~(g) matters affecting the security of Council property~~
- ~~(h) any other matter which the Council or special committee considers would prejudice the Council or any person~~
- ~~(i) a resolution to close the meeting to members of the public.~~

~~6~~

~~If Council or a Special Committee resolve to close a meeting to members of the public the reason will be recorded in the minutes of the meeting, as required under section 89(3).~~

Where Council or its Special Committees consider a matter in a confidential session it will, where possible, limit the period of confidentiality by incorporating either:

- a sunset provision after which the information will no longer be confidential; or
- where it is not possible to stipulate a date after which the information is no longer confidential, specify a particular event the occurrence of which removes the confidentiality restrictions.

Council ~~maintains~~will establish a Confidential Reports Register detailing the following information in respect ~~of~~to each Confidential Report considered by Council or its Special Committees~~:~~

- Council meeting date
- Title of the report

- Record number
- Nominated disclosure date
- Date released to the public.

The Register will be updated within two weeks of each Council Meeting.

A review group comprising of the Mayor, Deputy Mayor, Chief Executive Officer and General Manager Corporate will periodically review the Confidential Reports Register.

The review group will ~~review-assess~~ the ~~confidential~~ reports ~~that have been confidential for at least twelve months, that have not been made publicly available~~ and determine whether the information contained in the reports, ~~that have been confidential for at least twelve months~~, should be released.

3.7. Who is responsible for implementing this policy?

General Manager Corporate.

4.8. Definitions

Special Committee	A committee established under Section 86 of the <i>Local Government Act 1989</i> .
Confidential Council	The part of a Council or Committee meeting which is closed to the public under Section 89 of the <i>Local Government Act 1989</i> .

5.9. Legislation and other references

5.19.1 Legislation

Local Government Act 1989

5.29.2 Documents

Nil

5.39.3 Risk Assessment Reference

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

14.10 ADOPTION OF RELEASE OF CONFIDENTIAL INFORMATION POLICY CP030 - ADDITIONAL INFORMATION

File Number: 18/02/01
Officer: General Manager Corporate

1. Summary

Following the resolution to lay this matter on the table at the Ordinary Meeting of Council held on 22 April 2020, additional information obtained since the April Meeting is now provided within this report and highlights that there is no longer a necessity to adopt a new Release of Confidential Information policy as drafted.

2. Recommendation

That Council note the contents of this updated report.

3. Background

The purpose of the Release of Confidential Information policy was to provide guidelines for the release of information discussed by Council or a Special Committee in meetings closed to members of the public.

In accordance with section 57 of the *Local Government Act 2020*, Council is required to adopt and maintain a Public Transparency Policy which must:

- Give effect to the public transparency principles;
- Describe the ways in which Council information is to be made publicly available;
- Specify which Council information must be publicly available, including all policies, plans and reports required under the Act or any other Act; and
- Include any other matters prescribed by the regulations.

The Public Transparency policy is currently under development, and once adopted the existing Release of Confidential Information policy will be retired.

Accordingly, the Release of Confidential Information policy will remain unchanged until such time as the Public Transparency policy is adopted.

4. Consultation Proposed/Undertaken

Consultation will be undertaken with Council's Strategic Management Team in the development of the Public Transparency Policy.

5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

6. Time Frame

The policy will remain unchanged until the Public Transparency Policy is adopted.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.1 Leadership and Representation

Goal to be achieved:

- Effectively respond to the interests of our community.

4.2 Communication and Engagement

Goal to be achieved:

- Engage effectively with the community.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

There are no policy implications associated with this report.

Legal/Statutory

This policy complies with all requirements under the *Local Government Act 1989*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risk.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

14.11 QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2020

File Number: 02/01/07
Officer: General Manager Corporate

1. Summary

This report presents Council's draft financial position for the period ending 31 March 2020 through a number of standard reports that have been prepared using generally accepted accounting principles. In summary, these reports show:

- a surplus of \$26.293 million
- capital expenditure of \$18.068 million
- a cash and cash equivalents balance of \$63.629 million
- investments greater than three months of \$25.850 million.

2. Recommendation

That Council note the contents of the Quarterly Financial Management Report for the period ending 31 March 2020.

3. Background

Financial regulations require certain reports comparing actual data against the Annual Budget to be prepared and presented to Council to facilitate decision making. Reports provided are:

- Draft Income Statement
- Draft Balance Sheet
- Draft Cash Flow Statement
- Draft Statement of Capital Works.

4. Discussion

The budget process begins in October in order to meet required timeframes for the Annual Budget to be completed by 30 June. The figures and timings thereof in the Annual Budget are predominantly decided upon in October, November, December and January. This means that events occurring after this time, but prior to June, will not always be reflected in the Annual Budget and can cause variances to occur.

Income Statement

Council's operating gross turnover to the end of March 2020 is \$96.237 million, which is \$0.368 million below the budgeted forecast. Council's expenditure to the end of March is \$75.410 million. This is \$4.469 million below budget forecast.

It is worth noting that the majority of this income is due to the striking of our rates. Accounting standards dictate that we show all of our rate income for 2019-2020 upon the rate being struck even though we have not yet physically received the cash receipts.

The overall operating surplus of \$20.827 million will reduce to our expected budgeted position as at 30 June 2020. The operating result is \$4.101 million ahead of budget expectations for the period ending 31 March 2020.

Balance Sheet

Current assets are \$107.718 million as at 31 March 2020. Trade and other receivables are sitting at \$17.825 million, which is predominantly attributable to rates. As rates receipts are received, this figure will reduce down to our expected budgeted position as at the end of June 2020.

Cash Flow Statement

Council's cash and cash equivalents for the period ending 31 March is \$63.629 million. Council also has \$25.850 million in cash deposits with a maturity of greater than three months. These are required to be included as financial assets and not cash and cash equivalents.

Statement of Capital Works

Council is \$9.878 million behind our published budget for the period ending 31 March 2020 with total expenditure of \$18.068 million.

5. Time Frame

This report relates to Council's financial position as at 31 March 2020.

6. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

4.4 Financial Sustainability

Goals to be achieved:

- Financial sustainability; and
- Meet the community's needs in a financially responsible manner.

7. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

8. Consultation Proposed/Undertaken

There are no consultation implications associated with this report.

9. Implications

Policy

This report has been prepared in line with current Council policies.

Legal/Statutory

The information in this report is dictated by Australian Accounting Standards and Best Practice Financial Reporting.

Financial

The information provided in this report indicates that Council remains in a sound financial position.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

By adopting the recommendation, Council will not be exposed to any significant risks.

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Quarterly Financial Management Report - March 2020

**MILDURA RURAL CITY COUNCIL
INCOME STATEMENT
For the period ending 31 March 2020**

	Annual Budget 2019/2020	YTD Budget 31 Mar 2020	YTD Actuals 31 Mar 2020	Variance		Ref
	\$'000	\$'000	\$'000	\$'000	%	
Income						
Rates and charges	72,514	71,907	72,028	121	0	
Statutory fees and fines	2,593	1,771	1,701	(70)	(4)	
User fees	6,550	5,023	4,512	(511)	(10)	1
Grants - operating	22,116	13,474	13,304	(170)	(1)	
Contributions - monetary	339	247	365	118	48	2
Other income	5,840	4,183	4,327	144	3	
Total income	109,952	96,605	96,237	(368)	(0)	3
Expenses						
Employee costs	49,077	37,191	33,959	3,232	9	4
Materials and services	36,593	25,428	24,272	1,156	5	
Bad and doubtful debts	149	-	-	-	-	
Depreciation and amortisation	20,553	15,415	15,415	-	-	
Borrowing costs	1,042	782	782	-	-	
Other expenses	1,431	1,063	982	81	8	
Total expenses	108,845	79,879	75,410	4,469	6	
Surplus (deficit) from operations	1,107	16,726	20,827	4,101	25	
Grants - capital	16,638	9,257	5,374	(3,883)	(42)	5
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(1,843)	(529)	(64)	465	(88)	6
Contributions - monetary (capital)	965	765	156	(609)	(80)	7
Contributions - non-monetary (capital)	1,839	-	-	-	-	
Surplus/(deficit)	18,706	26,219	26,293	74	0	
Other comprehensive income						
Items that will not be reclassified to surplus or deficit in future periods:						
Net asset revaluation increment / (decrement)	6,000	-	-	-	-	
Share of net profits/(losses) of associates and joint ventures accounted for by the equity method	345	-	-	-	-	
Total comprehensive result	25,051	26,219	26,293	74	0	

**MILDURA RURAL CITY COUNCIL
INCOME STATEMENT
VARIANCE EXPLANATION REPORT
For the period ending 31 March 2020**

Ref	Item	Explanation
1	User fees	This variance is partly due to less Private Works reimbursements being received by Council, less Infringements such as parking fines, and less Inspections occurring during March Quarter. This trend will continue due to COVID-19 during June Quarter.
2	Contributions - monetary	An increase in auspice funding for Northern Mallee Primary Care Partnership received in February, this was not included in original Annual Budget figure.
3	Total income	Income is behind budget attributed by the commencement of softening revenue streams as a result of COVID-19 and required restrictions.
4	Employee costs	There are numerous unfilled positions across various departments resulting in lower YTD employee cost.
5	Grants - capital	Timing differences with Mildura South Regional Sporting Precinct capital expenditure and completion of milestones.
6	Net gain/(loss) on disposal of property, infrastructure, plant and equipment	Disposal of Assets calculations have begun in preparation for end of year financial close.
7	Contributions - monetary (capital)	Contributions from developments has been lower than anticipated to date.

**MILDURA RURAL CITY COUNCIL
BALANCE SHEET
As at 31 March 2020**

	Annual Budget 2019/2020 \$'000	YTD Actuals 31 Mar 2020 \$'000
Assets		
Current assets		
Cash and cash equivalents	47,793	63,629
Trade and other receivables	6,796	17,825
Other financial assets	2,879	25,850
Inventories	699	383
Other assets	298	31
Total current assets	58,465	107,718
Non-current assets		
Trade and other receivables	4,478	4,808
Other financial assets	1,750	1,750
Investments in associates	52,039	52,423
Property, infrastructure, plant and equipment	793,362	815,615
Intangible assets	7,982	10,654
Total non-current assets	859,611	885,250
Total assets	918,076	992,968
Liabilities		
Current liabilities		
Trade and other payables	1,981	4,143
Trust funds and deposits	1,849	2,046
Provisions	11,349	9,225
Interest bearing liabilities	1,444	481
Total current liabilities	16,623	15,895
Non-current liabilities		
Provisions	22,126	27,049
Interest bearing liabilities	17,189	18,635
Total non-current liabilities	39,315	45,684
Total liabilities	55,938	61,579
Net assets	862,138	931,389
Equity		
Accumulated Surplus	356,266	366,920
Reserves	505,872	564,469
Total equity	862,138	931,389

**MILDURA RURAL CITY COUNCIL
CASH FLOW STATEMENT
As at 31 March 2020**

	Annual Budget 2019/2020 Inflows (Outflows) \$'000	YTD Budget 31 Mar 2020 Inflows (Outflows) \$'000	YTD Actuals 31 Mar 2020 Inflows (Outflows) \$'000	Variance \$'000	%	Ref
Cash flows from operating activities						
Rates and charges	72,425	58,432	60,222	1,790	3	
Statutory fees and fines	2,593	1,768	1,701	(67)	(4)	
User fees	6,803	5,248	4,446	(802)	(15)	1
Grants - operating	23,222	13,474	13,969	495	4	
Grants - capital	17,470	9,257	5,643	(3,614)	(39)	2
Contributions - monetary	1,304	1,019	547	(472)	(46)	3
Interest received	1,379	1,035	1,327	292	28	4
Trust funds and deposits taken	6,000	4,710	4,755	45	1	
Other receipts	4,461	3,326	3,147	(179)	(5)	
Net GST refund / payment	1,396	1,315	3,217	1,902	145	5
Employee costs	(48,600)	(36,752)	(37,142)	(390)	1	
Materials and services	(39,504)	(22,144)	(23,144)	(1,000)	5	
Trust funds and deposits repaid	(6,000)	(4,940)	(4,940)	0	0	
Other payments	(1,431)	(965)	(744)	221	(23)	6
Net cash provided by/(used in) operating activities	41,518	34,783	33,004	(1,779)	(5)	
Cash flows from investing activities						
Payments for property, infrastructure, plant and equipment	(44,064)	(28,309)	(18,068)	10,241	36	7
Proceeds from sale of property, infrastructure, plant and equipment	605	540	489	(51)	9	
Proceeds/payments on investments		(14,050)	(23,000)	(8,950)	(64)	8
Repayments of loans and advances	320	240	239	(1)	0	
Net cash provided by/ (used in) investing activities	(43,139)	(41,579)	(40,340)	1,239	3	
Cash flows from financing activities						
Repayment of borrowings	(1,100)	(875)	(619)	256	29	
Finance costs	(1,042)	(521)	(570)	(49)	(9)	
Net increase/(decrease) in cash & cash equivalents	(2,142)	(1,396)	(1,189)	207	15	
Net increase/(decrease) in cash & cash equivalents	(3,763)	(8,192)	(8,525)	(333)	4	
Cash at beginning of financial year	51,556	51,556	72,393	20,837	40	9
Cash and cash equivalents at the end of the period/financial year	47,793	43,364	63,868	20,504	47	

**MILDURA RURAL CITY COUNCIL
CASH FLOW STATEMENT
VARIANCE EXPLANATION REPORT
As at 31 March 2020**

Ref.	Item	Explanation
1	User fees	This variance is partly due to less Private Works reimbursements being received by Council, less Infringements such as parking fines, and less Inspections occurring during March Quarter. This trend will continue due to COVID-19 during June Quarter.
2	Grants - capital	Timing differences with Mildura South Regional Sporting Precinct capital expenditure and completion of milestones.
3	Contributions - monetary	Developer contributions were lower than expected during the first half of year to December 2019. This has continued in March Quarter.
4	Interest received	We have continued to Invest surplus funds in Term Deposits which have increased during March Quarter maximising interest received. This also includes Rate Penalty Interest but noting that since the reporting date Council has temporary suspended imposing interest charges.
5	Net GST refund / payment	Difference in profiling of GST revenue due largely to timing difference with capital works program.
6	Other payments	Payment of tickets sales to external parties for MAC has reduced slightly during March Quarter, and will have full impact in June Quarter due to no performances. Debt Collection Legal for rates have also stopped currently being 50% of budget at present.
7	Payments for property, infrastructure, plant and equipment	Delays in commencement of some capital works projects has resulted in a variance from YTD budget to actual expenditure. Expenditure is always higher in second half of the financial year, with a significant increase expected in June quarter as projects and capital expenditure continue to progress in an upward trend.
8	Proceeds/payments on investments	This represents maturing of term deposits and their reinvestment, plus additional new term deposits to maximise interest returns.
9	Cash at beginning of financial year	The change shown at beginning of year of \$72M to March Quarter of \$21M is due shift from short term investments to long term investments of \$51M.

**MILDURA RURAL CITY COUNCIL
STATEMENT OF CAPITAL WORKS
As at 31 March 2020**

	Annual Budget 2019/2020	YTD Budget 31 Mar 2020	YTD Actuals 31 Mar 2020	Variance		Ref
	\$'000	\$'000	\$'000	\$'000	%	
Property						
Land	-	80	274	(194)	(243)	1
Total land	-	80	274	(194)	(243)	
Buildings						
Buildings	17,607	13,746	4,085	9,661	70	2
Total buildings	17,607	13,746	4,085	9,661	70	
Total property	17,607	13,826	4,359	9,467	68	
Plant and equipment						
Computers and telecommunications	947	455	199	256	56	3
Fixtures, fittings and furniture	30	22	19	3	14	
Library books	345	215	226	(11)	(5)	
Plant, machinery and equipment	2,710	1,804	1,931	(127)	(7)	
Total plant and equipment	4,032	2,496	2,375	121	5	
Infrastructure						
Roads	10,717	9,424	8,904	520	6	
Bridges	166	166	426	(260)	(157)	
Footpaths and cycle ways	831	279	259	20	7	
Drainage	2,646	915	552	-	0	
Recreational, leisure and community facilities	2,959	163	266	(103)	(63)	4
Waste management	1,480	366	252	114	31	5
Parks, open space and streetscapes	2,476	662	664	(2)	(0)	
Kerb and Channel	178	-	-	-	0	
Off street car parks	858	12	11	1	8	
Other infrastructure	114	-	-	-	0	
Total infrastructure	22,425	11,987	11,334	290	2	
Total Capital Works	44,064	28,309	18,068	9,878	35	6

**MILDURA RURAL CITY COUNCIL
STATEMENT OF CAPITAL WORKS
VARIANCE EXPLANATION REPORT
As at 31 March 2020**

Ref.	Item	Explanation
1	Land	Land acquisition has been purchased.
2	Buildings	Timing differences with Mildura South Regional Sporting Precinct capital expenditure and completion of milestones.
3	Computers and telecommunications	<p>The replacement of 400 monitors is now expected in 4th quarter with the order placed on hold due to COVID-19.</p> <p>Public Wi-Fi service is still in negotiations for Mall and Council Sites.</p> <p>GIS replacement systems final invoice expected in 4th quarter.</p> <p>Infridgement processing services, mobile devices and management software's final invoice expected in 4th quarter.</p> <p>Purchase of Health Manager for Environmental Health Services project almost complete with final payment expected in 4th quarter.</p> <p>Fleet System replacement GPS and Pool Booking was delayed due to contractor change of ownership.</p>
4	Recreational, leisure and community facilities	Variance due to Mildura South Regional Sporting Precinct fees and charges has been expended more than the quarterly forecast as works have progressed.
5	Waste management	Mildura Landfill pre-wash bay was due for completion end of March but has been completed early April, and waiting for final invoice for construction of the Ouyen E-waste shed which is now completed and came in under budget.
6	Total Capital Works	<p>Normal Capital Works program</p> <p>The total Annual Budget 2019/20 for Capital Works is \$44,064, of which \$25,090 relates to the normal capital works program. The Actual spend to 31 March 2020 for normal capital works is \$15,539.</p> <p>This leaves a budget balance of \$9,551 which is fully expected to be completed by 30 June 2020.</p> <p>Mildura South Regional Sporting Precinct</p> <p>The total Annual Budget 2019/20 for Capital Works is \$44,064, of which \$18,974 relates to Mildura South Regional Sporting Precinct. Actual spend to 31 March 2020 is \$2,709.</p> <p>The current capital works schedule shows an additional \$5,121 will be spent prior to 30 June 2020.</p>

14.12MILDURA AIRPORT PTY LTD FINANCIAL ASSISTANCE DUE TO COVID-19 PANDEMIC

File Number: 15/06/01
Officer: General Manager Corporate

1. Summary

Following the resolution to lay this matter on the table at the Ordinary Meeting of Council (Confidential) held on 22 April 2020, this report is now represented in accordance with Schedule 2, Local Law No 1 (Meeting Procedure), as part of the May 2020 Ordinary Meeting of Council.

The purpose of this report is to enable Council to make a decision in regard to assisting the Mildura Airport Pty Ltd (MAPL) during these difficult times. The Mildura Airport is currently experiencing financial hardship as a direct result of the impact of the COVID-19 virus on the airline industry and hence a significant decrease in revenue.

Mildura Airport wrote to Council on 7 May 2020 updating the letter initially received on 25 March 2020 that was the basis of the Confidential Council report that was laid on the table.

The recommendation below recognises that the original Confidential report no longer technically requires consideration and as a result, now addresses the 7 May 2020 request.

2. Recommendation

That Council:

- i) take no further action with regard the Confidential Mildura Airport P/L Financial Assistance report layed on the table at 22 April 2020;**
- ii) provide the Mildura Airport with financial relief of \$100,000; subject to the Mildura Airport not becoming eligible for equivalent Federal or State funding assistance;**
- iii) defer the Mildura Airport loan and interest repayments for a period of six months;**
- iv) defer the external valuation of assets for audit purposes;**
- v) defer payment of the Mildura Airport's fourth-quarter rates instalment through to 30 June 2020; and**
- vi) defer the Mildura Airport Board Director elections for 12 months to October 2021 to maintain continuity and stability of the current Airport Board.**

3. Background

The World Health Organisation officially declared COVID-19 a pandemic (11 March), as at 14 March given the number of cases of COVID-19 outside China had increased 13-fold and the number of affected countries had tripled.

The COVID-19 pandemic is having unforeseen impacts right across Australia. The aviation sector has been critically disrupted as a result of border closures and has seen a significant reduction—forecasted to be in excess of 90 per cent—in patronage and service requirements and hence revenue.

Mildura Airport wrote to Council on 25 March 2020 seeking assistance from Council to ease their current financial hardship (decreased revenue) as a result of the COVID-19 impact on airlines, car hire companies, the airport's café and the need to reduce staff hours. An amended version of this letter (attached) was provided to Council on 7 May 2020.

Even though regular public transport airline flights (Rex, Qantas and Virgin) and passenger numbers have reduced, this, as detailed above, does not have a direct correlation with a decrease in operating costs for the Mildura Airport. The Mildura Airport still needs to maintain its operations and readiness levels and hence continues to incur costs related to general aviation, sports aircraft (recreational), air freight, flight training, military, medical/air ambulance, agricultural, fire water bombing and charter flights. Cost areas such as the café and baggage/passenger security screening have been closed and hence costs have been scaled down.

A key aspect to the Mildura Airport asking Council for assistance is that under the current advice available, it would appear that Mildura Airport is not eligible for the Job Keeper wage subsidy and other funding opportunities being offered by the Federal and state governments to businesses under the COVID-19 pandemic. The reason the Mildura Airport is not eligible is due to it being a wholly owned corporation of Council. Similarly, Council is also not able to access these funding assistance sources.

4. Consultation Proposed/Undertaken

A meeting was held between Mildura Airport and Mildura Rural City Council representatives on Thursday 9 April 2020 to discuss the requests. Mildura Airport presented and discussed the matters with Council on Monday 4 May 2020. As the requests from the Mildura Airport have a non-budgeted implication on Council, this report has been prepared seeking Council's approval.

5. Discussion

As extracted from the attached letter, the Airport has specifically requested:

1. If the Mildura Airport is unable to access small and medium enterprise (SME) benefits, then for Council to provide Mildura Airport with support to the same level as it would have otherwise been able to be access if not for the grouping issues (ie Mildura Airport being a Council entity):
 - Boosting cash flow for employers' relief of \$100,000
 - Deferral of Mildura Airport loan and interest repayments for a period of six-months.
2. Deferral of external valuation of assets for audit purposes that was estimated at a cost of \$30,000 to the Mildura Airport.
3. Rates relief for the 2019-2020 financial year.
4. Assistance to provide financial and wellbeing services to the Mildura Airport's team who will suffer distress from being stood down.

5. Deferral of Director elections for 12 months to October 2021 to maintain stability of the current Airport Board.

In considering each of the above items:

Item 1

Under the current advice available, it would appear that Mildura Airport is not eligible for the Job Keeper wage subsidy and other funding opportunities being offered by the Federal and state governments to businesses under the COVID-19 pandemic. The reason the Mildura Airport is not eligible is due to it being a wholly owned corporation of Council.

As such, the Mildura Airport has asked that Council provide the Airport with \$100,000 in financial relief.

The Mildura Airport has a loan with Council as part of the Runway Upgrade project. The Mildura Airport has requested deferral of loan and interest repayments for a period of six months.

Item 2

This request requires approval from the Victorian Auditor General's Office (VAGO) and has been referred to VAGO for consideration.

Item 3

The deferral of the fourth-quarter rates instalment payable by the Mildura Airport through to 30 June 2020 is in alignment with what is being provided to other individual and business ratepayers.

Item 4

This request has been completed with Mildura Airport staff being provided with access to Council's Employee Assistance Program.

Item 5

The Mildura Airport Board is scheduled to undertake Director nominations and position appointments in October 2020 in accordance with the Mildura Airport's Constitution. The Board has requested that any change in Directors and Chairperson be deferred by 12 months in order to provide Director continuity during the current situation, its unknown duration and subsequent recovery time.

6. Time Frame

A decision is required as soon as possible to enable the Mildura Airport to implement a response plan and actions.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

3.1 Economic Development and Tourism

Goals to be achieved:

- A vibrant, diverse, innovative and sustainable economy;
- Investment attraction and job creation; and
- Support quality tourism services and experiences.

8. Asset Management Policy/Plan Alignment

There are no Asset Management Policy/Plan Alignment implications associated with this report.

9. Implications**Policy**

There are no policy implications associated with this report.

Legal/Statutory

There are no legal or statutory implications associated with this report.

Financial

Adoption of this report will have a financial implication on the current financial year's Budget.

Environmental

There are no environmental implications associated with this report.

Social

Approval of this recommendation will assist Council to respond to community needs during this emergency.

Economic

Approval of this recommendation will assist Council to respond to community needs during this emergency helping to minimise the economic impact for the Mildura region.

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
The duration of the current emergency situation is unknown. Consequently, the recovery time for the Mildura Airport to resume 100 per cent of operations and hence revenue is also now unknown. As such, there is a risk that the Airport may require further financial assistance in time.	Council will continue to liaise with the Mildura Airport and advocate for state and Federal funding to be made available to the Mildura Airport.	Low

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Letter from Mildura Airport Pty Ltd MAPL seeking support from Council due to Covid-19 impacts - May 2020



Mildura Airport Pty Ltd.
P.O Box SM356, Mildura South, 3501
P: (03) 5055 0500
F: (03) 5021 5740
E: info@milduraairport.com.au
ABN: 54 131 457 700

7th May, 2020

Att: Sarah Philpott
CEO –Mildura Rural City Council

By Email: sarah.philpott@mildura.vic.gov.au

Good Afternoon Sarah

Please accept this letter to update our request letter from 25th March 2020. This is following an update of our position and following the recent MRCC Councillors Forum.

We continue to still have some uncertainty as to whether Federal and State Government financial support may materialize but will update if anything was forthcoming. In particular, we are disappointed that the Jobkeeper package is not available to MAPL due to our ownership.

Therefore, we would like MRCC to support MAPL in the following way:

1. Provide \$100,000 support to replace the Federal Government relief we would have otherwise received under the Boosting Cash Flow for Employers stimulus
2. Deferral of MAPL loan and interest repayments for a period of 6 months
3. Deferral of External Valuation of Assets for Audit Purposes that was estimated at a cost of \$30,000 to MAPL.
4. Rates relief for the 2019/2020 financial year.
5. Assistance to provide financial and well-being services to our team who will suffer distress from being stood down.
6. Deferral of Director Elections for 12 months to October 2021 to maintain stability of the current MAPL Board.

Over the 12 years that I have been a Director of MAPL we have never looked to MRCC to provide support for our operational expenditure. We hope that our request is seen positively to assist in the business recovery to maintain the crucial MAPL asset.

Please contact me if you have any questions or comments.

Kind regards

Peter O'Donnell
Chair – Mildura Airport

14.13 DEVELOPMENT OF THREE DWELLINGS AND SUBDIVISION OF LAND INTO THREE LOTS - 66 LEMON AVENUE, MILDURA

File Number: 005.2019.00000357.001
 Officer: General Manager Development

1. Summary

Date Received:	12 November 2019
Subject Property:	66 Lemon Avenue, Mildura; being Lot 1 TP829490U Parish of Mildura, County of Karkarooc
Proposed Use/Development:	Development of the land for three (3) dwellings and subdivision of the land into three (3) lots
Zone:	Mixed Use Zone (MUZ)
Overlays:	Design and Development Overlay – Schedule 3 (DDO3) Parking Overlay – Schedule 1 (PO1)
Applicant:	James Golsworthy Consulting
Application Triggers:	<p>Clause 32.04-4 – A permit is required to subdivide land.</p> <p>Clause 32.04-6 – A permit is required to construct two or more dwellings on a lot. The development must meet the requirements of Clause 55.</p> <p>Clause 43.02-2 – A permit is required to construct a building or construct or carry out works.</p> <p>Clause 43.02-3 – A permit is required to subdivide land.</p>
Relevant Provisions:	<p>Clause 11.01-1S – Settlement</p> <p>Clause 11.01.1R – Settlement – Loddon Mallee North</p> <p>Clause 11.03-6S – Regional and Local Places</p> <p>Clause 15.01-1S – Urban design</p> <p>Clause 15.01-2S – Building design</p> <p>Clause 15.01-3S – Subdivision design</p> <p>Clause 15.01-5S – Neighbourhood character</p> <p>Clause 16.01-1S – Integrated housing</p> <p>Clause 16.01-2S – Location of residential development</p> <p>Clause 16.01-3S – Housing diversity</p> <p>Clause 18.02-4S – Car parking</p> <p>Clause 19.03-3S – Integrated water management</p> <p>Clause 19.03-4S – Telecommunications</p> <p>Clause 21.02-1 – Key influences and issues</p> <p>Clause 21.03-1 – Vision</p> <p>Clause 21.04-3 – Adaptable and diverse housing</p> <p>Clause 21.10-1 – Main Urban Area</p> <p>Clause 22.03 – Healthy and sustainable</p>

	neighbourhood design Clause 32.04 – Mixed Use Zone Clause 43.02 – Design and Development Overlay Clause 45.09 – Parking Overlay Clause 52.06 – Car Parking Clause 53.01 – Public Open Space Contribution and Subdivision Clause 55 – Two or more Dwellings on a lot and Residential Buildings Clause 56 – Residential Subdivision Clause 65.01 – Approval of an Application or Plan Clause 65.02 – Approval of an Application to Subdivide Land Clause 71.02 – Operation of the Planning Policy Framework
Objections Received	2

The application seeks Council approval for the development of three (3) dwellings and associated three (3) lot subdivision at 66 Lemon Avenue, Mildura.

The subject land comprises one (1) parcel of land, comprising a total area of 475m², with dual frontage to Lemon Avenue and Wightman Lane of 10 metres. The subject land is currently improved by a single storey dwelling, which would be demolished as part of this proposal. Lots abutting the subject land are improved by a combination of development styles and land uses, with a single dwelling and office directly abutting the subject land. Dwelling typology in the area is varied, with a combination of bungalow/interwar style developments interspersed with newer single and double storey dwelling forms.

The proposed dwellings consist of one 4 bedroom, 2 storey townhouse fronting Lemon Avenue, with a staggered street setback of 0.32 – 0.69 metres and height of 6.45m above natural ground level. A further two 3 bedroom, 2 storey townhouses are proposed to the rear; both with vehicular access from Wightman Lane and pedestrian access to Lemon Avenue. The proposed dwellings offer a modern design approach, with various design features differentiating them from other development types in the area.

The application was received by Council on 12 November 2019, with further information sought and duly received on 10 January 2020. The application was subsequently placed on public notice pursuant to Section 52 of the *Planning and Environment Act 1987* from 31 January – 14 February 2020. Two (2) objections to the application have been received from properties in the immediate vicinity of the subject land.

An objector consultation meeting was held at Council's Madden Avenue offices on 26 February 2020, which was attended by both objectors, the permit applicant and two planning officers. While this discussion led to an increased understanding of the parties' positions, no resolution to the concerns raised was reached.

The key concerns raised in objections include:

- Potential for overlooking of neighbouring properties;
- Loss of energy efficiency and natural light due to overshadowing;

- Loss of visual amenity as a result of the built form outcome and 'visually unpleasing' nature of the dwellings;
- Excessive density when compared to comparable properties in the Mildura CBD;
- The proposal representing an overdevelopment of the land; and
- A negative effect on property values.

These objections are considered and responded to in the attached delegation report; however in large part these concerns reflect areas where variations are sought to specified standards of the Mildura Planning Scheme.

This part of the Mildura CBD has a policy direction towards higher density living; with expected development intensity and outcomes higher than those parts of the CBD area located in the General Residential Zone. This is reflected in the Mixed Use Zoning applying to the land and the policy objectives set therein.

While the proposal represents a departure from the immediate streetscape character; the development is considered to be responsive to the broader development form of Lemon Avenue (current and emerging) between Eighth and Ninth Streets. The development utilises various design techniques, including angled upper storey walls, balcony protrusions and material variations to differentiate each dwelling and present an interesting design to Lemon Avenue.

Planning Policy in the Mildura Planning Scheme supports higher levels of infill development in the Mixed Use areas of the Mildura CBD (as compared to those peripheral residential areas in the General Residential Zone). While there are variations required to the standards of Clause 55 (ResCode), in this instance it is considered that the underlying objectives of ResCode are met by this development and the variations acceptable. A detailed assessment against the provisions of ResCode is appended to the delegation report.

This application was progressed to Council's Planning Referral Committee (PRC) on 27 April 2020. The PRC resolved to support the officer recommendation for this application.

This application is presented to Council at the request of Councillor Milne and Councillor Sedgmen, who have 'called in' the application to be determined at an Ordinary Meeting of Council. As such, this application is presented to Council for decision, with a recommendation to issue a Notice of Decision to Grant a Permit for the development, subject to the conditions listed below.

2. Recommendation

That Council having caused notice of Planning Application 005.2019.00000357.001 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the relevant matters under Section 60 of the *Planning and Environment Act 1987*, determines to issue a Notice of Decision to Grant a Permit in respect of the land known and described as 66 Lemon Avenue, Mildura; being Lot 1 TP829490U Parish of Mildura, for the development of the land for three dwellings and subdivision of the land into three lots, subject to the following conditions:

Development Conditions

- 1. Before the development or subdivision commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and three copies must be provided. The plans must be generally in accordance with the plans prepared by Evan Kamvissis Architecture, dated September 2019, but modified to show:**
 - a. Recessing of the frontage of dwelling 1 so as to ensure no ground floor protrusions into the driveway visual splays shown, and any internal layout changes as a result;**
 - b. Increased setback of dwelling 1 to provide a 5.4m long driveway car space from the edge of the garage to the property boundary, and any internal layout changes as a result;**
 - c. Installation of sliding clerestory windowing along the kitchen/living area wall of Dwelling 3;**
 - d. Installation of sliding clerestory windowing within the 2nd storey north facing habitable rooms of Dwellings 1 and 2;**
 - e. External lighting to the area denoted as 'common area';**
 - f. Reduction in the width of the crossover for dwelling 1 to no more than 3.26m, consistent with the width of the onsite driveway;**
 - g. The amended on-street car parking layout, having regard to the installation of the new vehicular crossover to dwelling 1;**
 - h. Provision of one (1) undercover car parking space for unit 2, as required by Clause 52.06-9;**
 - i. Inclusion of notations to all windows and balconies demonstrating compliance with ResCode Standard B22 (overlooking);**
 - j. Finished levels of driveways and car parking spaces;**
 - k. Surface finishes for accessways and the common property area;**
 - l. Mailboxes for all units to be provided at the Lemon Avenue frontage in accordance with Australia Post requirements;**
 - m. Bin enclosures for each unit, catering for at least 3 standard Council bins;**
 - n. Landscaping in accordance with condition 3 of this permit; and**
 - o. Stormwater design in accordance with condition 4 of this permit.**
- 2. The endorsed plans forming part of this permit must not be altered or modified except with the written consent of the Responsible Authority.**

3. Concurrent with the plans required by condition 1 of this permit, 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 and three (3) copies must be provided.

The landscaping plan must be generally in accordance with the plans prepared by Evan Kamvissis Architecture, dated September 2019, but modified to show:

- a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- b. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
- c. details of surface finishes of pathways and driveways;
- d. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
- e. landscaping and planting within all open areas of the site;
- f. at least 1 canopy tree in the private open space area of dwelling 2; and
- g. at least 1 canopy tree on the Lemon Avenue road reserve, as agreed to by Council's Parks and Waste department.

All species selected must be to the satisfaction of the Responsible Authority and must be established on the site prior to the occupation of the development.

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, and any dead, dying, diseased or damaged plants are to be replaced with like for like replacements of the same or greater size.

4. Concurrent with the plans required by condition 1 of this permit, three (3) copies of a Stormwater 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 ensure that stormwater and drainage discharge from the development site meets current best practice performance objectives for stormwater (Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999)) and must include:

- a. The incorporation of on-site retention/infiltration, storage and re-use stormwater management techniques where practicable to reduce pollutant export and peak discharge from the site;
 - b. Reduce peak discharge from the site to single dwelling levels;
 - c. Reuse of stormwater for on-site landscaping maintenance; and
 - d. Connection to council infrastructure.
5. Concurrent with the plans required by condition 1 of this permit, a Construction Management Plan (CMP) 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;
 - 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 (as required);
 - 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. Measure to minimise the generation and dispersal of dust;
 - f. Details of a contact person or project manager accountable for the project and compliance with the CMP; and
 - g. Arrangements for waste collection and other services to be provided during construction;
6. Prior the occupation of the development, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a. Constructed;
 - b. Properly formed to such levels that they can be used in accordance with the plans;
 - c. Surfaced with an all-weather-seal coat; and
 - d. Drained

To the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

7. Except with the written consent of the Responsible Authority, the development permitted by this permit must not be occupied until the development has been completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to built form and layout, parking, landscaping, drainage, street numbering and replacement/replanting of street trees).
8. Except with the written consent of the Responsible Authority, no equipment, services, architectural features or structures of any kind, including telecommunications facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building.
9. Any rooftop plant or mechanical equipment (including service equipment) must be screened to the satisfaction of the Responsible Authority.
10. Before the occupation of the development, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
11. Before the building is occupied, any damage to Council infrastructure resulting from the development must be reinstated:
 - a. At the full cost of the permit holder; and
 - b. To the satisfaction of the Responsible Authority.

Subdivision Conditions

12. Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must either:
 - a. Complete the development approved by this planning permit to slab stage (at a minimum) in accordance with the endorsed development plans forming part of this permit to the satisfaction of the Responsible Authority. Evidence must be submitted which demonstrates that the development is completed to this stage or greater the satisfaction of the Responsible Authority; or
 - b. Enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*, which provides that all lots as shown on the endorsed plans must be developed in accordance with the endorsed plans forming part of Planning Permit 005.2019.00000357.001 (or subsequent amendments to this permit).

All costs relating to Section 173 agreement must be borne by the permit holder.
13. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act 1988*.
14. Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must pay a public open space contribution of 5% of the value of the land in accordance with Section 18 of the *Subdivision Act 1988*.

15. The owner of the land must enter into an agreement with:
- a. A telecommunications network or service provider for the provision of telecommunication services to each lots shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- c. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - d. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in area where the National Broadband Network will not be provided by optical fibre.

Engineering Conditions

- 16. All stormwater discharge and detention systems must be developed in accordance with the endorsed stormwater management plan, prior to the occupation of the development or the issue of a Statement of Compliance, whichever occurs first. The stormwater discharge and detention systems must be maintained to the satisfaction of the Responsible Authority for the life of the development.
- 17. Any car park line marking to be removed must be undertaken using emulsion and grit, and any new line marking must be completed prior to the occupation of the development. All works must be at the full cost of the developer.
- 18. New concrete driveways must be constructed prior to the occupation of the development or the issue of a Statement of Compliance, whichever comes first. A road opening permit must be obtained prior to any driveway works commencing.
- 19. Prior to the occupation of the development or statement of compliance (whichever occurs first), the pavement of Wightman Lane must be constructed to the boundary line of the subject site for the full length of the site, to the satisfaction of the Responsible Authority.

Lower Murray Water Conditions

20. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to Lower Murray Water pursuant to Section 8 of that Act.
21. 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.
22. The holder of this permit or authorised agent must meet Lower Murray Water's requirements regarding easements in favour of the Lower Murray Urban and Rural Water Corporation prior to the submission of any plan of subdivision for Certification.

Powercor Conditions

23. This letter shall be supplied to the applicant in its entirety.
24. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to the Distributor in accordance with Section 8 of that Act.
25. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
26. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Permit Expiry

27. The above-mentioned planning permit as it relates to development will expire if either of the following circumstances arise:
 - a. The development is not started within two (2) years of the date of this permit; or
 - b. The development is not completed within four (4) years of the date of this permit.

The above-mentioned planning permit as it relates to subdivision will expire if either of the following circumstances arise:

- c. The plan of subdivision is not certified within two (2) years of the date of this permit; or
- d. The subdivision is not completed within five (5) years of the date of certification.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

3. Time Frame

Outline key dates

Application Received	12 November 2019
Further Information Received	10 January 2020
Application Referred	22 January 2020
Application Notified	31 January – 14 February 2020
Objector Consultation Meeting	26 February 2020
Planning Referral Committee Meeting	27 April 2020
Council Meeting	27 May 2020

4. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

2.5 Strategic Land Use

Goal to be achieved:

- A well-developed long-term land use vision.

5. Asset Management Policy/Plan Alignment

This is not relevant to the subject application.

6. Implications - Assessment of the Application**Policy**

The State Planning Policy Framework (SPPF), Local Planning Policy Framework (LPPF) and the Planning Scheme Revisions are discussed in the attached report.

Legal/Statutory

Council is required to determine the application pursuant to Section 61 of the Planning and Environment Act 1987. Council's decision is subject to possible review by the Victorian Civil and Administrative Tribunal (VCAT).

Financial

All relevant fees have been paid. In the event of an application for review by VCAT, each party will be required to bear their own costs.

Environmental

As detailed in the Assessment of the Application

Social

As detailed in the Assessment of the Application

Economic

As detailed in the Assessment of the Application.

7. Risk Assessment

Council's decision is subject to possible review by the Victorian Civil and Administrative Tribunal. In the event of an application for review by VCAT, each party will be required to bear their own costs.

8. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1** Delegation Report
- 2** Site Photo
- 3** Draft Plans

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Application Number

005.2019.00000357.001

Received Date

12 November 2019

Applicant

James Golsworthy Consulting Pty Ltd

Subject property (Parcel No/s 4047)66 Lemon Avenue MILDURA
(Lot 1 TP 829490U Sec 45 Blk D)

Proposal

The permit applicant, James Golsworthy Consulting seeks approval for the development of the land with three (3) dwellings and subdivision of the land into three (3) lots on the land identified as 66 Lemon Avenue, Mildura.

The proposal comprises the following features:

Dwelling 1 / Lot 1

- Lot size – 162.0m²
- Dwelling characteristics:
 - Dwelling floor area = 221.3m² (lower floor and upper floor only).
 - Lower Floor – Master bedroom with WIR and ensuite, open plan living/kitchen/dining with access to external 27.8m² SPOS area from dining and kitchen areas. Separate toilet also provided.
 - Upper Floor – 1 x bedroom with WIR and ensuite, 2 x bedroom with built in robe. Bathroom with combined toilet and large retreat area provided with balcony access overlooking Lemon Avenue.
 - Plot ratio – 1.37
 - Maximum height – 6.45 metres above NGL.
- Access and car parking:
 - Tandem car parking arrangement with one space provided in a single width garage, exposed tandem second space in driveway. Access provided via proposed crossover to Lemon Avenue.

Dwelling 2 / Lot 2

- Lot size – 157.0m²
- Dwelling characteristics:
 - Dwelling floor area = 156.6m² (lower floor and upper floor only).

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- Lower Floor – Master bedroom with WIR and ensuite, open plan living/kitchen/dining with access to external 30.4m² SPOS area from living area. Separate toilet also provided.
 - Upper Floor – 1 x bedroom with WIR and ensuite, 1 x bedroom with built in robe. Large retreat area provided with separate bathroom/toilet/shower.
- Plot ratio – 0.998
- Maximum height – 6.45 metres above NGL.
- Access and car parking:
 - Tandem car parking (approximately 11.7m long x 3.6m wide). Vehicular access provided to Wightman Lane.

Dwelling 3 / Lot 3

- Lot size – 103.5m²
- Dwelling characteristics:
 - Reverse living arrangement
 - Dwelling floor area = 123.1m² (lower floor and upper floor only).
 - Lower Floor – Front and rear entrances, 2 x bedrooms with WIR and shared bathroom.
 - Upper Floor – Open plan kitchen/living/dining area with accessible 14.9m² balcony (facing east), bathroom and master bedroom with WIR.
 - Total floor areas (excluding carport area) – 123.1m².
 - Plot ratio – 1.19
 - Maximum height – 6.45 metres above NGL.
- Access and car parking:
 - Double width carport (6.3m long x 5.5m wide) with adjacent 0.9m wide footpath. Vehicular access provided to Wightman Lane.

A copy of the proposed site plans and streetscape elevations are attached below:

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Image 1: Proposed streetscape elevation (Lemon Avenue). Source: Application Documents



Image 2: Proposed site layout (including overshadowing). Source: Application Documents

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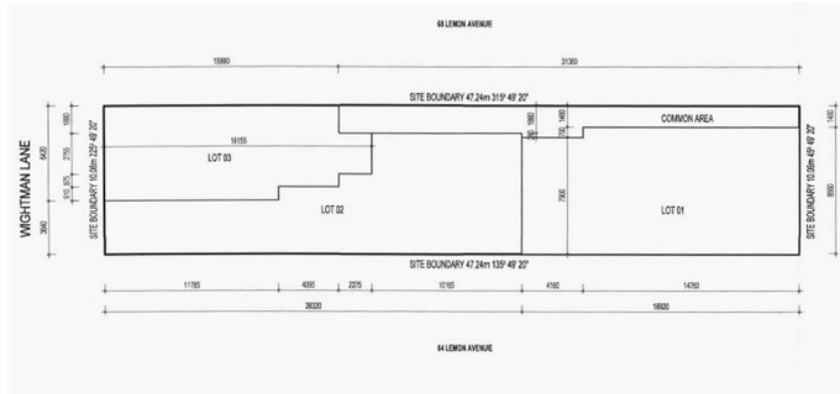


Image 3: Proposed subdivision layout. Source: Application Documents

Zones/Overlays

Mixed Use Zone
Design and Development Overlay Schedule 3
Parking Overlay Schedule 1

Relevant Provisions

Planning Policy Framework

- Clause 11 – Settlement
 - Clause 11.01-1S – Settlement
 - Clause 11.01.1R – Settlement – Loddon Mallee North
 - Clause 11.03-6S – Regional and Local Places
- Clause 15 – Built Environment
 - Clause 15.01-1S – Urban design
 - Clause 15.01-2S – Building design
 - Clause 15.01-3S – Subdivision design
 - Clause 15.01-5S – Neighbourhood character
- Clause 16 – Housing
 - Clause 16.01-1S – Integrated housing
 - Clause 16.01-2S – Location of residential development
 - Clause 16.01-3S – Housing diversity
- Clause 18 – Transport
 - Clause 18.02-4S – Car parking
- Clause 19 – Infrastructure
 - Clause 19.03-3S – Integrated water management
 - Clause 19.03-4S – Telecommunications

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Local Planning Policy Framework

- Clause 21 – Municipal Strategic Statement
 - Clause 21.02-1 – Key influences and issues
 - Clause 21.03-1 – Vision
 - Clause 21.04-3 – Adaptable and diverse housing
 - Clause 21.10-1 – Main Urban Area
- Clause 22 – Local Policy
 - Clause 22.03 – Healthy and sustainable neighbourhood design

Zones

Clause 32.04 – Mixed Use Zone

Overlays

Clause 43.02 – Design and Development Overlay

Clause 45.09 – Parking Overlay

Particular Provisions

Clause 52.06 – Car Parking

Clause 53.01 – Public Open Space Contribution and Subdivision

Clause 55 – Two or more Dwellings on a lot and Residential Buildings

Clause 56 – Residential Subdivision

General Provisions

Clause 65.01 – Approval of An Application or Plan

Clause 65.02 – Approval of An Application to Subdivide Land

Clause 66.01 – Subdivision Referrals

Operational Provisions

Clause 71.02 – Operation of the Planning Policy Framework

Permit Triggers

Clause 32.04-4 – A permit is required to subdivide land.

Clause 32.04-6 – A permit is required to construct two or more dwellings on a lot. The development must meet the requirements of Clause 55.

Clause 43.02-2 – A permit is required to construct a building or construct or carry out works.

Clause 43.02-3 – A permit is required to subdivide land.

Statutory Days

The application has been in progress 128 days (in Council's hands) as at 27 May 2020

Application received:	12 November 2019
Further information received:	10 January 2020
Application referred:	22 January 2020
Notification directed:	28 January 2020
Application notified:	31 January – 14 February 2020
Statutory declaration received:	17 February 2020

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Benchmark

Level 3

Subject site & locality

An inspection of the site and the surrounding area has been undertaken.

The subject land comprises a single parcel of approximately 475m², containing an older style single storey dwelling. The site has frontage to Lemon Avenue of 10m, with secondary frontage of same length to Wightman Lane. Access to the land is currently provided from Wightman Lane. The land is generally flat, with minimal fall across the site.

The subject land is rectangular in shape, in a general shape and form consistent with other lots in the surrounding area. Lots in the area are typically 10m wide, save for lots that have been redeveloped for multi-unit housing.

Properties in the surrounding area are generally improved by single storey dwellings on lots of approximately 475m² or mixed use office/commercial developments. There is no consistent streetscape theme present in this area, with a variety of development types, styles, ages, colours and materials.

The site appears to have access to reticulated power, telecommunications, water and sewer.



Image 4: Aerial of subject site and immediate surrounds. Source: Council GIS 2018 images

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Image 5: Existing dwelling on the site.

Permit/Site History

No relevant permit or site history is identified.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land; and
- Placing a sign on site.

The notification has been carried out correctly.

Council has received 2 objections to date. The key issues that were raised in the objections are:

- Loss of energy efficiency and natural light as a result of overshadowing;
- Potential for overlooking and associated loss of privacy as a result of the current development or future alterations to it;
- Loss of visual amenity by introducing larger built forms into the area and design of the dwellings being visually unpleasing;

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- Density of development/bedrooms per unit is inconsistent with other properties in the Mildura CBD;
- Proposal representing an overdevelopment of the land; and
- Negative effects on property values.

These concerns are addressed in the assessment section of this report.



Image 6: Objectors' sites in relation to subject land.

Cultural Heritage Management Plan

The Aboriginal Heritage Regulations 2018 specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the Aboriginal Heritage Regulations 2018 specifies exempt activities which do not require a Cultural Heritage Management Plan (CHMP).

Pursuant to Regulation 7, the subject land is not located within an area of Aboriginal Cultural Heritage Sensitivity and therefore a CHMP is not required.

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Consultation

Consultation was undertaken and included a mediation meeting held on 26 February 2020 between Council planners, the permit applicant and the objectors to the application. While this meeting led to an increased understanding in the parties' positions, no objections were resolved as a result.

Conflict of Interest

No conflicts of interest were declared during the preparation of this report

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	
APA Group	Consent, no conditions.
Lower Murray Water	<ol style="list-style-type: none"> 1. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to Lower Murray Water pursuant to Section 8 of that Act. 2. 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. 3. The holder of this permit or authorised agent must meet Lower Murray Water's requirements regarding easements in favour of the Lower Murray Urban and Rural Water Corporation prior to the submission of any plan of subdivision for Certification.
Powercor	<p>Subject to the following conditions, Powercor Australia Ltd (the Distributor) does not object to the issue of a planning permit for the abovementioned application.</p> <p>Conditions Required By the Distributor</p> <ol style="list-style-type: none"> 1. This letter shall be supplied to the applicant in its entirety. 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act. 3. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. <p>Notes: <i>Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</i></p> <ol style="list-style-type: none"> 4. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). <p>Notes: <i>Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</i></p>

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Section 52 notices	None undertaken.
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Internal Council Referrals	Advice/Response/Conditions
MRCC Engineering	<p>COMMENTS:</p> <p>Car park off Lemon Ave is shown as being 5.170m long which does not allow for the extra 500mm required for a tandem space.</p> <p>REQUIREMENTS</p> <p>Site stormwater discharge and detention must comply with and be maintained to the satisfaction of the responsible authority. Detailed drainage design plan must be submitted prior to plans being endorsed. Plans must also include the amended carpark layout due to the new driveway.</p> <p>All works required as per the endorsed drainage plan including a certificate of compliance for the drainage works, must be completed prior to Statement of Compliance / Commencement of use, whichever occurs first.</p> <p>Wightman lane must be constructed to the boundary line for the full width of the site prior to statement of compliance.</p> <p>No alteration will be permitted to the level of the exiting footpath in Lemon Ave.</p> <p>Planner Comment:</p> <p>Conditions have been integrated with recommended planning conditions, which has result in modifications to some of these requirements; however the intent of the requested conditions has been retained where it is practicable to impose them.</p>

Assessment

Clause 32.04 – Mixed Use Zone

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

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Clause 32.04-4 – Subdivision

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- *Must meet all of the objectives included in the clauses specified in the following table.*
- *Should meet all of the standards included in the clauses specified in the following table.*

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Comment:

As the application is being assessed against the objectives and standards of Clause 55, and the subdivision will be tied to the development of the land, it is not considered necessary to assess the application against the provisions of Clause 56.

Clause 32.04-6 – Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

A permit is required to:

- *Construct two or more dwellings on a lot.*

A development must meet the requirements of Clause 55.

Clause 32.04-10 – Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

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Comment:

The subject land abuts land in the General Residential Zone to the rear (eastern side of Wightman Lane), such that these requirements apply with respect to the rear lots. As will be shown in the attached Clause 55 report, these requirements are met with respect to dwellings in adjacent residential zones.

Clause 32.04-14 Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.*

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- *For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.*

Comment:

The subject site, by virtue of its designation within the Mixed Use Zone, contains a variety of land uses and development forms; with various office, retail and residential land uses in the general area. The proposed development is commensurate with this context.

In terms of building development, the proposed dwellings space are considered to be consistent with the development typology of the area. While smaller street setbacks are provided than the

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adjoining lots, this is supported and encouraged by the design and development overlay applying to the land, and the relevant components of the Mildura CBD plan. The proposed development is considered to be a different and interesting building development, with architectural features that will draw interest and reduces the dominance of features such as garage doors and front walls. The provision of such features is consistent with State and Local Planning Policy relating to building design and streetscape integration.

A full assessment of the proposal against the objectives, standards and relevant decision guidelines of Clause 55 is appended to this report. In summary, while there are variations required to the standards of Clause 55, it is considered that on balance, the underlying objectives and decision guidelines have been met with respect to this development. In terms of subdivision considerations, the proposed lot layout accords with the development form of the site, and any permit issued will tie the subdivision of the land to this development form. There are no existing residential solar systems present that would be affected by the proposed development.

Clause 43.02 – Design and Development Overlay

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Permit requirement

A permit is required to:

- *Construct a building or construct or carry out works.*

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

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- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The design objectives of the relevant schedule to this overlay.*
- *The provisions of any relevant policies and urban design guidelines.*

Schedule 3 to the Design and Development Overlay

Mildura Central Business District (CBD)

Vision

The Vision for the Mildura Central Business District (CBD) is:

- *Mildura CBD will be the primary activity centre in the region providing a wide range of retail, commercial, financial, community service, recreation and entertainment opportunities for residents in a wide catchment, for tourists and other visitors.*
- *Mildura CBD will be better integrated with the riverfront and marina area.*

Design objectives

The following design objectives assist Council in achieving the Vision:

- *To strengthen the identity and character of the Mildura CBD through high quality architectural design in new buildings and public spaces around buildings.*
- *To strengthen links with the riverside area as the key open space for the Mildura CBD.*
- *To create attractive and vibrant streetscapes that are defined by high quality buildings of a scale that is appropriate to their location.*
- *To manage car parking demand and provision to support the economic competitiveness of the Mildura CBD.*
- *To manage the CBD road network to improve safety and amenity, reduce the level of non-local through traffic and redirect truck movements to appropriate alternate arterial routes.*
- *To create easy access to the CBD by a variety of modes including private vehicle, public transport, foot and bicycle. To create a high quality and safe pedestrian environment.*

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- *To encourage a network of circulation routes that will enhance pedestrian amenity, convenience, flexibility and alternative frontage types in the CBD.*
- *To achieve an appropriate balance between maintaining adequate vehicular and public transport access, while encouraging increased street activity and enhancing pedestrian safety. To support, promote and improve public transport coverage, frequency and the comfort of users in the CBD. To create a high quality and safe environment to encourage access and movement around the CBD by commuter and recreational cyclists.*

Application requirements

In addition to other information required to be submitted with a planning application, applications must be accompanied by the following plans and reports, as appropriate, to the satisfaction of the responsible authority:

- *A report demonstrating and detailing how the design of the proposed development responds to the above design objectives.*
- *Three dimensional diagrams or visualisation showing the proposed building in the context of the surrounding buildings.*

Comment:

The required information has been provided to the satisfaction of the Responsible Authority.

Building heights

The determination of an appropriate building height must be tempered by consideration of heritage issues, site context, the amenity of adjoining buildings and open space on a site by site basis.

New development and/or extensions to existing buildings should comply with the following preferred maximum building heights as shown on Map 1, as appropriate:

Up to 4 storeys with upper level recessed:

- *4 storey / 12 metres preferred maximum building height and 4 storey / 13.5 metres maximum height limit (with additional height to accommodate architectural features and roof). Buildings above 3 storeys should be set back as necessary to integrate with existing built form and to retain human scale at street level.*

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Up to 3 storeys:

- *3 storey / 9 metres preferred maximum building height and 3 storey / 10 metres maximum height limit (with additional height to accommodate architectural features and roof).*

1-2 storeys:

- *1 – 2 storey / 7 metres preferred maximum building height and 1 – 2 storey / 8 metres maximum height limit (with additional height to accommodate architectural features and roof).*

Approval of any building height above a discretionary limit should achieve superior performance under each of a number of assessment criteria (as appropriate), including:

- *Achieving excellence in architectural design;*
- *Implementing environmental sustainability principles;*
- *Achieving heritage restoration and adaptive re-use;*
- *Enhancing public and private amenity; and Protection of the development potential of nearby sites.*

Setbacks

New development and / or extensions to existing buildings should comply with the setback requirements shown on Map 1, as appropriate.

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Map 1



Image 7: Map 1 to DDO3 (Approximate location of subject site marked in Pink)

Design guidelines

Planning applications will be assessed against the following design guidelines in Table 1:

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Table 1 – Design Guidelines

Elements	Design guidelines	Assessment
Heritage	<i>Ensure that new buildings adjoining heritage sites are respectful of the form, scale, siting and design of the heritage building.</i>	The development site does not abut any items of heritage significance, nor any sites located within the Heritage Overlay.
Building design	<p><i>Emphasise important sites, such as those located on prominent corners or adjacent to public spaces, through the quality of architectural design.</i></p> <p><i>Design the tops of buildings to hide lift overruns, air conditioning and other plant and equipment from view.</i></p> <p><i>Promote ESD (Environmentally Sustainable Development) techniques for all aspects of construction and management of buildings and landscape.</i></p> <p><i>Ensure that new development is designed to respect sensitive interfaces, such as residential properties or heritage buildings.</i></p> <p><i>Where a development adjoins open space or public car parks, design new buildings to overlook these spaces, with a façade that enhances their appearance, amenity and safety.</i></p> <p><i>Require new development and</i></p>	<p>The subject site is not located on a prominent corner; being located centrally in a row of existing lots and development.</p> <p>Permit conditions will prohibit any rooftop appurtenances, save for those shown on the endorsed plans except with the further consent of the RA. Should rooftop plant (such as air conditioning units) be required, this will be assessed at the time against the requirements of this clause.</p> <p>The Mildura Planning Scheme does not specify specific performance standards for ESD development (save for some commentary in Clause 22.03); however general principles include:</p> <ul style="list-style-type: none"> • Energy efficiency; • Water reuse and efficiency; • Stormwater management; • Internal amenity and environment; • Transport; and • Waste management <p>The building design is contemporary in nature, with POS areas typically designed to obtain appropriate</p>

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	<p><i>redevelopment to provide active frontages and weather protection to improve the pedestrian environment.</i></p> <p><i>Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the design of all development with the CBD.</i></p>	<p>access to sunlight. The imposition of permit conditions will require the installation of clerestory windows for habitable rooms along northern boundaries, to improve solar access and cross ventilation. Local policy acknowledges that due to the Mildura climate, variations to typical principles of solar access may be acceptable as a consequence of climatic conditions. Sufficient solar access, coupled with POS areas provides sufficient space for appropriate landscaping, water reuse and stormwater management systems to be installed.</p> <p>The proposal is considered to respond appropriately to interface issues with adjoining properties; as explored in greater detail in the appended Clause 55 report. It is noted that Map 1 to this clause shows the subject land and surrounding properties to be developed with no front or side setbacks, which will have consequent impacts on the adjoining properties yet to be re-developed.</p>
Building heights	<p><i>Provide for increased development opportunities within the CBD by allowing higher buildings in Seventh Street and other locations, in accordance with Map 1 (Building heights and setbacks).</i></p>	<p>The building heights proposed in this development accord with the preferred heights set for this precinct (1-2 storeys / 7 metres) within this Clause.</p>
Parking	<p><i>Encourage modal shift from cars to more sustainable modes of transport such as cycling, buses and walking to</i></p>	<p>The subject site is conveniently located proximate to jobs, transport and services, where alternate transport options will be available to</p>

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	<p><i>reduce the requirement for car parking in the CBD.</i></p> <p><i>Provide long term parking for workers and long stay visitors within off-street or on-street car parks on the edge of the CBD</i></p> <p><i>Provide shorter stay parking within core retail areas to allow for higher turnover.</i></p> <p><i>Balance the provision of parking in the CBD with improving options for public transport, walking and cycling.</i></p> <p><i>Provide shade for all off street parking spaces and key pedestrian routes within the car park.</i></p>	future residents.
Traffic management	<p><i>Maintain pedestrian priority in the CBD (such as at roundabouts) and improve mid block links to disperse pedestrian traffic throughout the CBD.</i></p> <p><i>Adjust traffic management measures to respond to traffic patterns.</i></p>	Not applicable to this application.
Pedestrian movement	<p><i>Improve pedestrian amenity through installation of weather protection (verandahs, awnings, shade trees) along pedestrian paths in the CBD.</i></p> <p><i>Link the CBD by creating strong east-west pedestrian links across Deakin Avenue.</i></p>	The development of dwellings interfacing with the rear laneway (Wightman Lane) will assist in activating this space and will ultimately lead to a safer urban environment in this area for pedestrians.

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	<p><i>Create 'priority pedestrian routes' along Eighth and Ninth Streets.</i></p> <p><i>Develop a network of alternative pedestrian routes through the CBD via laneways, mid block links and arcades to provide safe and convenient 24 hour pedestrian connectivity.</i></p> <p><i>Provide mid-block links where possible in new developments to improve pedestrian access.</i></p> <p><i>Enhance all existing lanes and arcades to provide an interesting, active, accessible and safe environment.</i></p> <p><i>Use laneways for access to housing or other upper floor uses to protect the continuity of valuable retail frontages.</i></p> <p><i>Encourage the use of lanes to create additional development frontages.</i></p> <p><i>Encourage the use of rear lanes for vehicle access to properties to protect main streets from impacts of service vehicles and driveway crossovers.</i></p>	
Public transport	<p><i>Support implementation of improvements to the Mildura Station (transport interchange) identified in the Riverfront Masterplan 2006.</i></p>	Not applicable to this development.

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	<p><i>Support the current network of bus routes in the CBD.</i></p> <p><i>Support the expansion of bus routes as required.</i></p>	
Cycling	<p><i>Support the implementation of the Mildura Strategic Bicycle Plan 2003.</i></p> <p><i>Maintain the existing network of cycle paths and provide additional paths where possible.</i></p> <p><i>Provide more cycle parking or storage at strategic locations.</i></p> <p><i>Support the implementation of the Deakin Avenue Urban Design Guidelines – Principle 6 (Access and Movement)</i></p>	Not applicable to this development.
Links with Riverside Precinct	<p><i>Improve and upgrade the open space between Seventh Street and the railway line as an important area of open space for the CBD.</i></p>	Not applicable to this development.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether retail premises within the overlay area present an attractive and interesting built form and character to the street. Large glazed areas, at ground level, are to front onto the street for display and promotional purposes. Parapets are preferred, especially as they provide space for outdoor advertising signs and add variety, character and rhythm to the townscape.*
- Whether residential development is designed and constructed in a manner that is consistent with, and respectful of, the prevailing neighbourhood character and streetscape.*

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- *Whether building height is sympathetic with the prevailing scale, height and form and is consistent with the character of the area.*
- *In the case of any site abutting the Langtree Avenue Mall, the extent of shadows cast by any new development.*
- *Where a front setback area of greater than 0.5 metre in width is provided, whether attractive landscaping is to be included in the setback area, and / or seating facilities for public use.*
- *If the development is set back from the side and rear boundaries, whether these areas will be appropriately landscaped to enhance the appearance of the site.*
- *Whether car parking for retail premises should be accommodated in municipal owned and operated off street car parking stations rather than on site.*
- *Whether on site car parking is provided, wherever possible, for office development.*
- *Whether access facilitates the safe and easy movement of vehicles and pedestrians alike.*
- *Whether all loading and unloading of goods is at the rear of the site and a loading bay facility is provided.*
- *Whether the significant vistas are protected along Langtree Avenue between Eleventh Street and the railway station and beyond to the Murray River.*
- *Whether bicycle parking facilities are strategically located throughout the overlay area and adopt a uniform design and finish.*
- *Whether lots located on the east side of Lime Avenue will be developed in a manner which facilitates the establishment of cross block or through pedestrian paths, interconnecting Lime Avenue with the adjacent Langtree Avenue retail and commercial precincts. Similarly, such pedestrian links should, wherever possible, facilitate shopper access to nearby off-street vehicle parking areas.*

Comment:

For the reasons discussed above, it is considered that the development is consistent with the desired development outcome enunciated in this clause. The proposal makes efficient use of the subject site, and utilises the guidance in the DDO with relation to front and side setbacks.

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While there are elements that require further tweaking, these can be undertaken by way of permit conditions and do not fundamentally alter the proposal.

Clause 45.09 – Parking Overlay

Purpose

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking*

Comment:

The Parking Overlay applying to the land does not alter the car parking rates for residential dwellings, nor does it impose any financial contribution. As such, the Parking Overlay will form no further part of this report.

The Planning Policy Framework (PPF)

Clause 15.01-1S Urban Design

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*

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- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Comment:

The typology of the area contains significant variations, with no discernible development type, scale, size or feature. Setbacks of buildings vary, as do land uses. Newer development is typically more dominant in the streetscape than older interwar residential developments.

The proposed dwellings are considered to represent a variation from the existing character. However, the site is considered suitable for development of medium-higher density housing, with support for reduced street setbacks and varied development forms found in the Scheme. The proposal provides passive surveillance to the public realm and subsequently enhances personal safety for pedestrians. The development is considered to be of a high standard and responsive to the considerations of this clause.

As is noted in the Clause 55 assessment, while there are variations required to the relevant development standards, the proposal offers alternative design options that are considered to achieve the underlying objectives applicable to multi-unit development in this area.

Clause 15.01-2S – Building design

Objective

To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Strategies

- *Require a comprehensive site analysis as the starting point of the design process.*
- *Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.*

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- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
- *Encourage development to retain existing vegetation.*

Comment:

The proposed development is larger in scale than other developments in the immediate area, however the design of the development is not considered to be excessive and is considered to be responsive to the strategic context of the area. The developments' offer passive surveillance to both Lemon Avenue and Wightman Lane by the use of sizeable, practical balcony areas and will create a safe and distinct space in the streetscape.

Clause 15.01-5S – Neighbourhood character

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*

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- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Heritage values and built form that reflect community identity.*

Comment:

The proposed dwellings are two-storey modern dwellings, in contrast to the existing single storey typology of the abutting residences and will be set further forward than the adjoining dwellings. This section of Lemon Avenue contains a wide array of development types and associated land use, such that there is no distinct character or development pattern present. Planning scheme guidance directs that more intense built forms are to be expected in this area, with support through DDO3 for no front or side setbacks in this area for new development.

As is discussed through this report, while the proposed dwellings are a variation from the existing character, it is considered that the proposal is consistent with emerging development typologies in this area and will ultimately assist in achieving the underlying strategic development goals for this precinct.

Clause 16.01-1S – Integrated Housing

Objective

To promote a housing market that meets community needs.

Strategies

- *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*
- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*
- *Facilitate the delivery of high quality social housing.*

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Comment:

The application proposes three (3) new dwellings which would provide a diversity in housing options for future residents of the area. The site is well positioned in relation to jobs, transport and services and would provide the potential for future residents to utilise active or public transport in lieu of car based modes of transport. The site is connected to existing infrastructure and service provision.

Clause 16.01-4S – Housing Diversity

Objective

To deliver more affordable housing closer to jobs, transport and services.

Strategies

Improve housing affordability by:

- *Ensuring land supply continues to be sufficient to meet demand. Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.*
- *Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.*
- *Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes. Increase the supply of well-located affordable housing by:*
 - *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
 - *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*
- *Facilitate the delivery of social housing by identifying surplus government land suitable for housing.*

Comment:

The proposed dwellings have the potential to provide more diverse and affordable housing for households on moderate incomes in a central location well within walking distance to local primary schools, the Mildura CBD, schools and transport routes. Based on the underlying land

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value and estimated cost of works, the dwellings would be unlikely to be affordable for persons on very low or low incomes.

The Municipal Planning Strategy (MPS) and Local Planning Policies

Clause 21.04-3 – Adaptable and diverse housing

Objective 5

To provide a diversity of housing to meet the needs of Mildura's current and future communities.

Strategies

Strategy 5.2 Encourage the regeneration of older residential areas through renovation or medium density infill development, where land is not affected by a Heritage Overlay, and where there is no consistent neighbourhood character.

Strategy 5.6 Recognise the need for smaller dwellings, including apartments, to provide an affordable entry point for first home buyers.

Comment:

The proposed development will provide a higher density of residential development than currently exists in the area, which is broadly supported by this clause. The proposed dwellings would provide a diversity in housing options than what currently exists, proximate to the Mildura CBD. The dwellings are not smaller as such that they will be unlikely to represent an affordable housing option; however they still assist in the regeneration of older residential areas unencumbered by heritage constraints.

Clause 22.03 – Healthy and Sustainable Neighbourhood Design

Policy Basis

This policy provides a local response to Clause 11 (Settlement) and Clause 15 (Built Environment and Heritage) of the SPPF, and builds on the provisions of the MSS in Clause 21.04 (Settlement and Housing) and 21.07 (Built Environment and Heritage) of the LPPF

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Objective

- *To create an environmentally sustainable urban environment with reduced greenhouse emissions.*
- *To increase the resilience of new neighbourhoods to respond to a changing climate and increases in extreme weather events.*
- *To minimise energy use, especially at peak periods.*
- *To improve the resilience of Mildura's natural systems.*
- *To increase the amount of water retention and extent of vegetation within Mildura's urban areas.*
- *To promote safety and encourage participation in community life through well designed public spaces.*
- *To encourage the provision of housing that caters for the needs of Mildura's residents at different stages of their lives, and for different mobility, income and cultural groups.*
- *To encourage a variety of medium density residential typologies suited to Mildura.*
- *To encourage consideration of the provision of universal access in early stages of design.*
- *To provide for new neighbourhoods that are walkable for the majority of residents, where access to key services and public spaces can be achieved in a safe, efficient and enjoyable manner.*

Policy

It is policy to:

Energy and resource efficiency

- *Seek to minimise energy use, and therefore reduce heat emissions within urban areas, through subdivision and building design.*

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- *Encourage the design of new buildings, streets and public spaces to minimise their contribution to the urban heat island effect and contribute to cooling the suburbs.*
- *Encourage the planting of trees in locations that minimise the urban heat island effect by providing shade and shelter for dwellings and public spaces.*
- *Encourage the design and orientation of all new development to maximise the use of passive systems and climatic factors to reduce energy usage.*
- *Encourage the utilisation of landscape design to assist in passive solar heating and cooling and the introduction of vegetation to the east, west and northern side of dwellings.*
- *Support new developments that minimise their embodied energy by choice of materials, construction techniques or retention of existing building fabric.*
- *Encourage the use of energy efficient techniques that may include:*
 - *low energy lighting systems and lighting management controls;*
 - *solar and passive heating systems and natural or solar assisted ventilating and cooling systems;*
 - *laminating, tinting or double glazing to control heat gain and loss;*
 - *use of high thermal performance building materials;*
 - *energy recovery systems;*
 - *energy storage systems such as heat sinks and air conditioning automatic control systems; and / or*
 - *external facade elements which offer climate control benefits.*
- *Support on-site renewable and low emission energy generation, such as solar hot water or photovoltaic cells.*
- *Support the incorporation of water sensitive urban design, including stormwater harvesting and flow attenuation, and water recycling and reuse.*

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- *In street design, acknowledge that north-west / south-east and north-east / south-west oriented streets are an appropriate outcome in Mildura's climatic context in balancing solar access requirements.*
- *Promote the use of lighter coloured roofs and paving treatments to reduce heat absorption.*
- *Require the provision of eaves on all new residential buildings to reduce heat absorption.*
- *Require building envelopes to be identified at planning application stage, identifying a maximum building footprint (which should be related to the lot size), location of garages and main internal living areas.*
- *Ensure that new development does not adversely affect the environmental performance of adjoining properties (e.g. overshadowing of solar panels).*

Comment:

A number of matters within this clause go to the internal choices of dwellings beyond which can be reasonably required as part of this application (such as flooring choice). Conditions of the permit will require stormwater reuse and discharge to be reduced to that of a single dwelling, thereby assisting in meeting these objectives. The variation in materials and colour assists in achieving desired urban design outcomes in this streetscape. The provision of eaves, while desired would result in the design outcomes proposed not being realised and would look out of place in this development.

Landscape and water sensitive urban design

- *Increase tree cover as street trees, in backyards and as broad scale revegetation.*
- *Protect existing remnant patches of vegetation, where these can be integrated into urban areas as a first priority.*
- *Create green linkages or urban vegetation corridors through growth areas and encourage additional vegetation in the private realm.*
- *Emphasise the provision of vegetation around any water bodies, creeks or channels where vegetation growth can be maximised.*
- *Ensure provision for generous areas of public open space within any new growth area, and maintain and enhance existing 'left over' spaces through revegetation.*

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- *Provide street tree planting in every new street in Mildura and develop a 'street tree planting guide' to identify trees that provide the greatest level of shade, while being suitable to the Mildura climate.*
- *Introduce street tree planting to existing streets where there is capacity to do so.*
- *Minimise the provision of hard surfaces in public open spaces, and where hard surfaces are provided, break these up with vegetation and encourage the use of permeable paving.*
- *Discourage the use of non-living landscape treatments such as artificial turf and tanbark, particularly in darker materials or non-natural colours.*
- *Require hard surfaces in new dwellings to utilise permeable treatments as a first priority.*
- *Encourage all new non-residential developments to provide landscaping in setback areas, ground floor open spaces and outdoor car parking areas that:*
 - *Integrate new buildings and pedestrian spaces into the surrounding neighbourhood and provide pleasant outlooks; and*
 - *Include vegetation species that are suitable to the climate, with indigenous planting preferred.*
- *Support the development of innovative responses which introduce additional vegetation into urban areas, such as green roofs or moveable gardens.*
- *Require any new areas of at-grade car parking providing more than 10 car spaces to incorporate canopy trees (preferred) or other shading mechanisms, and to include permeable areas.*
- *Ensure that planning at the precinct stage considers opportunities for the integration of water sensitive urban design in larger scale drainage systems.*
- *Integrate more localised on-site retention of water through the introduction of rain gardens or similar treatments within the public realm.*
- *Promote the introduction of water tanks in new development, as required by the Building Code of Australia, and ensure they are appropriately sited.*

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- *Encourage landscape treatments to provide a green landscape character and quality along main boulevards, including Deakin Avenue, Fifteenth Street and Sixteenth Street.*

Comment:

A number of matters within this clause go to more broad strategic and large scale redevelopment considerations. A landscaping plan, including provision of a canopy tree in the POS of dwelling 2 and on Lemon Avenue will be required as conditions of the permit. The proposal meets the permeability requirements of ResCode and incorporates unique design in the pedestrian accessway to dwellings 2 and 3.

Public realm interfaces

- *At key public interfaces, encourage low and / or transparent fencing and landscaping that allows for passive surveillance.*
- *Discourage dwellings which are dominated by garages and create a sense of disconnection between housing and the street.*
- *Ensure that public open spaces and parks are overlooked or partly contained by other uses (e.g. public plaza space fronted by active uses, or parks with residential interfaces), while providing clear definition between public and private space.*
- *Provide a mix of uses in activity centres, with areas that encourage activity at different times of the day.*
- *Encourage the design of building frontages at footpath level along key pedestrian routes to offer visual interest, passive surveillance, social interaction, safety, shelter and convenience.*
- *Discourage building designs that dominate or imply private ownership of public spaces.*

Comment:

The proposed development provides passive surveillance to both Lemon Avenue and Wightman lane, with no front fencing proposed. The design response ensures that the garage of dwelling 1 does not form a dominate feature of the street; rather the recessing of same and inclusion of the cantilevered balcony provides a stronger sense of passive surveillance. The building frontage provides visual interest and does not imply ownership of public spaces.

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Accessible places

- *Encourage residential design which facilitates social interaction and community inclusion (e.g. opportunities for daily interactions, pause places, community gardens etc.).*
- *Require any publicly accessible places to meet the needs of people with impaired mobility.*
- *Encourage flexible and multi-functional housing that can be adapted for a wide range of people and lifestyles (e.g. people with disabilities, the aged and ageing, households whose size changes over time, home offices etc.).*

Comment:

The access to each dwelling is provided such that they can be accessed by people with limited mobility. Facilities are provided on the ground floor of each dwelling, particularly dwellings 1 and 2 where all dwelling features are located at ground level.

Housing diversity

- *Encourage the provision of density through a diversified rather than standardised approach.*
- *Encourage the provision of medium density housing in a range of settings and suitable areas throughout Mildura's urban area.*
- *Accommodate some larger lots within growth areas to provide opportunities for future adaptability and change in these areas which would not otherwise be present.*
- *Achieve a greater diversity in lots sizes within growth areas by identifying percentages of development areas that should meet specific density targets. This policy will apply as follows:*
- *Review the percentage targets regularly, and increase the percentage of higher density housing in line with demographic change.*
- *Exercise discretion to allow the provision of land for retirement living or aged care to be considered as meeting the target for medium density housing, even where the specific density is not achieved.*
- *Accommodate higher density lots in areas with access or amenity benefits (e.g. along main roads, adjoining any areas of non-residential uses such as retail, open space, schools etc.).*

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Comment:

The subject site is eminently suitable for higher density development than many other parts of Mildura, by virtue of its zoning, surrounding land uses and proximity to the CBD and associated services. Such development supports the objectives of this provision.

Movement and infrastructure

- *Allocate sufficient space within new road reserves for infrastructure provision.*
- *Require road alignments to incorporate a broad grid network, with local roads connecting to adjoining urban areas.*
- *While curvilinear local roads are acceptable, cul-de-sacs should be avoided. Where cul-de-sacs are unavoidable, pedestrian connections should be provided at the termination of the road to allow direct pedestrian access to services and facilities.*
- *Require individual subdivision road layouts to provide for future connections, including any necessary easements, where adjoining parcels are not developed concurrently.*
- *Use pedestrian and cycle paths to link key spaces, including new and existing parks and the river corridor, with residential settlements.*
- *Provide high quality lighting and shade along well defined cycle and walking paths.*
- *Where possible, encourage physical separation of bicycle lanes from vehicular movement, avoid conflict between bicycle lanes and car parking spaces, and require bicycle lanes to be clearly identified through road surface treatments.*
- *Encourage vehicle access points associated with residential development to be:*
 - *Via a single crossover or, if appropriate, from an existing crossover (multiple crossovers which result in a loss of on-street car parking and compromise street tree planting are discouraged);*
 - *Where possible for new crossovers, located adjoining existing crossovers to maximise verge space for planting; and*
 - *Encouraged to consider utilising alternate access arrangements, where possible, such as rear lanes along key pedestrian routes.*

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- *Design landscaping and other features so that they do not visually obscure pathways, to provide good lines of sight and enhance perceptions of safety.*
- *Minimise hard paved areas (over and above the building footprint) to reduce stormwater runoff, and encourage the preferred use of permeable paving treatment.*

Comment:

The proposal provides for a single crossover to dwelling 1; albeit what is shown is larger than that of a typical single vehicle crossover. The inclusion of a crossover in this location will lead to the loss of 1-2 on-street car parking spaces. While the loss of 1 space will be unavoidable as a consequence of the development, permit conditions will require the crossover width to be reduced to match the driveway width on the property, so as to provide greater scope for retaining on-street parking and street tree planting.

Relevant Particular Provisions

Clause 52.06 – Car Parking

Purpose

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-8 – Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

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- *A new use commences; or*
- *The floor area or site area of an existing use is increased; or*
- *An existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.*

The plans must show, as appropriate:

- *All car parking spaces that are proposed to be provided (whether on the land or on other land).*
- *Access lanes, driveways and associated works.*
- *Allocation of car parking spaces to different uses or tenancies, if applicable.*
- *Any landscaping and water sensitive urban design treatments.*
- *Finished levels, if required by the responsible authority.*
- *Any other matter specified in a schedule to the Parking Overlay.*

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

Comment:

The submitted plans show the requisite information; however detail of finished levels and surface treatments will be required as a condition of the permit.

Clause 52.06-9 – Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

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Design standard 1 – Accessways

Accessways must:

- *Be at least 3 metres wide.*
- *Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.*
- *Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.*
- *Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.*
- *If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.*
- *Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.*
- *Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.*

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

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Table 2: Minimum dimensions of car parking spaces and accessways

Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m

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Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.*
- A structure, which may project into the space if it is at least 2.1 metres above the space.*

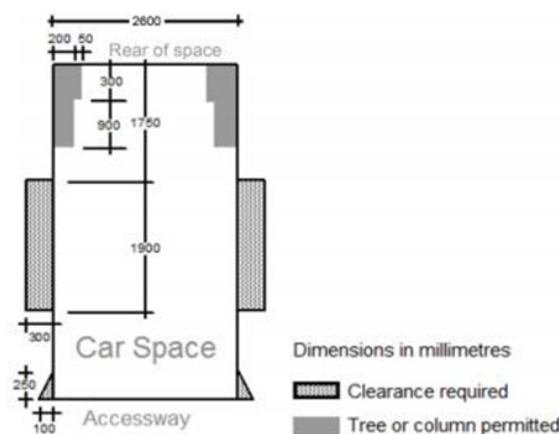
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Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

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Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

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Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Comment:

The provided car parking spaces do not meet the design requirements of Design Standard 1 and 2 with respect to Dwelling 1, in that the requirement for corner splay visibility and tandem car parking length are not met (refer drawing sheet TP03). While the proponent cannot address the constraint of the wall on the neighbouring property, the proponent has introduced an additional intrusion by way of the design of Bedroom 1. Given the constraints imposed on the abutting site, there is no support to increase the level of intrusions into the visibility splays where the proponent can reasonably avoid such issue.

Design standard 2 provides for car parking spaces in tandem arrangement that '*an additional 500 mm in length must be provided between each space*'. The design requirement for a space is 4.9 metres, or 5.4 metres with the additional buffer for tandem parking. The site currently provides a tandem space length of 5.17 metres.

As a result of the above, a condition will be imposed requiring Bedroom 1 of Dwelling 1 to be redesigned so as to ensure that no encroachment occurs into the corner splay area, and to provide for any subsequent internal changes required as a result. A condition will also be imposed requiring the length of the tandem car space (driveway space) to be increased to 5.4 metres, to provide the required 500mm buffer between spaces.

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Clause 52.06-10 – Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- *The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.*
- *The ease and safety with which vehicles access and circulate within the parking area.*
- *The provision for pedestrian movement within and around the parking area.*
- *The provision of parking facilities for cyclists and disabled people.*
- *The protection and enhancement of the streetscape.*
- *The provisions of landscaping for screening and shade.*
- *The measures proposed to enhance the security of people using the parking area particularly at night.*
- *The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.*
- *The workability and allocation of spaces of any mechanical parking arrangement.*
- *The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.*
- *The type and size of vehicle likely to use the parking area.*
- *Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.*
- *The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.*
- *Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).*
- *The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.*
- *Any other matter specified in a schedule to the Parking Overlay.*

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Comment:

Suitable numbers of car parking spaces according with the requirements of this clause are provided to each dwelling. While modifications to the parking arrangements for dwelling 1 are required to achieve compliance with the design standards of this clause, it is considered that the car parking arrangements and locations are suitable and respond positively to the matters that Council is required to consider.

Clause 53.01 – Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Comment:

The Schedule to Clause 53.01 does not stipulate a mandatory public open space contribution to apply to the subdivision of residential, commercial or industrial land. The face sheet of TP829490U indicates that a Public Open Space contribution has not previously been paid for the land. Therefore the relevant tests for the application of POS are found in Section 18 of the *Subdivision Act 1988*.

Section 18(1A) states (*inter alia*):

The Council may only make a public open space requirement if it considers that, as a result of the subdivision, there will be a need for more open space, having regard to—

- (a) the existing and proposed use or development of the land;*
- (b) any likelihood that existing open space will be more intensively used after than before the subdivision;*
- (c) any existing or likely population density in the area of the subdivision and the effect of the subdivision on this;*
- (d) whether there are existing places of public resort or recreation in the neighbourhood of the subdivision, and the adequacy of these;*
- (e) how much of the land in the subdivision is likely to be used for places of resort and recreation for lot owners;*
- (f) any policies of the Council concerning the provision of places of public resort and recreation.*

It is considered that the development and subdivision of the land would be likely to lead to an increased use of Public Open Space than what is currently found on the existing lot configuration. While the site is proximate to the CBD precinct, there are limited public parks in

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the vicinity of the subject site, and none within 400 metres (the closest public space is the Mildura riverfront, approximately 470m to the north). There is a distinct shortage of public recreation facilities within the Mildura CBD area, which will become more pronounced as the CBD is developed in accordance with the CBD plan and intensification of dwellings and mixed use developments occurs. This is acknowledged in the 2007 Mildura CBD plan, which shows the absence of POS areas on the eastern side of Deakin Avenue.

As discussed in the Clause 55 report, standards relating to the provision of private and secluded private open space are not met with respect to dwelling 2, with dwellings 1 and relying on balcony space to meet this requirement (and not ground based POS that may reduce or obviate usage of public facilities).

Consequently, issued, a condition will be imposed requiring a payment of 5% of the land value as POS in accordance with Section 18 of the Subdivision Act 1988, prior to the issue of a Statement of Compliance for the subdivision.

The decision guidelines of Clause 65

Clause 65.01 – Approval of An Application or Plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in Section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

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- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading*

Comment:

For the reasons discussed in this report, it is considered that the proposal accords with the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework and is an example of orderly planning. The extent of development propose, while greater in intensity than a number of nearby residential developments is consistent with policy guidance of the MUZ and DDO to provide for residential development at higher densities. The detailed design of the dwellings provides elements of visual interest, assists in softening more dominant elements of the dwellings, with further refinement to be sought by way of conditions on a permit.

The subject land is considered to be well suited to redevelopment, with no encumbrances in terms of native vegetation, flood, erosion or bushfire issues, nearby uses with adverse amenity impacts or other potential land use constraints. While it is acknowledged that the development will have an impact on the abutting residential property at 68 Lemon Avenue, such impacts are considered to be acceptable in this case.

Clause 65.02 – Approval of An Application to Subdivide Land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*

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- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*

Comment:

The proposed subdivision is responsive to the proposed development pattern. It is therefore considered logical for a subdivision in this form to follow. Permit conditions would be applied relating to the development of the dwellings prior to the issue of SOC.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

No relevant adopted State policies or strategies are identified.

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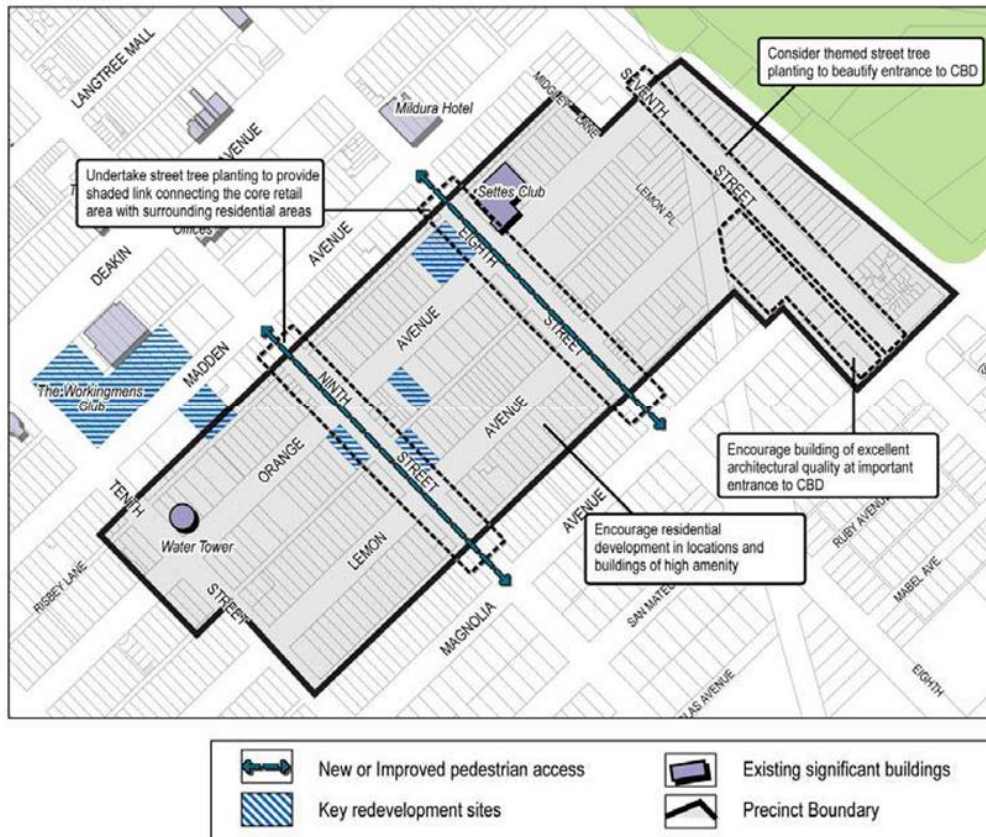
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Relevant incorporated or reference documents

Mildura CBD Plan 2007

Precinct G – Eastern Mixed Use

Precinct G



Description

The Eastern Mixed Use Precinct comprises the Mixed Use Zoned area on Orange Avenue and Lemon Avenue between Tenth and Seventh Streets, and extends along Seventh Street to San Mateo Avenue.

Issues & opportunities

The Mixed Use zoned land in this Precinct encompasses a wide range of uses including car repairs, showrooms, office, and both old and new residential dwellings. The current development pattern emerging is not achieving the objectives of the zone and more defined

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directions are required to separate incompatible uses. There is potential to cluster like uses within the zone to avoid conflicting land use types.

Residential uses at upper levels of commercial premises and redevelopment for medium density housing should be encouraged in this Precinct. Smaller retail showrooms and corner stores could be dispersed throughout the precinct to serve residents and workers alike.

A main entrance to the CBD, approaching from the NSW border, is undefined and unattractive. Enhancing the appeal of this entrance to the CBD would reinforce the image of the CBD as the primary retail hub and may attract more visitors to the CBD, particularly visitors driving through Mildura to get to other destinations and shoppers from NSW currently bypassing the CBD for the Fifteenth Street Precinct.

The priority pedestrian routes along Eighth Street and Ninth Street should be improved to enhance safety and access to the western part of the CBD.

Vision

The eastern mix use precinct will continue its service role. It will be a growth area of the CBD with more activity generated by the increase in offices and residents in the area. Incompatible land uses and the ensuing interface issues will be avoided through clustering of like uses within the precinct. Clear pedestrian routes along Eighth and Ninth Streets will link the precinct with central retail and entertainment functions of the CBD.

Vehicles entering Mildura across the Chaffey Bridge from New South Wales will have clear direction to key destinations within the CBD.

Objectives

- *Maintain the mixed use functions of the area.*
- *Separate incompatible land uses in the mixed use zone.*
- *Promote the eastern mix use precinct for location of smaller scale retail showroom uses.*
- *Locate light industrial uses in Orange Avenue and Lemon Avenue north of Eighth Street.*
- *Encourage residential uses at upper levels of offices and showrooms and redevelopment for medium density housing.*
- *Create a distinct gateway entrance to the CBD from the Chaffey Bridge. This should include higher built form along Seventh Street.*

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Key Actions

- *As part of a Signage Strategy, introduce clear signage at the intersection of Seventh Street and San Mateo Avenue clearly directing traffic to the CBD and marketing its attractions.*
- *Consider themed street tree planting along Seventh Street to beautify entrance to CBD.*

Comment:

The policy guidance of the Mildura CBD Plan is consistent with the general guidelines of the Mixed Use Zone with respect of this proposal, in that it seeks to encourage dwellings at higher densities than in other parts of both Mildura and the CBD area. The land uses in the surrounding area comprises residential and office based activities, which are considered to be compatible uses that allow such mixed use to continue. The proposal is considered to support the visions of the plan and the decision guidelines of the zone in this area.

Relevant Planning Scheme amendments

No relevant Planning Scheme Amendments are identified.

Response to objector concerns

- *Loss of energy efficiency and natural right as a result of overshadowing.*

Comment:

While there will be impacts as a result of this development, the proposal is considered to be consistent with the relevant objectives of Clause 55 (ResCode) with respect to this issue. As such, this is not considered to be a reason to refuse the application.

- *Potential for overlooking and associated loss of privacy as a result of the current development or future alterations to it.*

Comment:

The development is required to comply with the requirements of Standard B22 (Clause 55.04-6) which regulates overlooking standards. The development will be required to be in accordance with the endorsed plans in perpetuity, and any modifications that are made contrary to the endorsed plans will be a compliance issue.

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- *Loss of visual amenity by introducing larger built forms into the area and design of the dwellings being visually unpleasing.*

Comment:

The proposed development is different to that currently found in the area, however the form and intensity of development is encouraged by the mixed use zone and DDO3 applying to the area. Visual aesthetic is in the eye of the beholder, and while the design may not appeal to everyone, it is considered to be responsive to the design controls captured in the planning scheme and consistent with the character considerations therein.

- *Density of development/bedrooms per unit is inconsistent with other properties in the Mildura CBD.*

Comment:

The development provides for a more intense residential development outcome than those properties immediately around it. However, both State and Local Planning Policy encourage increased density for development close to jobs, transport and services; particularly in the Mildura CBD precinct. The subject land offers good connectivity, walkability and is located in an area well suited for increases in density. The Mildura CBD currently comprises a combination of older residential homes and newer, more intense built forms, which will progressively increase the overall density of the CBD area.

- *Proposal representing an overdevelopment of the land.*

Comment:

The development is more intense than other residential developments nearby; however in terms of site coverage is less intense than the abutting office at 64 Lemon Avenue. Overdevelopment is a matter that has prescriptive and subjective connotations; however the proposal meets the prescriptive requirements of ResCode with respect to site coverage, permeability and height, and is considered to meet the subjective elements of character and streetscape integration.

- *Negative effects on property values.*

Comment:

It has been regularly held by the Victorian Civil and Administrative Tribunal (VCAT) that property values are not a basis in which to oppose an application. Property values have no implicit or explicit guarantees or protections in the Victoria Planning Provisions or the Mildura Planning Scheme.

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Summary of Key Issues

Intensity of development
Compliance with ResCode
Built form outcomes

Conclusion

This application proposes the development of three (3) dwellings and a three (3) lot subdivision at the site known as 66 Lemon Avenue, Mildura, being Lot 1 TP829490U Parish of Mildura, County of Karkarooc. Having assessed the application against the relevant clauses of the Mildura Planning Scheme, it is considered that the development represents an acceptable development outcome that meets the relevant objectives of ResCode (Clause 55), improves housing diversity in an area close to transport, jobs and services, provides variation in built form and design outcomes and supports State and Local Planning Policy with respect to development in the Mildura CBD area.

The application is therefore recommended for approval.

Recommendation**Notice of Decision to Grant a Permit**

That Council, having caused notice of Planning Application No. 005.2019.00000357.001 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of Clauses 32.04-4, 32.04-6, 43.02-2 and 43.02-3 of the Mildura Planning Scheme in respect of the land known and described as 66 Lemon Avenue, Mildura; being Lot 1 TP829490U Parish of Mildura, for the development of the land with three (3) dwellings and subdivision of the land into three (3) lots, in accordance with the endorsed plans, with the application dated 12 November 2019, subject to the following conditions:

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Proposed Conditions

Development Conditions

- (1) Before the development or subdivision commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and three (3) copies must be provided.

The plans must be generally in accordance with the plans prepared by Evan Kamvissis Architecture, dated September 2019, but modified to show:

- (a) Recessing of the frontage of dwelling 1 so as to ensure no ground floor protrusions into the driveway visual splays shown, and any internal layout changes as a result;
- (b) Increased setback of dwelling 1 to provide a 5.4m long driveway car space from the edge of the garage to the property boundary, and any internal layout changes as a result;
- (c) Installation of sliding clerestory windowing along the kitchen/living area wall of Dwelling 3;
- (d) Installation of sliding clerestory windowing within the 2nd storey north facing habitable rooms of Dwellings 1 and 2;
- (e) External lighting to the area denoted as 'common area';
- (f) Reduction in the width of the crossover for dwelling 1 to no more than 3.26m, consistent with the width of the onsite driveway;
- (g) The amended on-street car parking layout, having regard to the installation of the new vehicular crossover to dwelling 1;
- (h) Provision of one (1) undercover car parking space for unit 2, as required by Clause 52.06-9;
- (i) Inclusion of notations to all windows and balconies demonstrating compliance with ResCode Standard B22 (overlooking);
- (j) Finished levels of driveways and car parking spaces;
- (k) Surface finishes for accessways and the common property area;

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- (l) Mailboxes for all units to be provided at the Lemon Avenue frontage in accordance with Australia Post requirements;
 - (m) Bin enclosures for each unit, catering for at least 3 standard Council bins;
 - (n) Landscaping in accordance with condition 3 of this permit; and
 - (o) Stormwater design in accordance with condition 4 of this permit.
- (2) The endorsed plans forming part of this permit must not be altered or modified except with the written consent of the Responsible Authority.
- (3) Concurrent with the plans required by condition 1 of this permit, 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 and three (3) copies must be provided.

The landscaping plan must be generally in accordance with the plans prepared by Evan Kamvissis Architecture, dated September 2019, but modified to show:

- (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- (b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
- (c) details of surface finishes of pathways and driveways;
- (d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
- (e) landscaping and planting within all open areas of the site;
- (f) at least 1 canopy tree in the private open space area of dwelling 2; and
- (g) at least 1 canopy tree on the Lemon Avenue road reserve, as agreed to by Council's Parks and Waste department.

All species selected must be to the satisfaction of the Responsible Authority and must be established on the site prior to the occupation of the development.

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, and any dead, dying, diseased or damaged plants are to be replaced with like for like replacements of the same or greater size.

- (4) Concurrent with the plans required by condition 1 of this permit, three (3) copies of a Stormwater 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 ensure that stormwater and drainage discharge from the development site meets current best practice performance objectives for stormwater (Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999)) and must include:

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- (a) The incorporation of on-site retention/infiltration, storage and re-use stormwater management techniques where practicable to reduce pollutant export and peak discharge from the site;
 - (b) Reduce peak discharge from the site to single dwelling levels;
 - (c) Reuse of stormwater for on-site landscaping maintenance; and
 - (d) Connection to council infrastructure.
- (5) Concurrent with the plans required by condition 1 of this permit, a Construction Management Plan (CMP) 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;
 - (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 (as required);
 - (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 contact person or project manager accountable for the project and compliance with the CMP; and
 - (g) Arrangements for waste collection and other services to be provided during construction;
- (6) Prior the occupation of the development, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather-seal coat; and
 - (d) drained
- to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
- (7) Except with the written consent of the Responsible Authority, the development permitted by this permit must not be occupied until the development has been completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to built form and layout, parking, landscaping, drainage, street numbering and replacement/replanting of street trees).
- (8) Except with the written consent of the Responsible Authority, no equipment, services, architectural features or structures of any kind, including telecommunications facilities,

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other than those shown on the endorsed plans shall be permitted above the roof level of the building.

- (9) Any rooftop plant or mechanical equipment (including service equipment) must be screened to the satisfaction of the Responsible Authority.
- (10) Before the occupation of the development, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- (11) Before the building is occupied, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) At the full cost of the permit holder; and
 - (b) To the satisfaction of the Responsible Authority.

Subdivision Conditions

- (12) Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must either:
 - (a) Complete the development approved by this planning permit to slab stage (at a minimum) in accordance with the endorsed development plans forming part of this permit to the satisfaction of the Responsible Authority. Evidence must be submitted which demonstrates that the development is completed to this stage or greater the satisfaction of the Responsible Authority;
 - or
 - (b) Enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*, which provides that all lots as shown on the endorsed plans must be developed in accordance with the endorsed plans forming part of Planning Permit 005.2019.00000357.001 (or subsequent amendments to this permit).

All costs relating to the Section 173 agreement must be borne by the permit holder.
- (13) All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act 1988*.
- (14) Prior to the issue of a Statement of Compliance for the subdivision hereby approved, the permit holder must pay a public open space contribution of 5% of the value of the land in accordance with Section 18 of the *Subdivision Act 1988*.
- (15) The owner of the land must enter into an agreement with:
 - (a) A telecommunications network or service provider for the provision of telecommunication services to each lots shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

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- (b) A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- (c) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- (d) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Engineering Services Conditions

- (16) All stormwater discharge and detention systems must be developed in accordance with the endorsed stormwater management plan, prior to the occupation of the development or the issue of a Statement of Compliance, whichever occurs first. The stormwater discharge and detention systems must be maintained to the satisfaction of the Responsible Authority for the life of the development.
- (17) Any car park line marking to be removed must be undertaken using emulsion and grit, and any new line marking must be completed prior to the occupation of the development. All works must be at the full cost of the developer.
- (18) New concrete driveways must be constructed prior to the occupation of the development or the issue of a Statement of Compliance, whichever comes first. A road opening permit must be obtained prior to any driveway works commencing.
- (19) Prior to the occupation of the development or statement of compliance (whichever occurs first), the pavement of Wightman Lane must be constructed to the boundary line of the subject site for the full length of the site, to the satisfaction of the Responsible Authority.

Lower Murray Water Conditions

- (20) The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to Lower Murray Water pursuant to Section 8 of that Act.
- (21) 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.
- (22) The holder of this permit or authorised agent must meet Lower Murray Water's requirements regarding easements in favour of the Lower Murray Urban and Rural Water Corporation prior to the submission of any plan of subdivision for Certification.

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Powercor Conditions

- (23) This letter shall be supplied to the applicant in its entirety.
- (24) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- (25) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
- (26) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Permit Expiry

- (27) The above-mentioned planning permit as it relates to development will expire if either of the following circumstances arise:

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

The above-mentioned planning permit as it relates to subdivision will expire if either of the following circumstances arise:

- (c) The plan of subdivision is not certified within two (2) years of the date of this permit; or
- (d) The subdivision is not completed within five (5) years of the date of certification.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

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Planning Referral Committee

The application was referred to the Planning Referral Committee on 27 April 2020. The committee made a recommendation to approve the application consistent with the officer recommendation.

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ATTACHMENT – ASSESSMENT AGAINST CLAUSE 55 *last updated VC164*

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE				
55.02-1 Neighbourhood Character	Met?	Standard B1	Met?	Comments
<p><i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p>	Yes	<i>The design response must be appropriate to the neighbourhood and the site.</i>	Yes	Complies – see description below.
		<i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	Yes	<p>The Mildura Planning Scheme does not specify a preferred neighbourhood character for this area (although it is noted that the site is proximate to the Mildura CBD, where redevelopment of land is generally supported).</p> <p>The typology of the area varies greatly, with dwellings and mixed use developments of varying ages, materials, colours, setbacks, heights and bulk, with no consistent character theme present. The designation of the site within the mixed use zone, coupled with DDO3 seeking more intense development with smaller street setbacks. Landscaping in private properties typically is low scale and comprises planted exotic varieties. More substantive landscaping is found in the centre median of Lemon Avenue, providing the predominant landscape feel to the area.</p> <p>Rear access is provide to the majority of lots on both sides of Lemon Avenue between Eighth and Ninth Streets. As a consequence, on-street car parking is provided along almost all of Lemon Avenue in this area, with the frontages of some dwellings nested behind roadside vegetation as minimal crossovers encroach on the frontages.</p> <p>The proposed dwellings are quite different in form and architectural style from the existing streetscape; however different does not mean that it is contrary to character. Neighbourhood character is subjective, and within this streetscape there are</p>

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				examples of developments small and large, dominant and recessed, bright and neutral that all form part of the streetscape. Subject to the imposition of appropriate conditions requiring modifications to address certain development matters (such as car parking), the design is considered to be acceptable with regards to character considerations.
55.02-2 Residential Policy	Met?	Standard B3	Met?	Comments
<p><i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework</i></p> <p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i></p>	Yes	<p><i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework</i></p>	Yes	The requisite statement has been provided with the application.
55.02-3 Dwelling Diversity	Met?	Standard B3	Met?	Comments
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	N/A	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</i></p> <ul style="list-style-type: none"> <i>Dwellings with a different number of bedrooms.</i> <i>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i> 	N/A	N/A – Less than 10 dwellings
55.02-4 Infrastructure	Met?	Standard B4	Met?	Comments
<p><i>To ensure development is provided with appropriate utility services and infrastructure.</i></p> <p><i>To ensure</i></p>	Yes	<p><i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i></p> <p><i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and</i></p>	<p>Yes</p> <p>Yes</p>	<p>Dwellings would be connected to reticulated service in accordance with the relevant service authority requirements.</p> <p>The development would be unlikely to lead to capacity issues within the existing utility and infrastructure network.</p>

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development does not unreasonably overload the capacity of utility services and infrastructure.		roads.		
		In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Yes	As above.
55.02-4 Integration With The Street	Met?	Standard B5	Met?	Comments
To integrate the layout of development with the street	Yes	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Yes	Complies.
		Development should be oriented to front existing and proposed streets	No	Dwellings 1 and 3 are orientated to Lemon Avenue and Wightman Lane respectively. While dwelling 2 does not directly interact with the streetscape, sufficiently wide common property access is provided so as to distinguish the development and provide a suitable level of integration with the streetscape.
		High fencing in front of dwellings should be avoided if practicable	Yes	No front fencing proposed.
		Development next to existing public open space should be laid out to complement the open space.	N/A	N/A

55.03 SITE LAYOUT AND BUILDING MASSING				
55.03-1 Street Setback	Met?	Standard B6	Met?	Comments
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site	Yes	<p>Walls of buildings should be set back from streets the distance specified below:</p> <p>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</p> <p>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</p> <p>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner:</p> <ul style="list-style-type: none"> The same distance as the setback of the front wall of the 	No	<p>The proposed dwelling fronting Lemon Avenue provides a staggered street setback of 0.32 – 0.69 metres from the ground floor wall (excluding upper floor protrusions which reach to the boundary in the same staggered formation). The adjacent properties (64 and 68 Lemon Avenue) are set back 2.9 and 9.9 metres respectively (it is noted that the permit applicant states greater setbacks of 3 and 10.57 metres respectively). Therefore the required setback under the Standard is 6.4 metres.</p> <p>The decision guidelines of Clause 55.03-1 require Council to consider the visual impact of the building(s) when viewed from the street and adjoining properties, as</p>

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		<p><i>existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i></p> <p><i>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i></p> <p><i>The site is on a corner.</i></p> <p><i>Min front setback if there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>Min front setback if there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i></p> <p><i>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i></p> <p><i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i></p>		<p>well as whether a different setback would be more appropriate and makes efficient use of the site.</p> <p>The proposed dwellings present to Lemon Avenue as two-storey dwellings, however such presentation is broken up by the inclusion of the upper balcony (and associated recessing of the bulk for the upper storey), material variations and staggered setbacks. While the development will still be forward of those around it, this is also supported by the DDO applying to the land which encourages no front or side setbacks in this area. Such scheme guidance is important in considering the existing and future development typology of the surrounding streetscape, and will inform the future character of same.</p>
		<p><i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach ≤ 2.5m into the setbacks of this standard</i></p>	No	<p>The balcony/verandah is less than 3.6m high above NGL, with maximum encroachment of 3.7m into this standard (as measured from the edge of B2 to the corner of the balcony). For the reasons discussed above, this encroachment is considered to be acceptable.</p>
55.03-2 Building Height	Met?	Standard B7	Met?	Comments
<i>To ensure that the</i>	Yes	<i>The maximum building height should</i>	Yes	Maximum height = 6.45m above

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height of buildings respects the existing or preferred neighbourhood character		not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.		NGL.
		Changes of building height between existing buildings and new buildings should be graduated.	Yes	While the streetscape typically comprises single storey dwellings (which form part of the character of the area as discussed at Standard B1), the transition from single to double storey dwelling heights is considered acceptable. The maximum height of 6.45m is an acceptable height for a double storey dwelling, particularly contrasted against the typical heights that double storey dwellings with high pitched rooves offer.
55.03-3 Site Coverage	Met?	Standard B8	Met?	Comments
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site	Yes	The site area covered by buildings should not exceed 60 per cent	Yes	Site coverage = 58.7%
55.03-4 Permeability	Met?	Standard B9	Met?	Comments
To reduce the impact of increased stormwater run-off on the drainage system	Yes	The site area covered by the pervious surfaces should be at least 20% of the site	Yes	Permeable area = 30.2%
To facilitate on-site stormwater infiltration	Yes			
55.03-5 Energy Efficiency	Met?	Standard B10	Met?	Comments
To achieve and protect energy efficient dwellings and residential buildings To ensure the orientation and layout of development reduce fossil fuel energy use and	Yes	Buildings should be: <ul style="list-style-type: none"> • Orientated to make appropriate use of solar energy • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced • Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, 	Yes	The proposed dwellings are orientated so as to appropriately capture solar energy in upper level bedrooms. The living spaces on the ground floor, particularly dwellings 1 and 2 and bedrooms 1 and 2 of dwelling 3 will receive low levels of solar energy by virtue of existing buildings blocking solar access, however in light of the abutting development at 64 Lemon Avenue occupying almost

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make appropriate use of daylight and solar energy		Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged		all of that site, this is unavoidable. Permit conditions (discussed below) will improve solar access outcomes for the proposed dwellings. The proposed dwelling layout does not affect any rooftop solar facilities. While the abutting dwelling at 68 Lemon Avenue will experience a reduction in sunlight to the property as a result of the development, the extent of reduction shown in the overshadowing diagrams is not considered to be unreasonable.
		Living areas and private open space should be located on the north side of the development if practicable	Yes	POS are appropriately orientated to capture the northern aspect. Living areas have not been orientated to this effect, but in the case of dwellings 1 and 2 such areas would be shielded by the abutting dwelling, while permit conditions will require the installation of windows above 1.7m in height in dwelling 3 to provide suitable sunlight (clerestory windows) to the living area.
		Developments should be designed so that solar access to north-facing windows is maximised	Yes	The development does not maximise solar access; however permit conditions will require clerestory windows to north facing habitable rooms to maximise solar access.
55.03-6 Open Space	Met?	Standard B11	Met?	Comments
To integrate the layout of the development with any public and communal open space provided in or adjacent to the development	N/A	If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate • Provide outlook for as many dwellings as practicable • Be designed to protect any natural features on the site • Be accessible and useable 	N/A	Not applicable to this application.

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55.03-7 Safety	Met?	Standard B12	Met?	Comments
<i>To ensure the layout of development provides for the safety and security of residents and property</i>	Yes	<i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i>	No	The proposed dwelling layout to results in the entrance to dwelling 2 being partially obscured, by orientating the entrance point perpendicular to the accessway with no protrusion or prominence. However, it is considered that the proposed layout, including direct line of sight to the front door of dwelling 3 ensures that the safety and security of residents and property will be achieved.
		<i>Planting which creates unsafe spaces along streets and accessways should be avoided</i>	Yes	Trailing/climbing vegetation is proposed along the boundary wall abutting the common property, which will not lead to such space being unsafe.
		<i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i>	Yes	As noted above, the access point to dwelling 3 provides a sense of visibility and surveillance to the common property access way. The use of upper storey balconies fronting Lemon Avenue and Wightman Lane further adds to a sense of passive surveillance. Permit conditions will require the installation of low intensity lighting for the common area, to provide night time security.
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i>	Yes	No thoroughfare opportunities are presented.
55.03-8 Landscaping	Met?	Standard B13	Met?	Comments
<i>To encourage development that respects the landscape character of the neighbourhood</i> <i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</i> <i>To provide appropriate landscaping</i>	Yes	<i>The landscape layout and design should:</i> <ul style="list-style-type: none"> <i>Protect any predominant landscape features of the neighbourhood</i> <i>Take into account the soil type and drainage patterns of the site</i> <i>Allow for intended vegetation growth and structural protection of buildings</i> <i>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</i> <i>Provide a safe, attractive and functional environment for residents</i> 	Yes	There are no predominant landscape features of the neighbourhood as they relate to private property, with built form occupying the majority of sites being the main development form. Landscaping character is primarily derived from the public realm, which will not be altered by this proposal. Detailed landscaping will be required as a condition of permit, including provision for a canopy tree and various lower and middle storey vegetation.
		<i>Development should provide for the retention or planting of trees, where</i>	Yes	Sufficient space is provided in the POS/SPOS that trees could be

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To encourage the retention of mature vegetation on the site		these are part of the character of the neighbourhood		planted and accommodated on the site, particularly for dwelling 2. The provision of a canopy tree in this area will be required by way of permit condition.
		Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made	No	The development does not provide for the replacement of the trees that have been removed on the site prior to the making of this application. While the permit applicant is correct in stating that these trees were not specifically identified in the scheme as being of significance, the intent of these provisions is to ensure that mature trees that add to the character and vitality of an area are not lost, and when lost appropriately replaced. Permit conditions will ensure that vegetation is planted to ensure that the objective of this clause continues to be met.
		The landscape design should specify landscape themes, vegetation (location and species), paving and lighting	No	No such detail has been provided. The permit applicant has requested that such information be provided by permit conditions upon grant of a permit. In this instance, this is considered acceptable, however the deference to providing information after an assessment is undertaken results in significant challenges in considering the proposal in its entirety and the benefit that landscaping and landscaping themes can offer in minimising potential visual impacts from the development.
55.03-9 Access	Met?	Standard B14	Met?	Comments
To ensure the number and design of vehicle crossovers respects the neighbourhood character	Yes	The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> 33% of the street frontage, or if the width of the street frontage is less than 20m, 40% of the street frontage 	Yes	Total frontage <20 metres. Crossover frontage = 37% (before conditions requiring reduction in width) - Complies
		No more than one single-width crossover should be provided for each dwelling fronting a street	No	One crossover is provided for the dwelling fronting Lemon Avenue, whereas the entirety of the rear of the site will be available for vehicular access. It is noted that the crossover to Lemon Avenue is shown as 3.7 metres; notably wider than a standard 3m wide single-width crossover. Given that the driveway width on the site is 3.26m wide from wall to wall,

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				permit conditions will require the crossover to be no wider than this, which will subsequently minimise the impact of the development on Council's on-street car parking spaces, consistent with the decision guidelines of this clause.
		<i>The location of crossovers should maximize the retention of on-street car parking spaces</i>	No	The proposal results in the loss of one to two on street car parks, which could be retained in the current development form as a result of rear lane access being provided. It is also possible to redevelop the site with more intense housing, while retaining the rear lane access. Notwithstanding this, Lemon Avenue does have other vehicular crossovers, and the underlying objective of this clause; being to respect the neighbour character, is still met as a consequence.
		<i>The number of access point to a road in a Road Zone should be minimised</i>	N/A	Does not adjoin a road in a Road Zone.
		<i>Developments must provide access for service, emergency and delivery vehicles</i>	Yes	Access can be provided to each dwelling for service, emergency and delivery vehicles.
55.03-10 Parking Location	Met?	Standard B15	Met?	Comments
<i>To provide convenient parking for resident and visitor vehicles</i>	Yes	Car parking facilities should: <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings • Be secure • Be well ventilated if enclosed 	Yes	Car parking facilities are provided close to the dwellings, are secure and provide appropriate ventilation.
<i>To protect residents from vehicular noise within developments</i>		<i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</i>	Yes	Complies.

55.04 AMENITY IMPACTS

55.04-1 Side And Rear Setback	Met?	Standard B17	Met?	Comments
<i>To ensure that the height and setback of a building from a boundary respects the existing or preferred</i>	Yes	<i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every</i>	No	Dwelling 1 encroaches into this standard by 845mm (with 1.855m being the required setback at the applicable height of 6.45m). Dwelling 2 encroaches into this

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<i>neighbourhood character and limits the impact on the amenity of existing dwellings</i>	<i>metre of height over 6.9 metres.</i>		<p>standard in completeness; by developing a wall height of 6.25m at the boundary. However this is addressed as part of Standard B18. A part of the retreat encroaches on this standard, however the extent of non compliance is minimal and does not directly about a habitable room window that could be affected.</p> <p>Dwelling 3 encroaches into this standard by 885-1495mm (at the rear taper).</p> <p>The encroachment of Dwelling 1 is predominantly in line with the front setback of the abutting dwelling, with no overlap to habitable room windows of the dwelling. The amenity impacts of such an outcome are therefore lower than if the development aligned with the neighbouring dwelling.</p> <p>The encroachment of Dwelling 3 is significant, however the inclusion of the taper minimises the maximum extent of the impact. As shown in relation to overshadowing, the encroachments do not unreasonably affect the secluded private open space on the abutting lot, and the architectural design and material variations provide an element of visual interest that would detract from the bulk of the building. For reasons previously discussed, the encroachments are not considered to be detrimental to the neighbourhood character of the area.</p>
	<i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard</i>	N/A	No such encroachment into the standard beyond that discussed above.
	<i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i>	N/A	No such encroachment into the standard.

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55.04-2 Wall On Boundaries	Met?	Standard B18	Met?	Comments
<i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i>	Yes	<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i></p> <p><i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i></p> <p><i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i></p>	N/A	Complies on both boundaries (simultaneous walls on north-eastern boundary and less than the permitted 19.375m on the south-western boundary).
		<i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i>	N/A	Not applicable to this development.
		<i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i>	No	The height of the wall on the north-eastern boundary of dwelling 2 exceeds the height specified in this provision, as well as the height of the abutting wall. The property abutting to this side is a commercial (office) use/development and as such does not need to be afforded amenity in the same manner as a dwelling. As discussed previously, it is considered that the development is not adverse to the character of the area.
55.04-3 Daylight To Existing Windows	Met?	Standard B19	Met?	Comments
<i>To allow adequate daylight into existing habitable room windows</i>	Yes	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i>	Yes	No adverse effect on daylight access to existing habitable room windows of adjoining properties are expected; as the design has provided clearance between dwellings where the habitable room windows of the dwelling at 68 Lemon Avenue are.

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		Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window Refer to Diagram B2	N/A	The garage walls are not opposite to any existing habitable room windows.
55.04-4 North Facing Windows	Met?	Standard B20	Met?	Comments
To allow adequate solar access to existing north-facing habitable room windows	Yes	If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. Refer to Diagram B3	Yes	No proposed walls abut existing habitable room windows, as noted above.
55.04-5 Overshadow Open Space	Met?	Standard B21	Met?	Comments
To ensure buildings do not significantly overshadow existing secluded private open space	Yes	Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced	Yes	While the dwelling at 68 Lemon Avenue will not have 40m ² of SPOS in sunlight at the 9-10am interval, by 10am the dwelling shadows will be reduced such that compliance is achieved for the required 5 hours.
			N/A	See above.
55.04-6 Overlooking	Met?	Standard B22	Met?	Comments
To limit views into existing secluded private open space and habitable room	Yes	A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open	Yes	Conditions will be imposed requiring notations on the plan for all balcony balustrading where overlooking is of concern to be

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windows		space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level		screened/obscured to a height of 1.7m (such requirement is noted in the applicants' written submission). Conditions will also require all second storey habitable room windows where overlooking into SPOS is of concern to contain similar notations.
		A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> offset a minimum of 1.5m from the edge of one window to the edge of the other have sill heights of at least 1.7m above floor level have fixed, obscure glazing in any part of the window below 1.7m above floor level have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent 	Yes	As above.
		Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard	N/A	Not required.
		Screens used to obscure a view should be: <ul style="list-style-type: none"> perforated panels or trellis with a maximum of 25% openings or solid translucent panels permanent, fixed and durable designed and coloured to blend with the development 	N/A	Not required.
55.04-7 Internal Views	Met?	Standard B23	Met?	Comments
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development	Yes	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development	Yes	The dwellings have been designed so as to prevent internal overlooking issues.

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55.04-8 Noise Impacts Objective	Met?	Standard B24	Met?	Comments
<p>To contain noise sources in developments that may affect existing dwellings</p> <p>To protect residents from external noise</p>	Yes	Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings	N/A	No mechanical plant is shown on the submitted plans.
		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties	Yes	No adverse noise sources are identified on adjacent properties.
		Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms	N/A	N/A

55.05 ON-SITE AMENITY AND FACILITIES				
55.05-1 Accessibility	Met?	Standard B25	Met?	Comments
To encourage the consideration of the needs of people with limited mobility in the design of developments	Yes	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Yes	Entrances to dwellings are at a grade suitable for persons with limited mobility. It is noted however that the location of the tandem car parking could result in issues for persons with limited mobility accessing the entrance of dwelling 1, however further modifications to this area will be required by way of conditions.
55.05-2 Dwelling Entry	Met?	Standard B26	Met?	Comments
To provide each dwelling or residential building with its own sense of identity	Yes	<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> be visible and easily identifiable from streets and other public areas provide shelter, a sense of personal address and a transitional space around the entry 	No	The dwellings provide a common pedestrian accessway to dwellings 2 and 3, whereas a separate access point is provided for dwelling 1. The access point for dwelling 2 is not readily identifiable; being perpendicular to the accessway and screened behind dwelling 1. However, it is considered that the development as a whole provides each dwelling with a sense of identity, a different dwelling design and different interface and prominent characteristics that the underlying objective is considered to be met.
55.05-3 Daylight To New Windows	Met?	Standard B27	Met?	Comments
To allow adequate daylight into new habitable room windows	Yes	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including 	Yes	Complies.

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		<i>land on an abutting lot, or</i> <ul style="list-style-type: none"> <i>a verandah provided it is open for at least one third its perimeter, or</i> <i>a carport provided it has two or more open sides and is open for at least one third of its perimeter</i> 		
55.05-4 Private Open Space	Met?	Standard B28	Met?	Comments
To provide adequate private open space for the reasonable recreation and service needs of residents	Yes	<p>A dwelling or residential building should have private open space:</p> <ul style="list-style-type: none"> an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or a roof-top area of 10sqm with a min width of 2m and convenient access from a living room 	No	<p>The requisite private and secluded private open space is provided to Dwellings 1 and 3 (Dwelling 1 having 14.5m² of balcony space with convenient access from the 'retreat', and Dwelling 3 having 14.9m² with convenient access from the 'living' area.</p> <p>Dwelling 2 is not afforded balcony/rooftop space, and is provided 30.4m² of combined POS/SPOS at the rear of the dwelling. Such area contains minimum dimension of 4.5 metres and is easily accessible from the living room. The POS/SPOS is located on the north side of the property which will provide some benefit (although as discussed below, adjacent building wall heights limit sunlight penetration to this area). While landscaping will be required to be provided which is not currently shown, the space is accessible and of a dimension to be usable in entirety.</p> <p>The subject site is located approximately 470m from the Mildura Riverfront, which offers significant public open space and amenities for residents.</p> <p>In considering whether the objective of this clause is met, the Responsible Authority must consider:</p> <ul style="list-style-type: none"> The design response. The useability of the private open space, including its size and accessibility. The availability of and access to public or communal open space. The orientation of the lot to the

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				<p><i>street and the sun</i></p> <p>Having regard to these factors, it is considered that while the numerical standard is not met, the objective of this clause is achieved with respect of Dwelling 2.</p>
55.05-5 Solar Access To Open Space	Met?	Standard B29	Met?	Comments
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i>	Yes	<p><i>The private open space should be located on the north side of the dwelling or residential buildings</i></p> <p><i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall</i> Refer to Diagram B29</p>	Yes	<p>All dwellings provide open space with northern orientations as practicably achieved as can be on the subject site.</p>
			No	<p>The secluded private open space of Dwelling 2 is encumbered by the existing boundary wall of the office at 64 Lemon Avenue. Given the small width of lots in this area, and planning scheme direction that development in this area not provide front or side setbacks (see schedule 3 to Clause 43.02), it is considered that strict compliance with this standard is counter-productive to the stated planning scheme goals for this area.</p> <p>In considering whether the objective of this clause is met, the Responsible Authority must consider:</p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>The useability and amenity of the secluded private open space based on the sunlight it will receive.</i> <p>The shadowing diagrams provided acknowledge that much of this area will not receive sunlight across the day at the equinox. However, given the climatic conditions of Mildura, the high intensity built form sought in this area, the design response providing such SPOS on the northern interface (where a less intense development would still face such issues) and the opportunities for external recreation, it is considered that the objective of this clause is still met in this instance.</p>

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55.05-6 Storage	Met?	Standard B30	Met?	Comments
To provide adequate storage facilities for each dwelling	Yes	Each dwelling should have convenient access to at least 6m ³ of externally accessible, secure storage space	Yes	The requisite externally accessible, secured space is provided to each dwelling.

55.06 DETAILED DESIGN				
55.06-1 Design Detail	Met?	Standard B31	Met?	Comments
To encourage design detail that respects the existing or preferred neighbourhood character	Yes	The design of buildings, including: <ul style="list-style-type: none"> • Facade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.	Yes	For the reasons discussed throughout this assessment, it is considered that the proposals' detailed design elements are commensurate with the existing or preferred neighbourhood character of the area. The design provides an element of visual interest, with variations in materials, use of cantilevered spaces to recess what would otherwise be dominant elements of the design and the use of varying wall angles all add to provide a diverse and varied design outcome that will not be at odds with the existing prevailing built form of the immediate area.
		Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character	Yes	The garage door (dwelling 1 only) is a single width panel roller doors, which are typical of such developments. The garage is recessed behind the front of the dwelling, removing visual dominance of this feature, with the use of a cantilevered balcony to further soften the garage in the landscape. Dwellings 2 and 3 utilise rear lane access where the presence of garaging and carports commonly occupies the frontage; however noting that the design will present the dwelling as the dominant feature in the laneway.
55.06-2 Front Fences	Met?	Standard B32	Met?	Comments
To encourage front fence design that respects the existing or preferred neighbourhood character	N/A	The design of front fences should complement the design of the dwelling and any front fences on adjoining properties	N/A	No front fencing proposed.
		A front fence within 3m of a street should not exceed: <ul style="list-style-type: none"> • Streets in a Road Zone – 2m • Other Streets – 1.5m 	N/A	As above.
55.06-3 Common Property	Met?	Standard B33	Met?	Comments
To ensure that	Yes	Developments should clearly	Yes	The only area of common property

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<i>communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i> <i>To avoid future management difficulties in areas of common ownership</i>			<i>delineate public, communal and private areas</i>		is the pedestrian access from Lemon Avenue to Dwellings 2 and 3. This is considered appropriate to be held as common property area.
			<i>Common property, should be functional and capable of efficient management</i>	Yes	Such common property is considered to be functional and capable of efficient management.
55.06-4 Site Service	Met?	Standard B34	Met?	Comments	
<i>To ensure that site services can be installed and easily maintained</i> <i>To ensure that site facilities are accessible, adequate and attractive</i>	Yes	<i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i>	Yes	Sufficient space is provided for services to be installed and maintained for each lot.	
		<i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i>	Yes	The details of bin and recycling enclosures, mailboxes and other site facilities will be required to be shown by way of permit condition. There is sufficient space to cater for such services.	
		<i>Bin and recycling enclosures should be located for convenient access</i>	Yes	Bin enclosures will be required to be shown as a condition of the permit. There is sufficient space in garages and adjacent to storage areas to appropriately cater for same. It is noted that the applicant has included in the written submission that this is where such storage will occur.	
		<i>Mailboxes should be provided and located for convenient access</i>	Yes	One mailbox is shown for Dwelling 1 (fronting Lemon Avenue). The applicant states that other mailboxes are adjacent to the pedestrian access, however this is not clear on the plans. Permit conditions will require all mailboxes to be shown at the Lemon Avenue frontage according with Australia Post requirements.	



TOWN PLANNING SET FOR
66 LEMON AVENUE, MILDURA

DESIGN ANALYSIS	
PROJECT OVERVIEW	DA01
LOCAL CONTEXT	DA02
PHOTO ANALYSIS	DA03
DESIGN RESPONSE	
DESIGN RESPONSE PLAN	DR01
LOOK & FEEL	DR02 - DR04
TOWN PLANNING	
SITE PLAN	TP01
PROPOSED SUBDIVISION PLAN	TP02
DWELLING 01 GROUND FLOOR PLAN	TP03
DWELLING 02 & 03 GROUND FLOOR PLAN	TP04
DWELLING 01 FIRST FLOOR PLAN	TP05
DWELLING 02 & 03 FIRST FLOOR PLAN	TP06
DWELLING 01 ROOF PLAN	TP07
DWELLING 02 & 03 ROOF PLAN	TP08
ELEVATIONS - DWELLING 01 NORTH + SOUTH + STREETSCAPE	TP09
ELEVATIONS - DWELLING 02 & 03 NORTH + SOUTH	TP10
ELEVATIONS - EAST	TP11
ELEVATIONS - WEST	TP12
SHADOW ANALYSIS	TP13 - TP14
MATERIALS & FINISHES	TP15
3D PERSPECTIVES	TP16 - TP26





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REV	DATE	DETAILS

SHEET NAME
COVER SHEET

PROJECT
66 LEMON AVENUE, MILDURA
CLIENT NAME
JOSIE CHALFARO

DATE	SEPTEMBER 2019
SCALE	1:50 AT A1 / 1:100 AT A3
DWG No.	1911
SHEET No.	00
REVISION	



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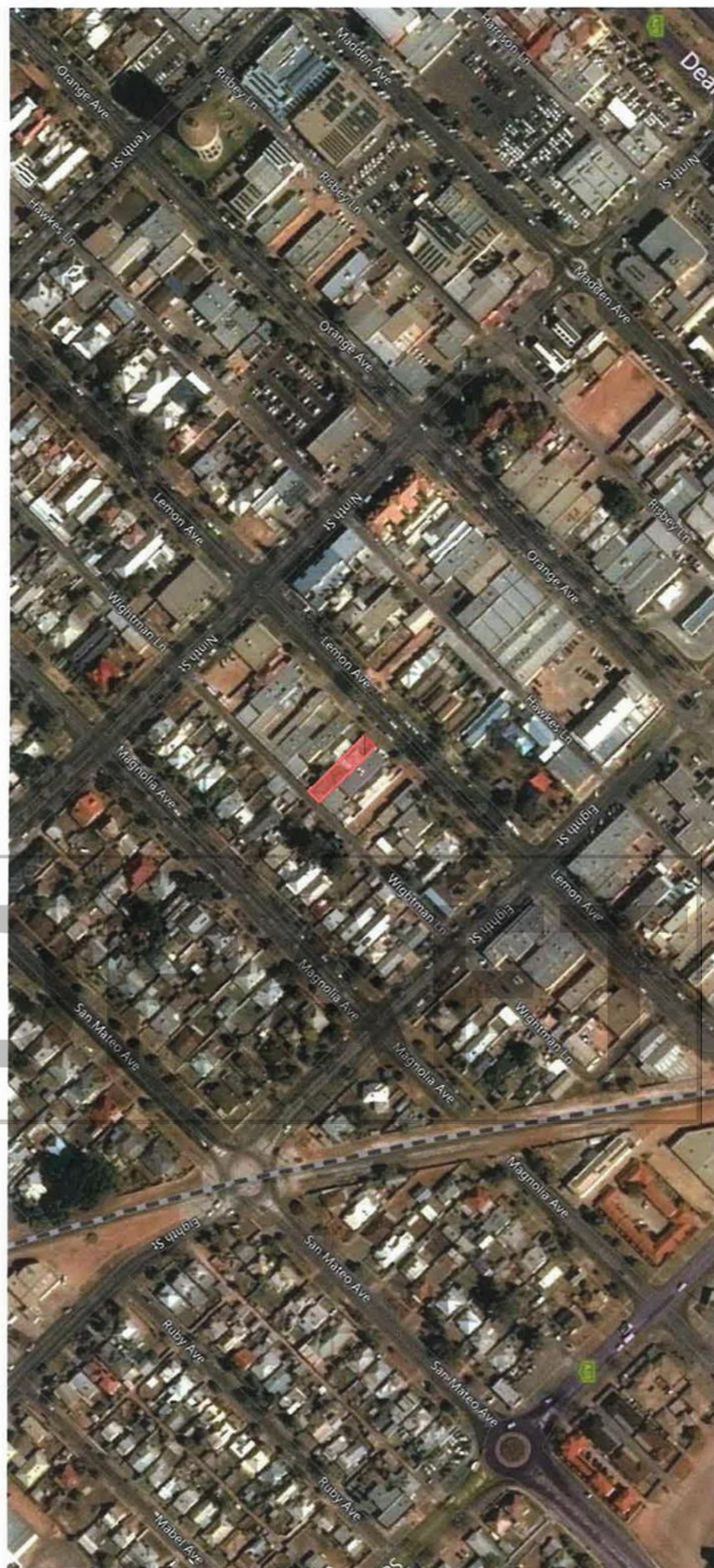
SHEET NAME
PROJECT OVERVIEW

PROJECT
68 LEMON AVENUE, MILDURA
CLIENT NAME
JOSY CHALUPO

DATE
SEPTEMBER 2019
SCALE
1:1500 AT A1 / 1:3000 AT A3
DWG No.
1911
SHEET No.
DA01 REVISION



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SITE ADDRESS
68 LEMON AVENUE,
MILDURA
VICTORIA 3500

PROPOSAL
THIS DOCUMENT HAS BEEN PREPARED AS PART OF A
TOWN PLANNING PERMIT APPLICATION FOR A TRIPLE
OCCUPANCY RESIDENTIAL DEVELOPMENT AT 68 LEMON
AVENUE, MILDURA. THE SUBJECT SITE CURRENTLY
INCLUDES ONE SINGLE STOREY WEATHERBOARD HOUSE.
THIS PROPOSAL IS FOR THREE DETACHED DOUBLE
STOREY TOWNHOUSES.

LEGEND
SITE LOCATION



NEIGHBOURHOOD CHARACTER

- Subject site is situated between residential areas to the southeast and retail/business areas to the northwest
- Excellent location with access to retail, schools, public transport, community facilities and open space parkland
- Varying building types within vicinity, featuring a mix of traditional brick/ender pitched roof houses as well as flat roof building typologies
- Site belongs in the M1/2 category for zoning
- Average lot sizes of roughly 500m², with 10m frontages

HATCH LEGEND
SUBJECT SITE

- 190M POST OFFICE
- 280M PETROL STATION
- 850M MILDURA ROWING CLUB
- 850M ST. MARGARET'S PRESCHOOL
- 950M MILDURA PRIMARY SCHOOL
- 550M BUS STOP
- 1KM MILDURA RAILWAY STATION
- 1.4KM MILDURA RECREATION RESERVE
- 850M ORNAMENTAL LAKES PARK
- 850M MILDURA WATER PLAY PARK
- 700M WAR MEMORIAL
- 1.1KM MILDURA LIBRARY
- 600M MILDURA POLICE STATION
- 550M MILDURA RURAL CITY COUNCIL
- 650M CENTRELINK/MEDICARE

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REV	DATE	DETAILS

SHEET NAME
LOCAL CONTEXT

PROJECT
BILDMAN/NE. MUDRA

CLIENT NAME: JOSHUA WILLO

DATE: SEPTEMBER 2019

SCALE: 1:500 AT A1 / 1:1000 AT A3

DWG No.: 1911

SHEET No.: DA02 - REMISOR

NORTH

Page 366



A photograph of a residential property. In the foreground, a dark-colored car is parked on a paved driveway. Behind the car is a large, multi-sectioned brick wall. To the right of the wall, there are some trees and a flowering bush with red flowers. In the background, a house with a brown roof is visible. The sky is overcast.

146 SAN MATEO AVENUE
LOCAL SUB DIVIDED LAND PRECEDENT



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REV	DATE	DETAILS
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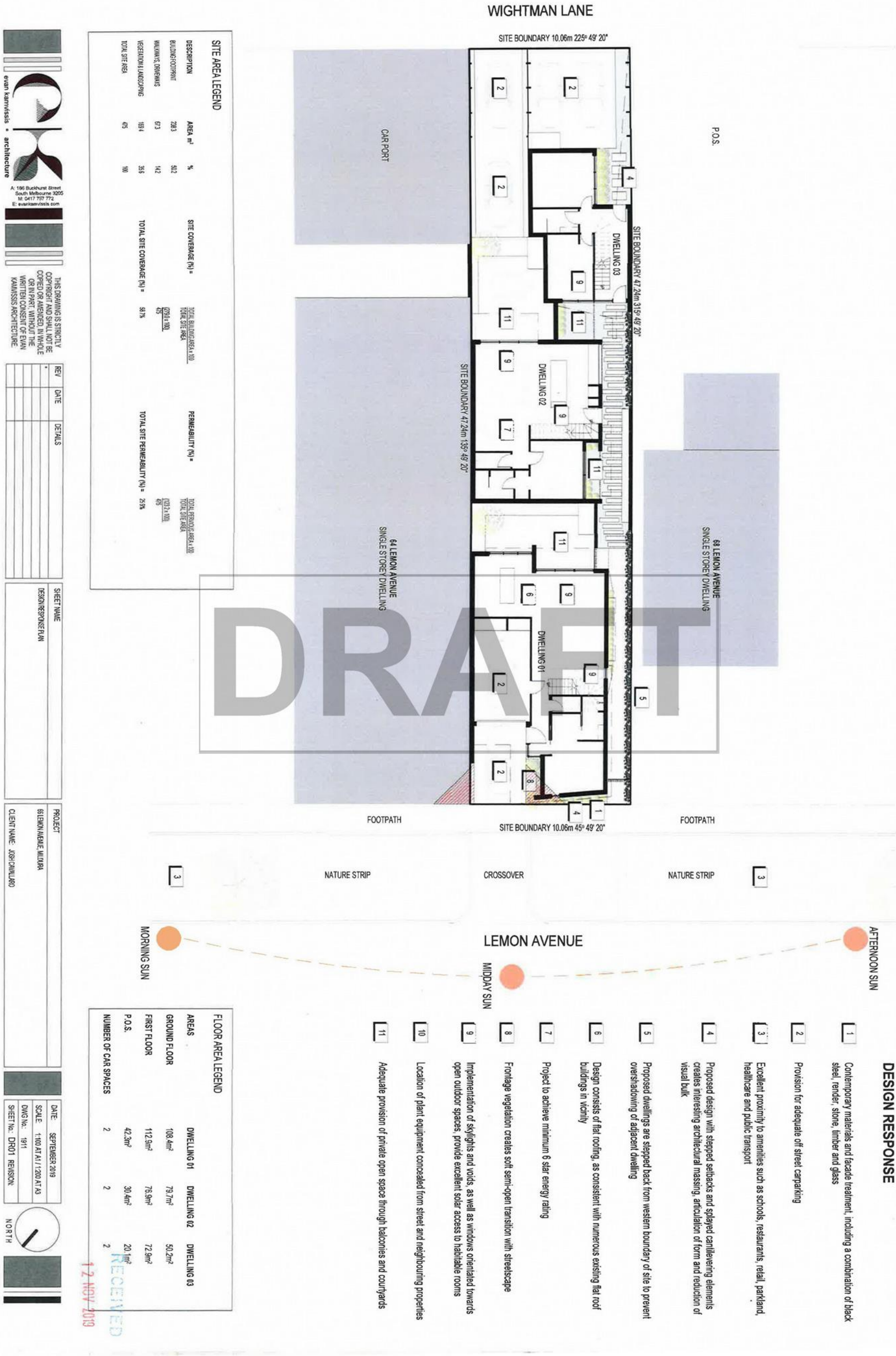
SHEET NAME
PHOTO ANALYSTS

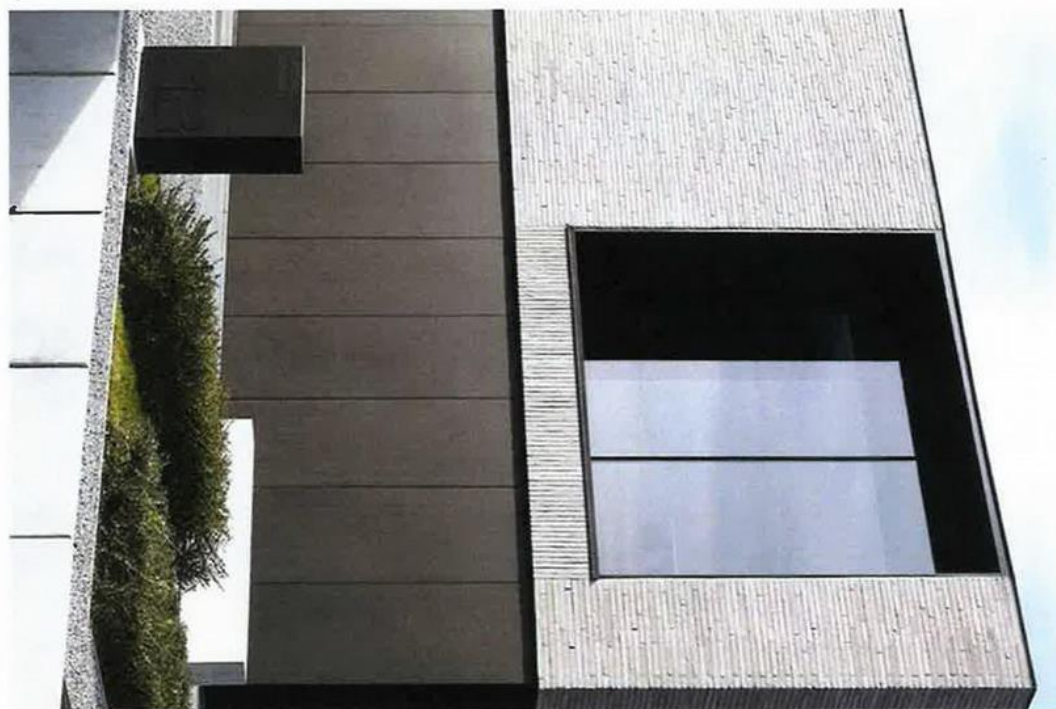
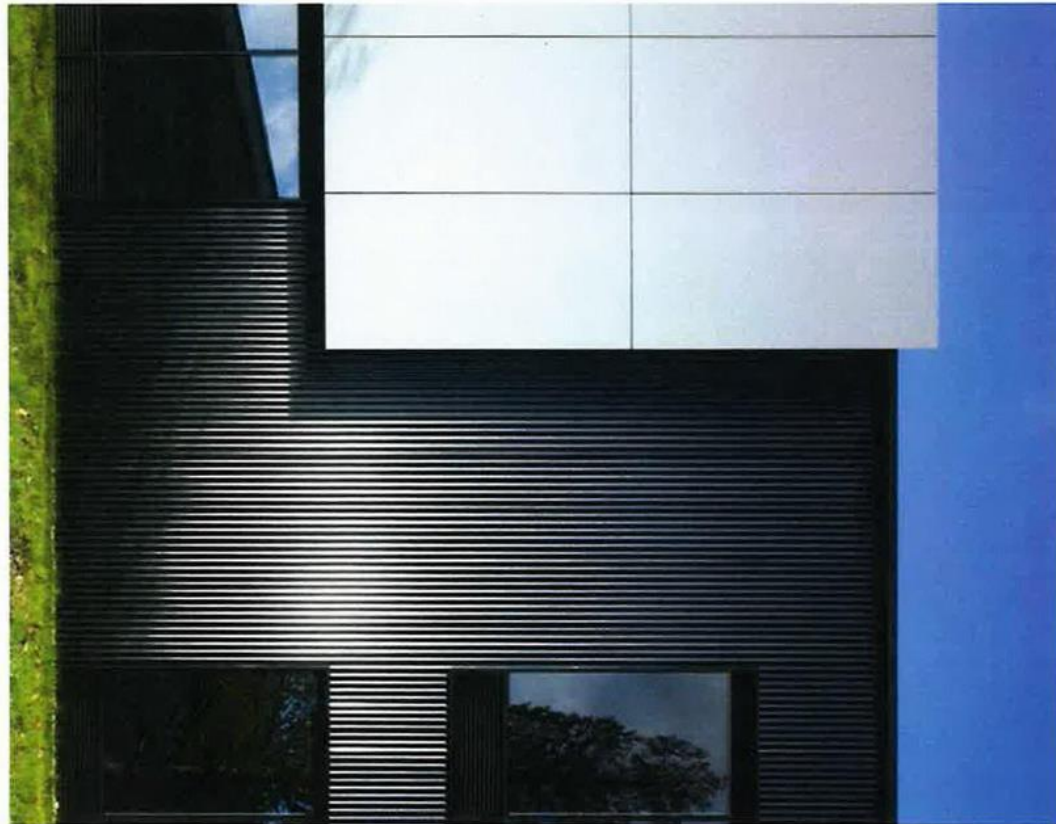
PROJECT	
66 LEMON AVENUE, MILDURA	
CLIENT NAME: JOSH CHALLARD	

DATE	SEPTEMBER 2019
SCALE	1:50 AT A / 1:100 AT A3
DWG No.	1911
SHEET No.	DA03 REVISION



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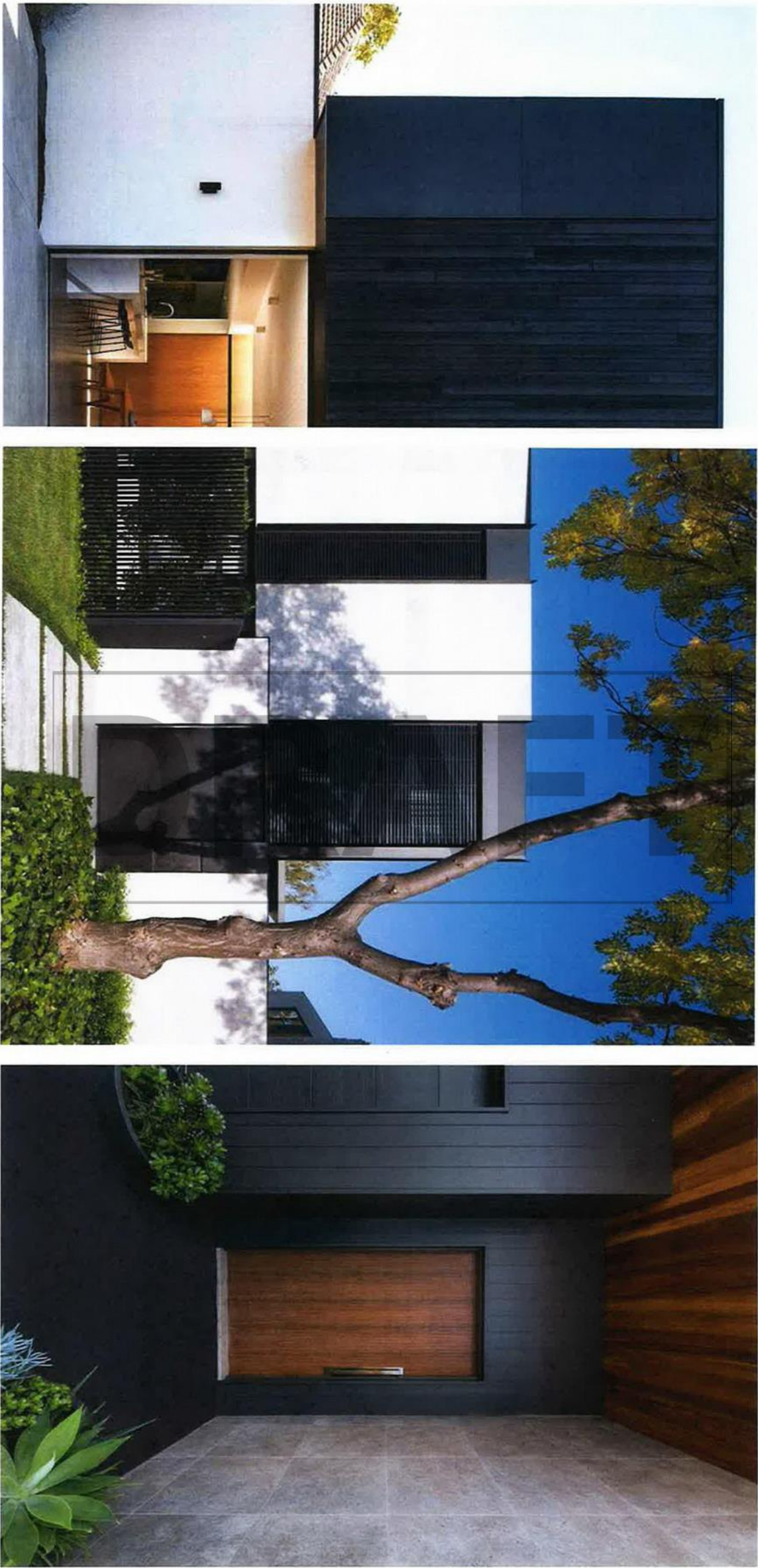
SHEET NAME	LOOK & FEEL
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PROJECT	68 EDEN AVENUE, ANDARA
CLIENT NAME	JOSH CHALUARO

DATE	SEPTEMBER 2019
SCALE	1:50 AT A1 / 1:100 AT A3
DWG No.	191
SHEET No.	DR02 RENOV



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REV	DATE	DETAILS

SHEET NAME
LOOK & FEEL

PROJECT
65 EDON AVENUE, MUDRA


CLIENT NAME: JOSH CHANLARO

DATE: SEPTEMBER 2019


SCALE: 1/50 AT A1 / 1/100 AT A3

DWG NO.: 1911

SHEET NO.: DR03 RENOVATION



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SHEET NAME

LOOK & FEEL

PROJECT

68 EDON AVENUE, MILDURA

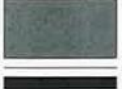
CLIENT NAME: JOSH CHILKARO

DATE: SEPTEMBER 2019

SCALE: 1:50 AT A1 / 1:100 AT A3

DWG No.: 1911

SHEET No.: DRO4 RENSON



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REV	DATE	DETAILS
1		
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9		
10		

SHEET NAME

SITE PLAN

PROJECT

66 LEMON AVENUE, MUDRA

CLIENT NAME

JOSHI CHALUPO

DATE

SEPTEMBER 2019

SCALE

1:100 A1 / 1:200 A1 A3

DWG No.

1911

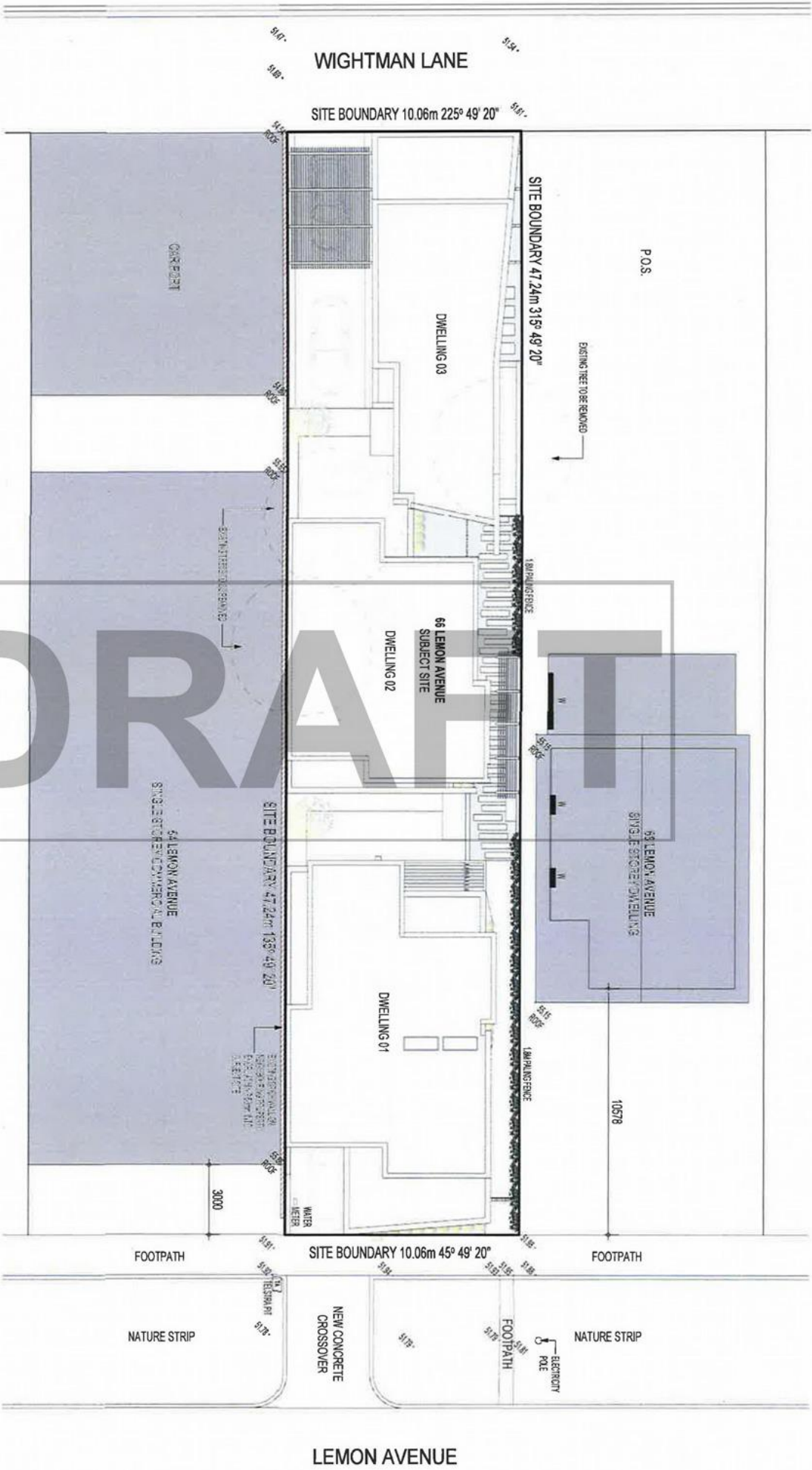
SHEET No.

TP01 RENOVATION

NORTH

SITE AREA LEGEND					
DESCRIPTION	AREA m²	%	SITE COVERAGE (%) =	TOTAL BUILDING AREA (m²)	TOTAL PERVIOUS AREA (m²)
BUILDING FOOTPRINT	283	50.2	49.1%	283	123.1
WIGHTMAN DRIVEWAYS	873	162		873	45
VEGETATION/LANDSCAPING	194	36.5		194	45
TOTAL SITE AREA	475	100			
			TOTAL SITE COVERAGE (%) =	94.1%	TOTAL SITE PERVIOUS (%) = 28%

FLOOR AREA LEGEND					
AREAS		DWELLING 01	DWELLING 02	DWELLING 03	
GROUND FLOOR		108.4m²	79.7m²	50.2m²	
FIRST FLOOR		112.5m²	76.9m²	72.5m²	
P.O.S.		42.3m²	30.4m²	20.1m²	
NUMBER OF CAR SPACES		2	2	2	



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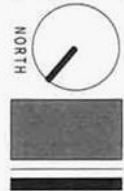
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REV	DATE	DETAILS

SHEET NAME
PROPOSED SUBDIVISION PLAN

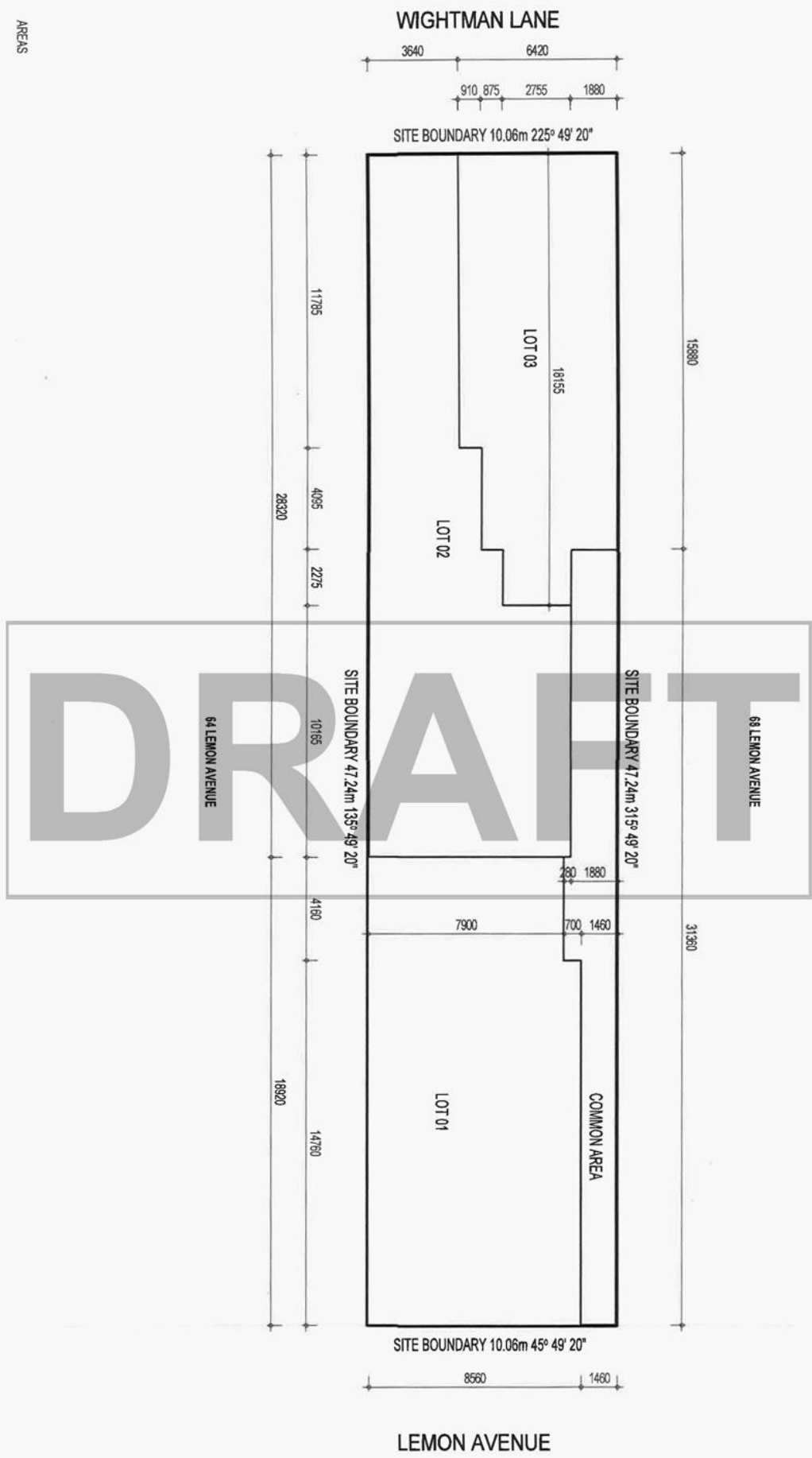
PROJECT
68 LEMON AVENUE, MILDURA
CLIENT NAME
JOSHI CAVALIERO

DATE
SEPTEMBER 2019
SCALE
1:100 AT A1 / 1:200 AT A3
DWG No.
1911
SHEET No.
TP02 REMISOR



AREAS

COMMON AREA = 52.4m²
LOT 1 = 162.0m²
LOT 2 = 157.0m²
LOT 3 = 103.5m²



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REV	DATE	DETAILS

SHEET NAME

PERMEABILITY ASSESSMENT PLAN

PROJECT

66 LEMON AVENUE, MILDURA

CLIENT NAME

JOSIC GWILLOD

DATE

SEPTEMBER 2019

SCALE

1:100 AT A1 / 1:200 AT A3

DWG No.

1911

SHEET No.

TP09

REVISION

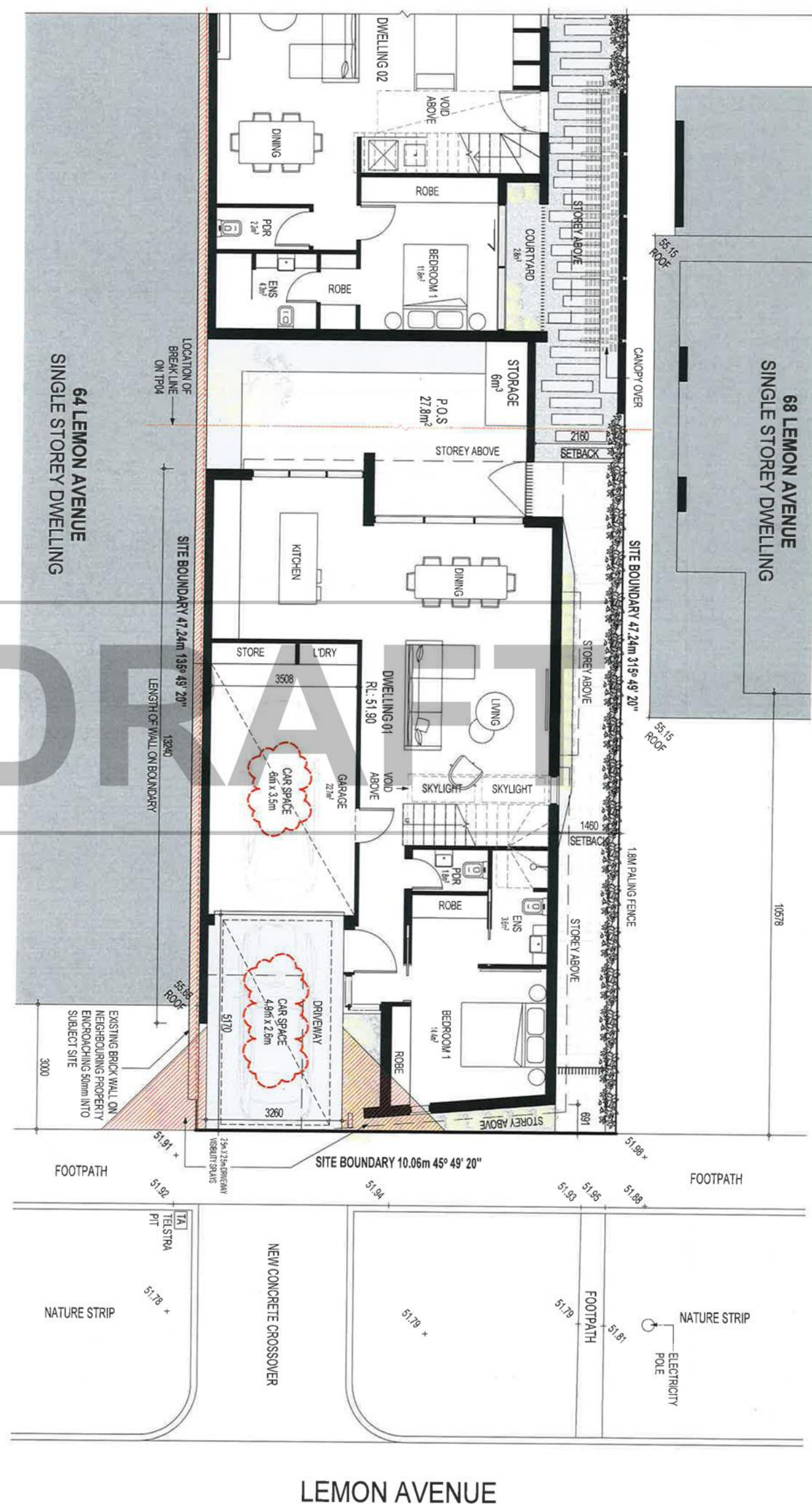
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NORTH

PERMEABILITY ASSESSMENT	
66 LEMON AVENUE, MILDURA	
TOTAL SITE AREA	
PERMEABILITY AREA REQUIRED	
PERMEABILITY AREA ACHIEVED	

Page 374



SITE AREA LEGEND			
DESCRIPTION	AREA, m ²	%	SITE COVERAGE (%) = <u>TOTAL BUILT-UP AREA</u> <u>TOTAL SITE AREA</u>
BUILDING FOOTPRINT	233	3.2	<u>123.1 / 100</u> 475
PAVING PATIWAYS	673	14.2	
VEGETATION/LANDSCAPING	1534	35.5	
TOTAL SITE AREA	475	100	
TOTAL SITE COVERAGE (%) =		57%	

FLOOR AREA LEGEND			
AREAS	DWELLING 01	DWELLING 02	DWELLING 03
GROUND FLOOR	108.4m ²	79.1m ²	50.2m ²
FIRST FLOOR	112.9m ²	76.9m ²	72.9m ²
P.O.S.	42.3m ²	30.4m ²	20.1m ²
NUMBER OF CAR SPACES	2	2	2

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REV	DATE	DETAILS
•		

SHEET NAME	
DRAWING OF GROUND FLOOR PLAN	

PROJECT	66 LEMON AVENUE, MIAMI, FL
CLIENT NAME	JOSH CAVALLO

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DATE:	SEPTEMBER 2019
SCALE:	1:50 AT A1 / 1:100 AT A3
DWG No.:	1911
SHEET No.:	TP03 REGION 04





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REV	DATE	DETAILS
*		

SHEET NAME
DRILLING 22 & 23 GROUND FLOOR PLAN

PROJECT	66 LEMON AVENUE, MILPURA
CLIENT NAME	JOSHCARLARO

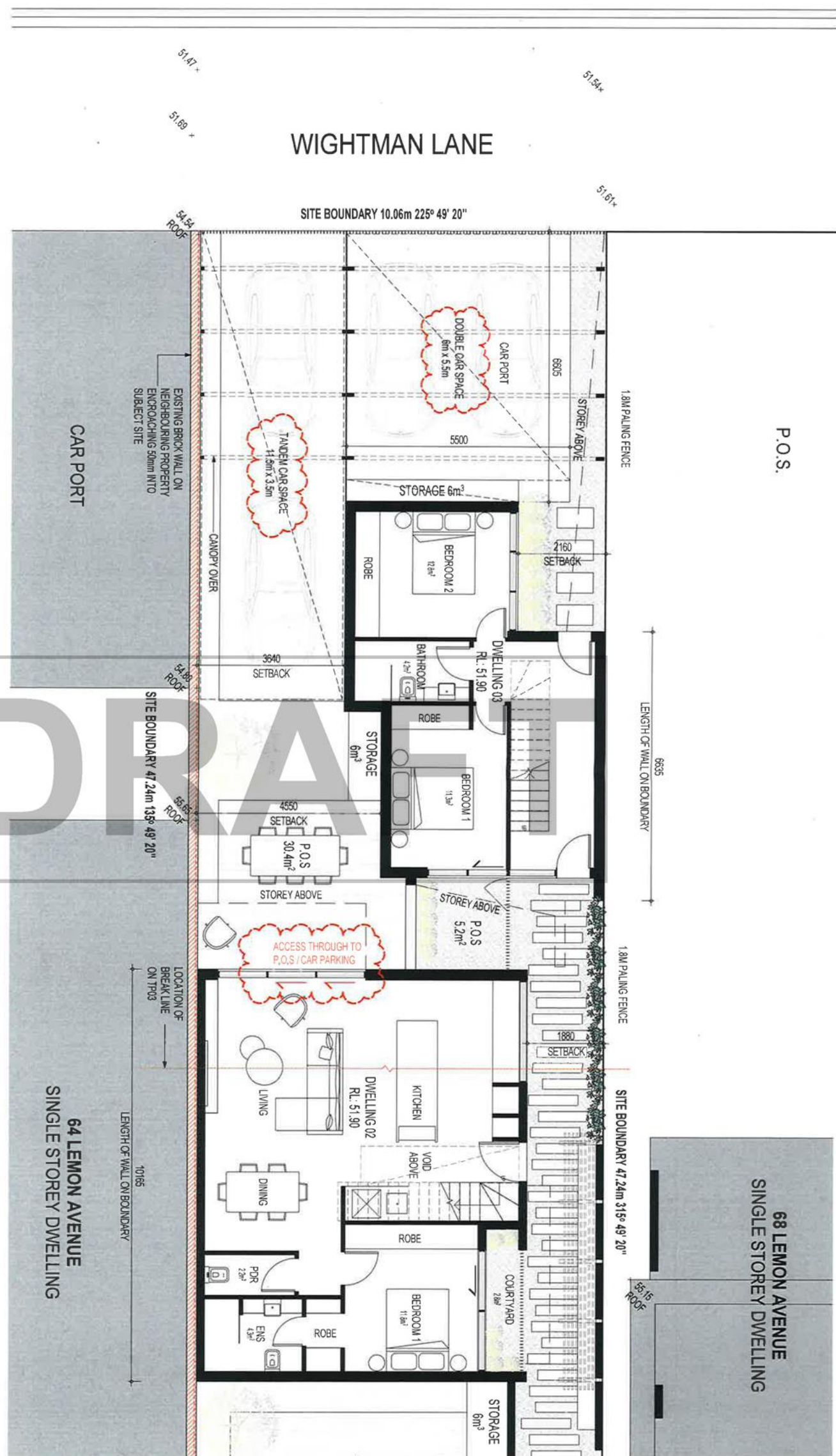
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DATE:	SEPTEMBER 2019
SCALE:	1:50 AT A1 / 1:100 AT A3
DWG No.:	1911
SHEET No.:	TP04 RENOVATION



SITE AREA LEGEND			
DESCRIPTION	AREA, m ²	%	SITE COVERAGE (%) = <u>TOTAL BUILDING AREA + RD</u> <u>TOTAL SITE AREA</u>
BUILDING FOOTPRINT	2863	59.2	<u>2729 X 100</u>
PARKING DRIVEWAYS	673	14.2	<u>475</u>
VEGETATION/LANDSCAPING	1554	36.6	54.7%
TOTAL SITE AREA	475	100	

FLOOR AREA LEGEND			
AREAS	DWELLING 01	DWELLING 02	DWELLING 03
GROUND FLOOR	108.4m ²	79.7m ²	50.2m ²
FIRST FLOOR	112.9m ²	76.9m ²	72.9m ²
P.O.S.	42.3m ²	30.3m ²	20.1m ²
NUMBER OF CAR SPACES	2	2	2





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REV	DATE	DETAILS
1		DWELLING AT FIRST FLOOR PLAN

PROJECT

61 LEMON AVENUE, MUDRA

CLIENT NAME: JOSH CHALUPO

DATE: SEPTEMBER 2019

SCALE: 1:50 (A1) / 1:100 (A3)

DWG No.: 1811

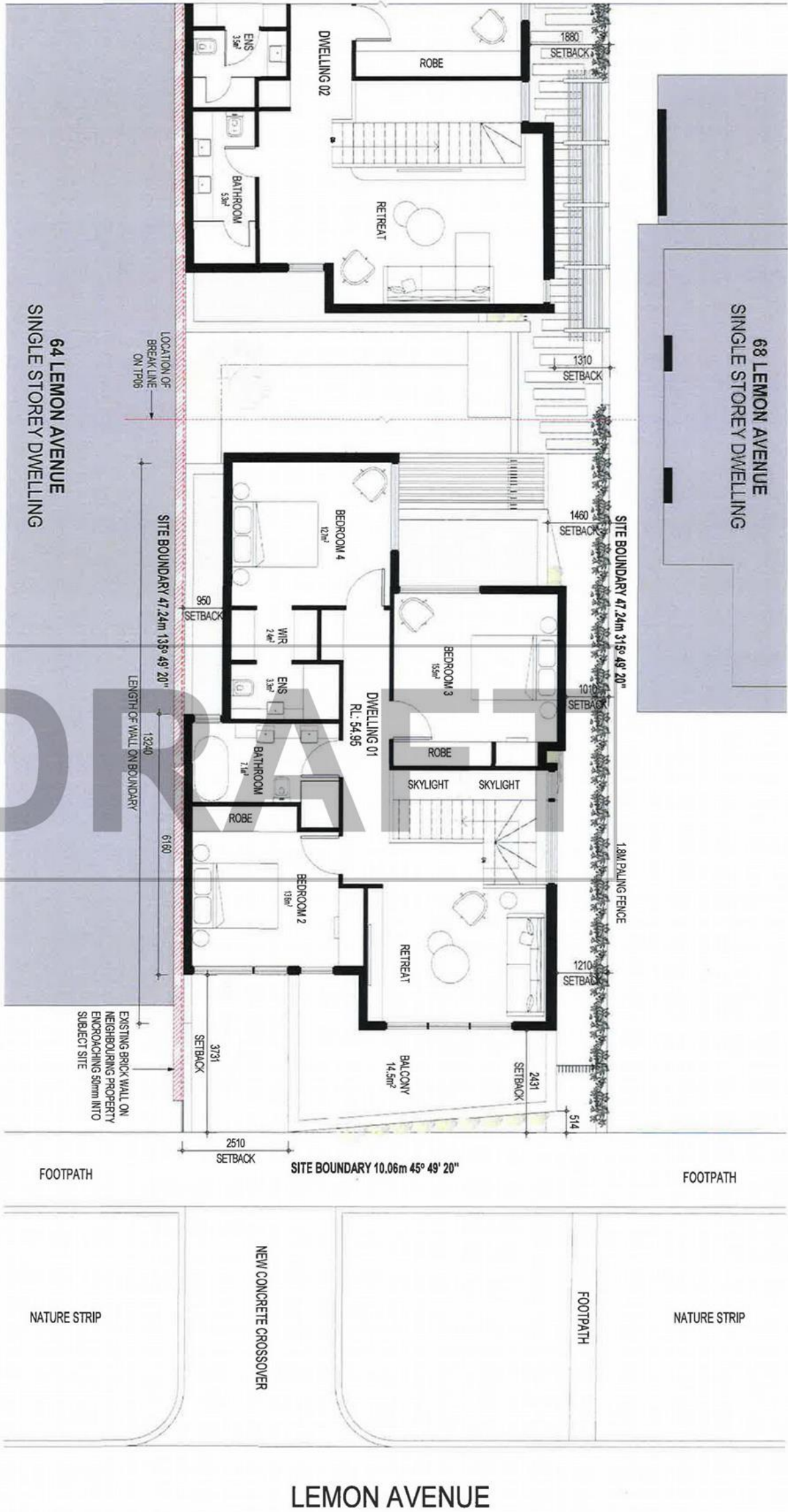
SHEET No.: TP05 REVISION:



NORTH

SITE AREA LEGEND			
DESCRIPTION	AREA m ²	%	SITE COVERAGE (%) =
BUILDING FOOTPRINT	283	50.2	TOTAL BUILDING AREA: 100 TOTAL SITE AREA 579.1 x 100
WALLMOUNTS, DRIVEWAYS	8.3	1.4	
VEGETATION/LANDSCAPING	288.4	50.5	TOTAL SITE COVERAGE (%) = 51.1% TOTAL SITE PERMEABILITY (%) = 55.5%
TOTAL SITE AREA	475	100	

FLOOR AREA LEGEND			
AREAS	DWELLING 01	DWELLING 02	DWELLING 03
GROUND FLOOR	108.4m ²	79.7m ²	50.2m ²
FIRST FLOOR	112.9m ²	76.9m ²	72.9m ²
P.O.S.	42.3m ²	30.4m ²	20.1m ²
NUMBER OF CAR SPACES	2	2	2



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REV	DATE	DETAILS
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SHEET NAME

DWELLING 02 & 03 FIRST FLOOR PLAN

PROJECT

68 LEMON AVENUE, MUDRA

CLIENT NAME: JOSH CHANLRO

DATE: SEPTEMBER 2019

SCALE: 1/50 AT A1 / 1/100 AT A3

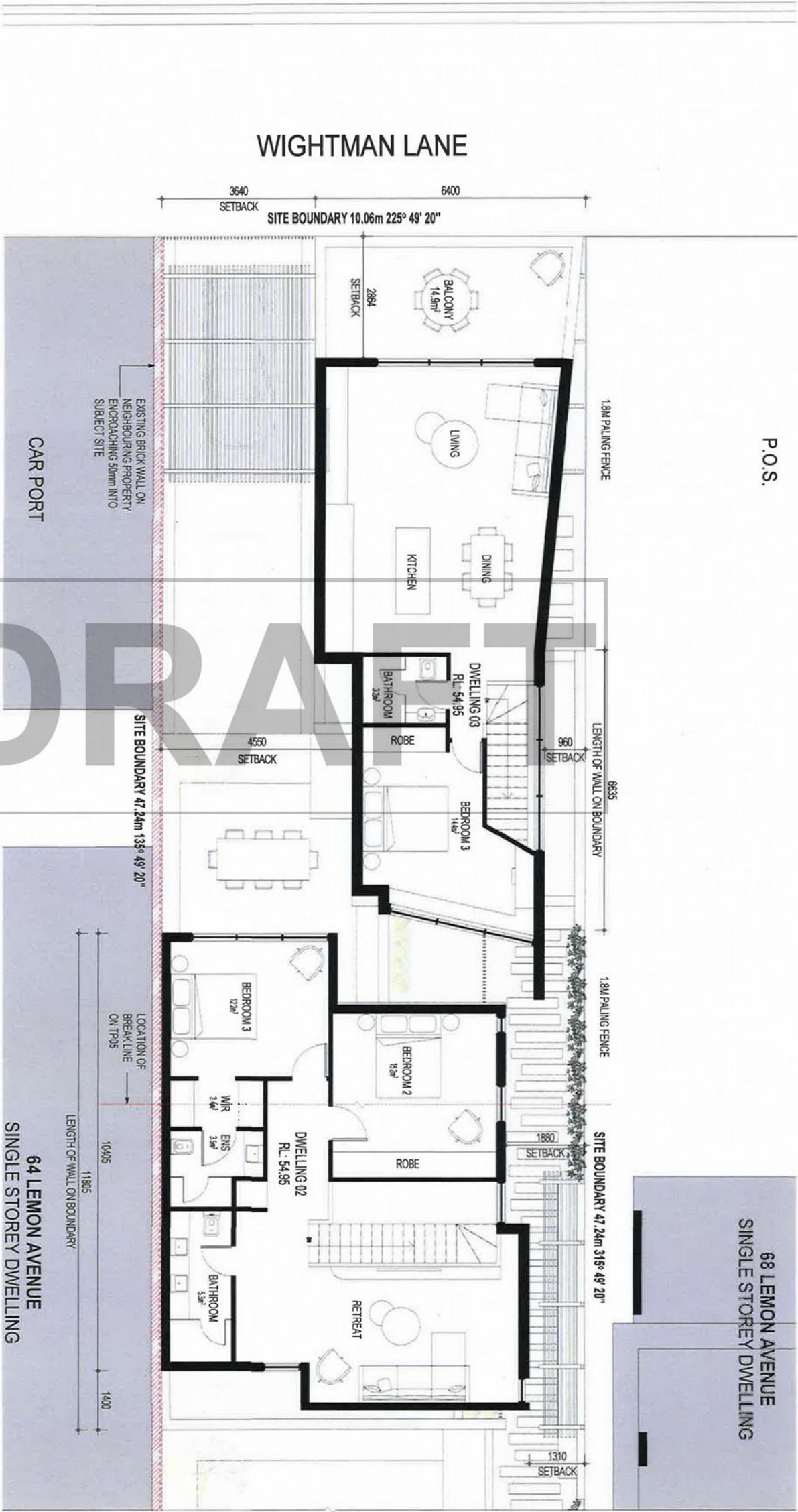
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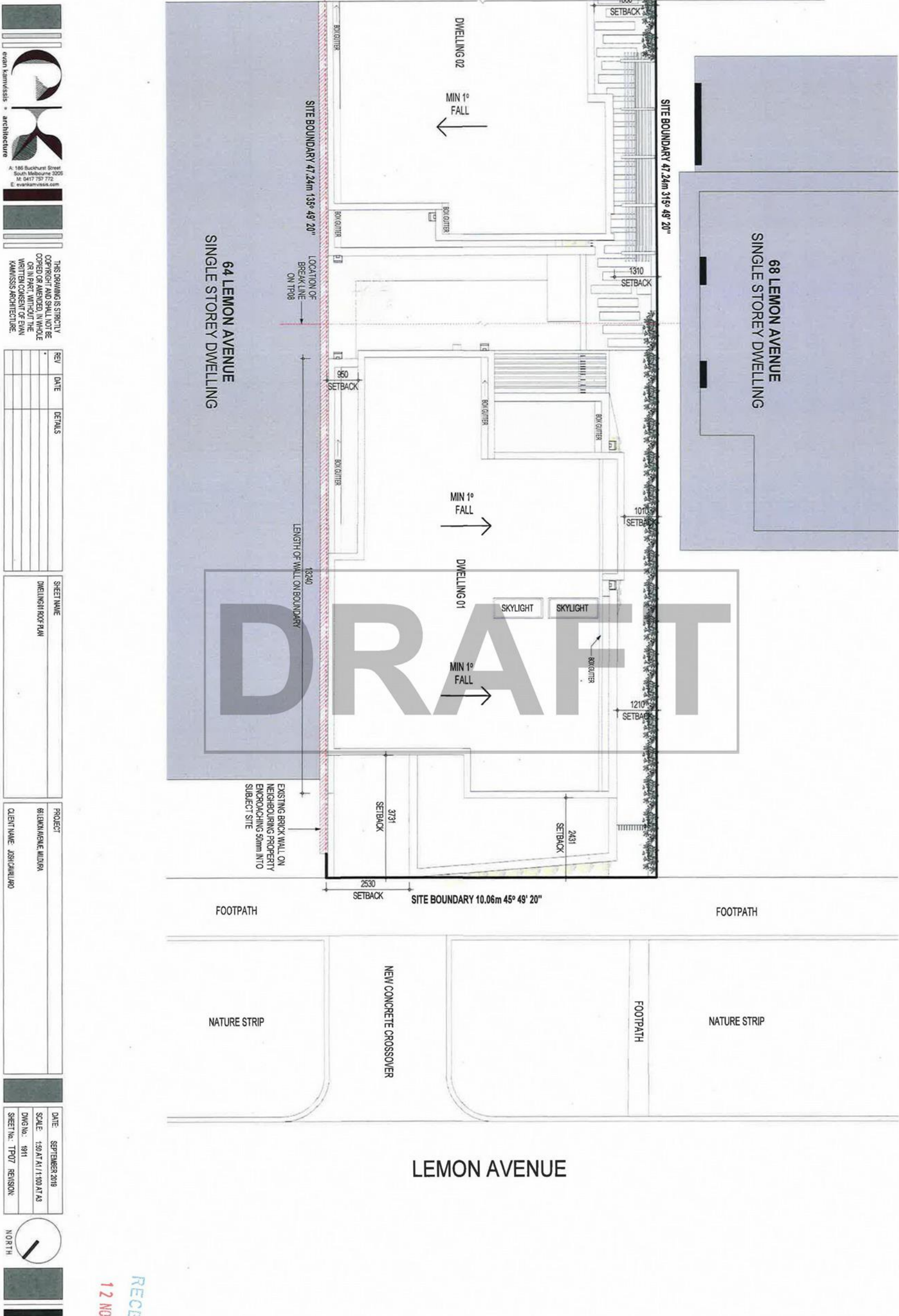
SHEET No.: TP06 REVISION

NORTH

SITE AREA LEGEND				
DESCRIPTION	AREA m²	%	SITE COVERAGE (%) =	PERMEABILITY (%) =
BUILDING FOOTPRINT	238.3	50.2	TOTAL BUILDING AREA x 100 TOTAL SITE AREA	TOTAL PERVIOUS AREA x 100 TOTAL SITE AREA
WALKWAYS, DRIVEWAYS	67.3	14.2		
VEGETATION/LANDSCAPING	188.4	35.6	TOTAL SITE COVERAGE (%) =	TOTAL SITE PERMEABILITY (%) =
TOTAL SITE AREA	475	100	59.7%	35.3%

FLOOR AREA LEGEND				
AREAS	DWELLING 01	DWELLING 02	DWELLING 03	
GROUND FLOOR	108.4m²	79.7m²	50.2m²	
FIRST FLOOR	112.9m²	76.9m²	72.9m²	
P.O.S.	42.3m²	30.4m²	20.1m²	
NUMBER OF CAR SPACES	2	2	2	





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REV	DATE	DETAILS
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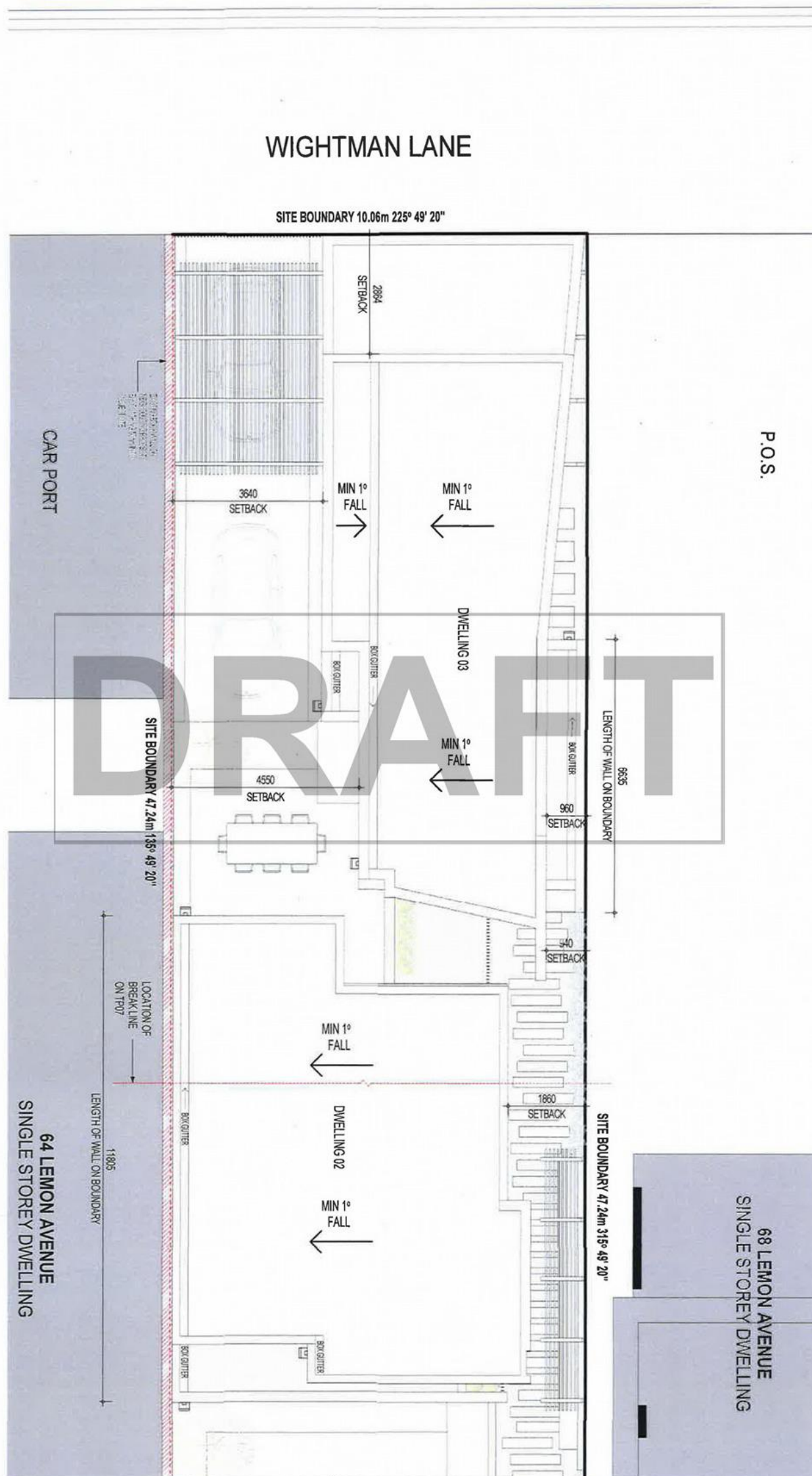
SHEET NAME
DWELLING 02 & 03 ROOF PLAN

PROJECT
68 LEMON AVENUE, MUDRA
CLIENT NAME
3239 CRAWLMO

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A2
DWG No.
1911
SHEET No.
TP08 RENISON



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M1 MATERIAL: STANDING SEAM / NAAL STRIP CLADDING
COLOUR: COLORBOND SATIN NIGHT SKY OR SIMILAR

M2 MATERIAL: METAL ROOFING - KLP-LOK COLORBOND
COLOUR: NIGHT SKY OR SIMILAR

G1 MATERIAL: GLASS
COLOUR: CLEAR GLAZING

R1 MATERIAL: RENDER
COLOUR: COLORBOND NIGHT SKY

ST1
MATERIAL: EXPOSED AGGREGATE
COLOUR: GREY

MATERIAL: BRICKWORK
COLOUR: ADBRI MASONRY IVORY

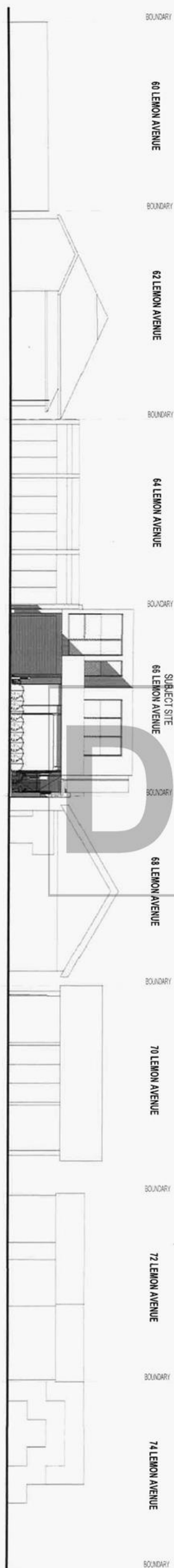
BR1

MATERIAL: TIMBER
COLOUR: WALNUT FINISH OR SIMILAR

T1

T2 MATERIAL: BIRCHWOOD VERTICAL BATTENING
COLOUR: BLACK

T3 MATERIAL: BIRCHWOOD HORIZONTAL BATTENING
COLOUR: BLACK



STREETSCAPE ELEVATION
1:100 AT A1, 1:200 AT A3

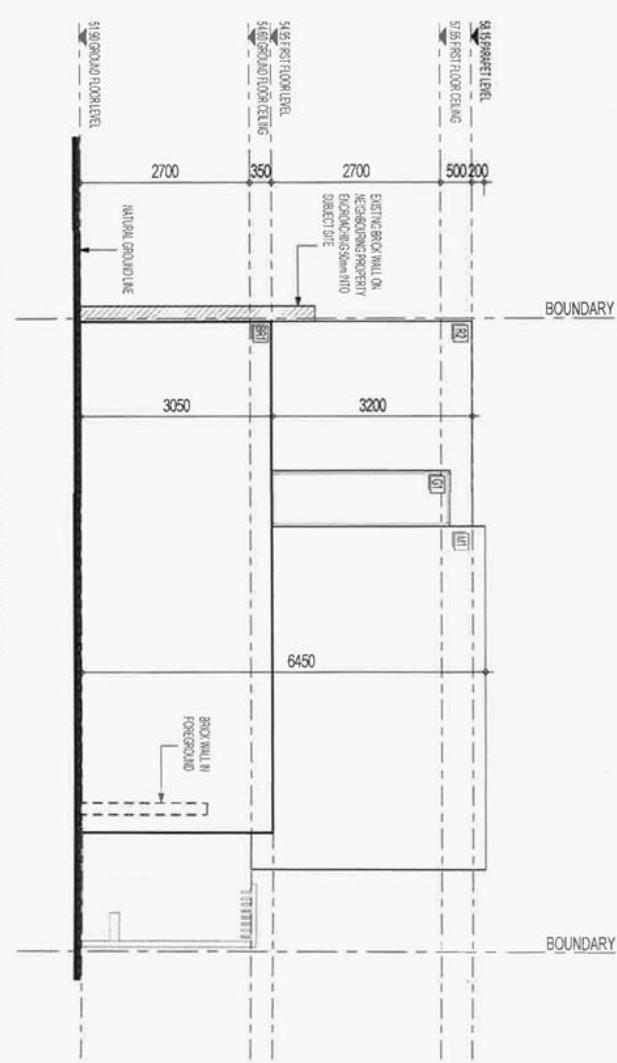
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DATE:	SEPTEMBER 2019
SCALE:	1:50 AT A / 1:100 AT A3
DWG No.:	1911
SHEET No.:	TP09 REVISION

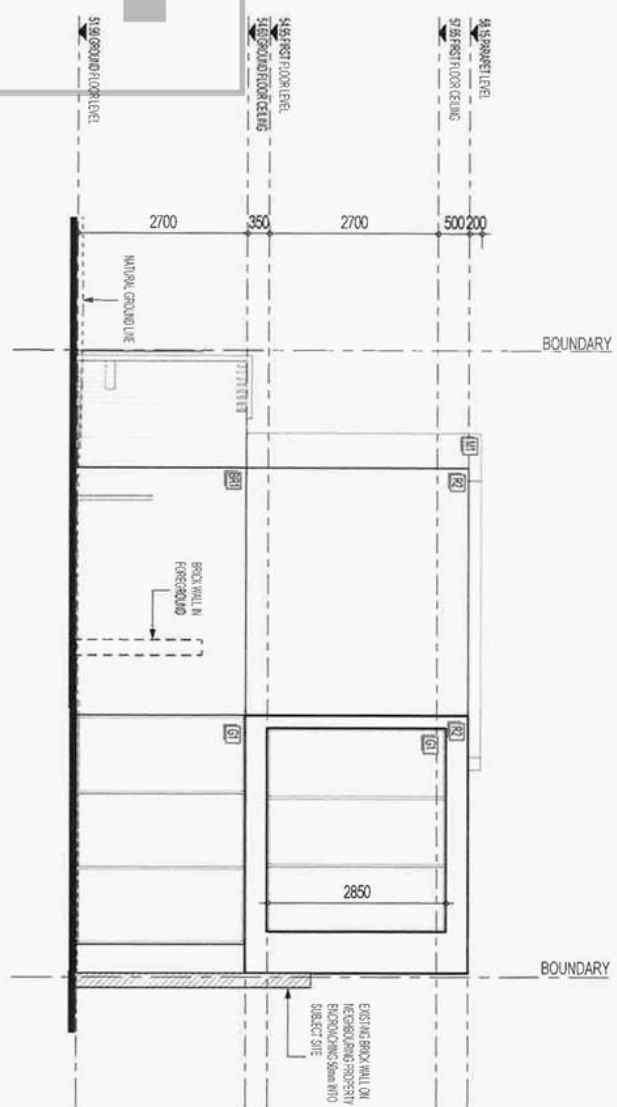


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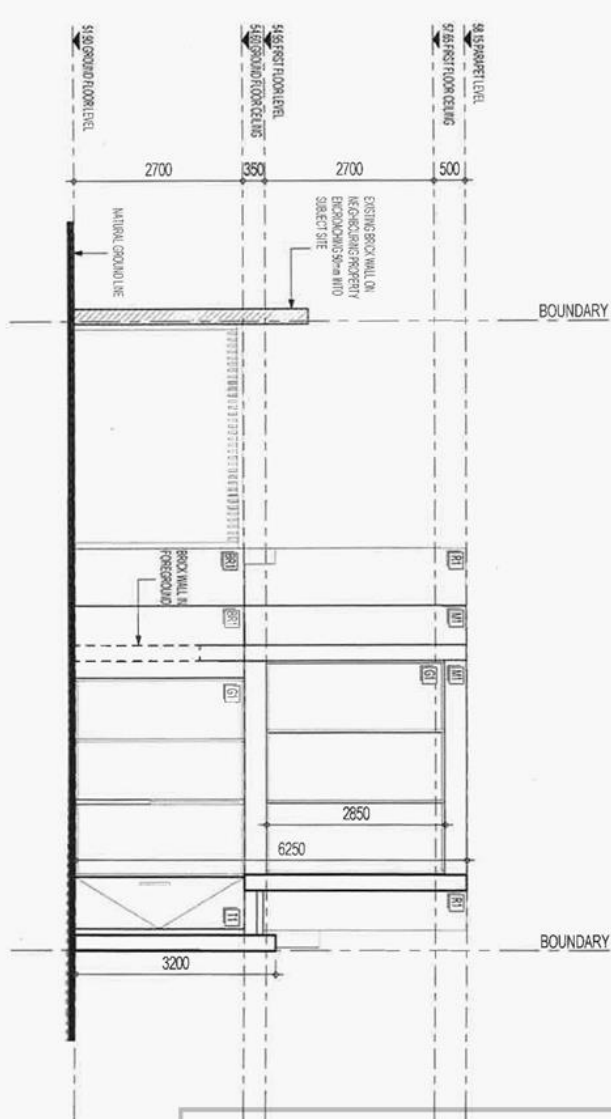


DWELLING 02 NORTH ELEVATION
1:50 AT A1, 1:100 AT A3

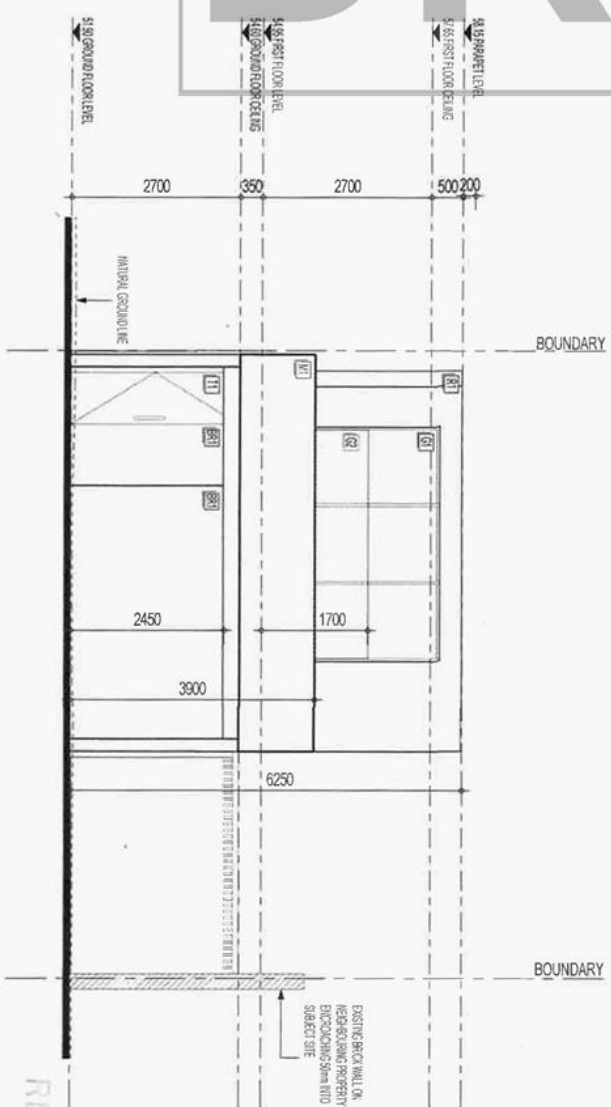


DWELLING 02 SOUTH ELEVATION
1:50 AT A1, 1:100 AT A3

- MATERIALS & FINISHES LEGEND**
- M1** MATERIAL: STANDING SEAM / HALF STRIP CLADDING
COLOUR: COLORBOND SATIN NIGHT SKY OR SIMILAR
 - G1** MATERIAL: GLASS
COLOUR: CLEAR GLAZING
 - R1** MATERIAL: RENDER
COLOUR: COLORBOND NIGHT SKY
 - ST1** MATERIAL: EXPOSED AGGREGATE CONCRETE
COLOUR: GREY
 - BR1** MATERIAL: BRICKWORK
COLOUR: ABBEY MASONRY NOIR
 - M2** MATERIAL: METAL ROOFING - KLPLOK COLORBOND
COLOUR: NIGHT SKY OR SIMILAR
 - G2** MATERIAL: GLASS
COLOUR: FIXED OBSCURE GLAZING
 - R2** MATERIAL: RENDER
COLOUR: COOL WHITE
 - ST2** MATERIAL: BLUESTONE PAVES
COLOUR: GREY
 - T1** MATERIAL: TIMBER
COLOUR: WALNUT FINISH OR SIMILAR
 - T2** MATERIAL: BIRCHWOOD VERTICAL BATTENING
COLOUR: BLACK
 - T3** MATERIAL: BIRCHWOOD HORIZONTAL BATTENING
COLOUR: BLACK



DWELLING 03 NORTH ELEVATION
1:50 AT A1, 1:100 AT A3



DWELLING 03 SOUTH ELEVATION
1:50 AT A1, 1:100 AT A3



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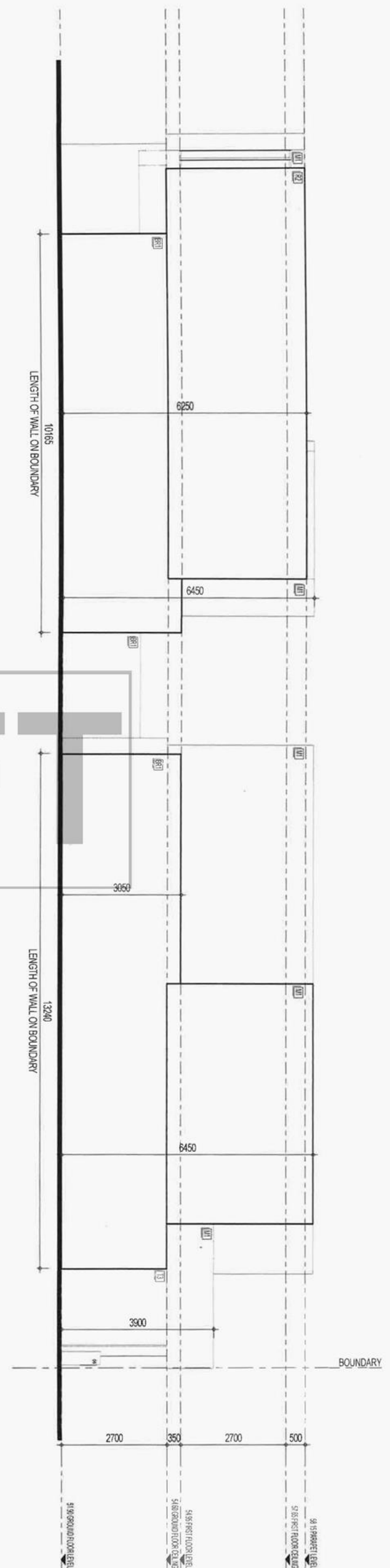
SHEET NAME
ELEVATIONS: DWELLING 02 & 03 NORTH & SOUTH

PROJECT
61 EDWIN AVENUE, WILLOWDALE
CLIENT NAME
JOSHIWALLABO

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A3
DWG No.
1911
SHEET No.
TP10 REVISION



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EAST ELEVATION - DWELLING 01 & 02

MATERIALS & FINISHES LEGEND

MATERIAL: STANDING SEAM / NAIL STRIP CLADDING
COLOUR: COLORBOND SATIN NIGHT SKY OR SIMILAR

MATERIAL: GLASS
COLOUR: CLEAR GLAZING

MATERIAL: RENDER
COLOUR: COLORBOND NIGHT SKY

MATERIAL: EXPOSED AGGREGATE CONCRETE
COLOUR: GREY

MATERIAL: BRICKWORK
COLOUR: ADBRI MASONRY IVORY

MATERIAL: BIOWOOD VERTICAL BATTENING
COLOUR: BLACK

M1

61

五

ST1

BR1

T2

MATERIAL: METAL ROOFING - KLIP-LOK COLORBOND
COLOUR: NIGHT SKY OR SIMILAR

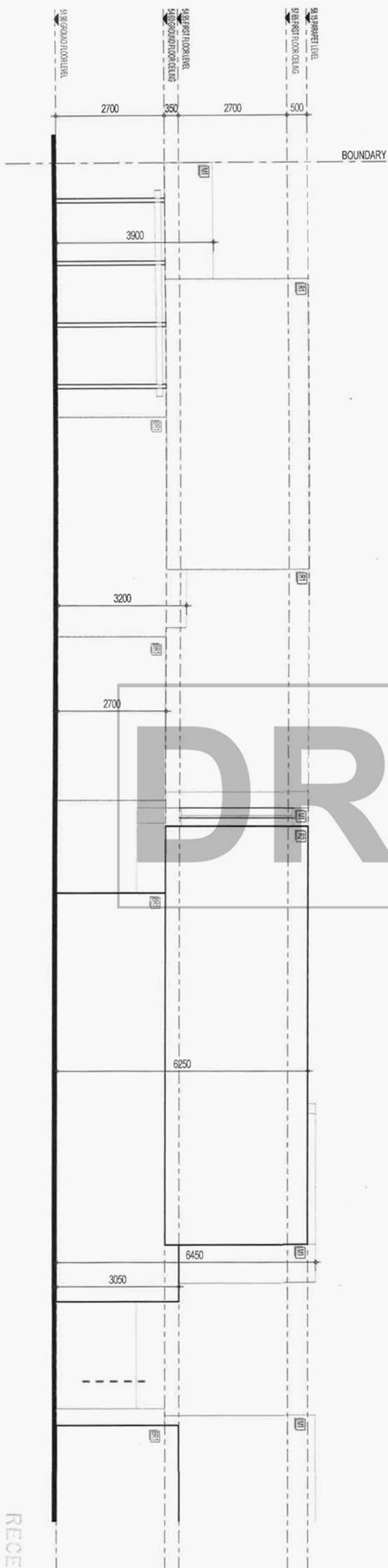
MATERIAL: GLASS
COLOUR: FIXED OBSCURE GLAZING

MATERIAL: RENDER
COLOUR: COOL WHITE

MATERIAL: BLUESTONE PAYER
COLOUR: GREY

MATERIAL: TIMBER
COLOUR: WALNUT FINISH OR SIMILAR

MATERIAL: BLOWWOOD HORIZONTAL BATTENING
COLOUR: BLACK



EAST ELEVATION - DWELLING 02 & 03



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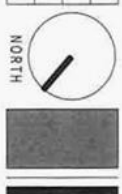
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REV	DATE	DETAILS
•		

SHEET NAME
ELEVATIONS - EAST

PROJECT	66 LEROY AVENUE, MALDEN
CLIENT NAME	JOSH CHALUPRO

DATE:	SEPTEMBER 2019
SCALE:	1:50 AT A1 / 1:100 AT A3
DWG No.:	1911
SHEET NO.:	TP11 REVISION:

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REV	DATE	DETAILS

SHEET NAME
ELEVATIONS - WEST

PROJECT
65 BERNARDIE WILSONA

CLIENT NAME: JOSEPH WILSON

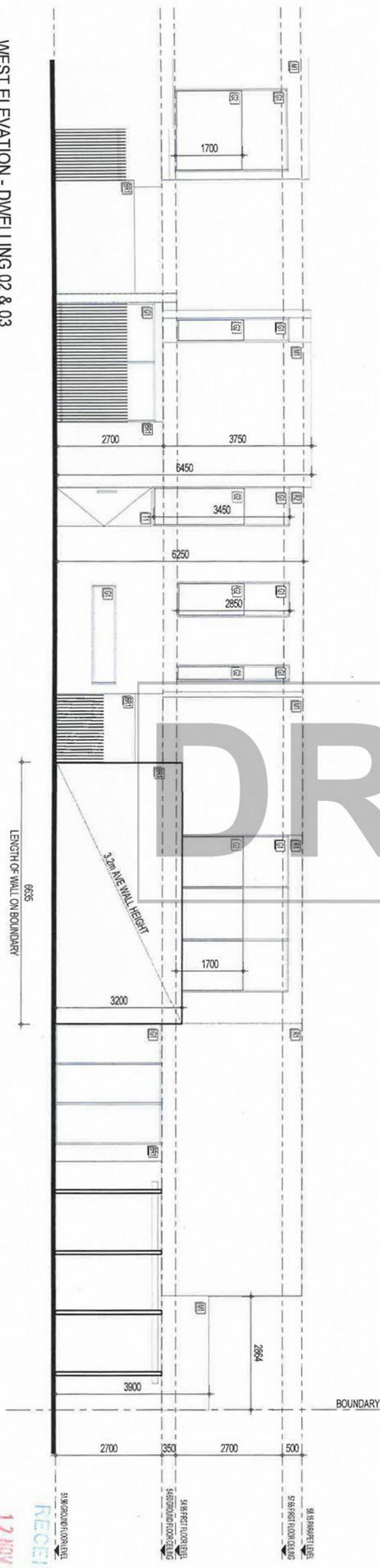
DATE: SEPTEMBER 2019
SCALE: 1:50 AT A / 1:100 AT A3
DWG No.: 1911
SHEET No.: TP12 - REVISION

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WEST ELEVATION - DWELLING 02 & 03



- MATERIALS & FINISHES LEGEND**
- MATERIAL: STANDING SEAM / RAIL STRIP CLADDING
COLOUR: COLORBOND SATIN NIGHT SKY OR SIMILAR

M1

MATERIAL: METAL ROOFING - KLP-LOK COLORBOND
COLOUR: NIGHT SKY OR SIMILAR

M2
- MATERIAL: GLASS
COLOUR: CLEAR GLAZING

G1

MATERIAL: GLASS
COLOUR: FIXED OBSCURE GLAZING

G2
- MATERIAL: RENDER
COLOUR: COLORBOND NIGHT SKY

R1

MATERIAL: RENDER
COLOUR: COOL WHITE

R2
- MATERIAL: EXPOSED AGGREGATE CONCRETE
COLOUR: GREY

ST1

MATERIAL: BLUESTONE PAVEMENT
COLOUR: GREY

ST2
- MATERIAL: BRICKWORK
COLOUR: ADEMI MASONRY IVORY

BR1

MATERIAL: TIMBER
COLOUR: WALNUT FINISH OR SIMILAR

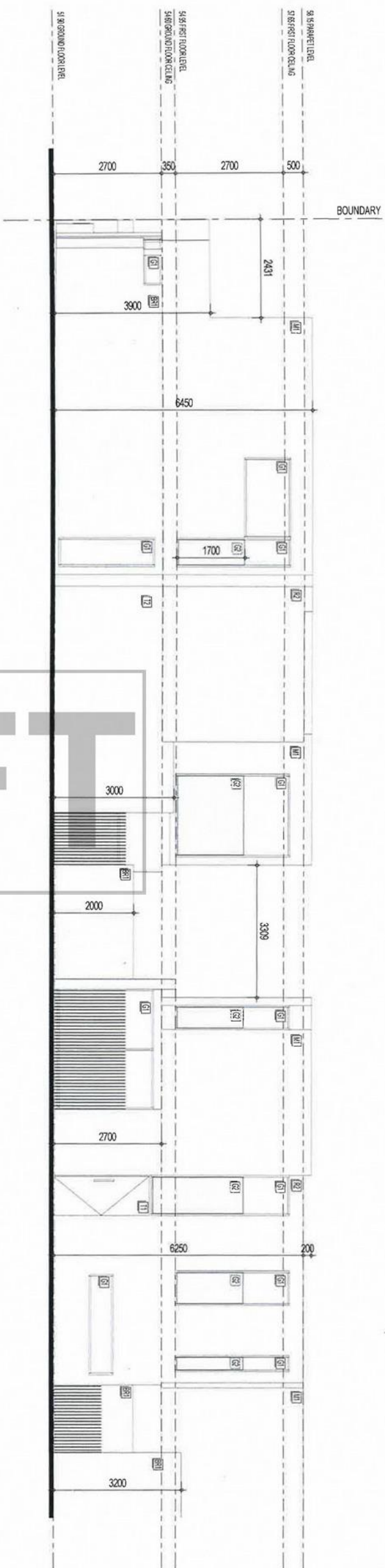
T1
- MATERIAL: BLOWN WOOD VERTICAL BATTENING
COLOUR: BLACK

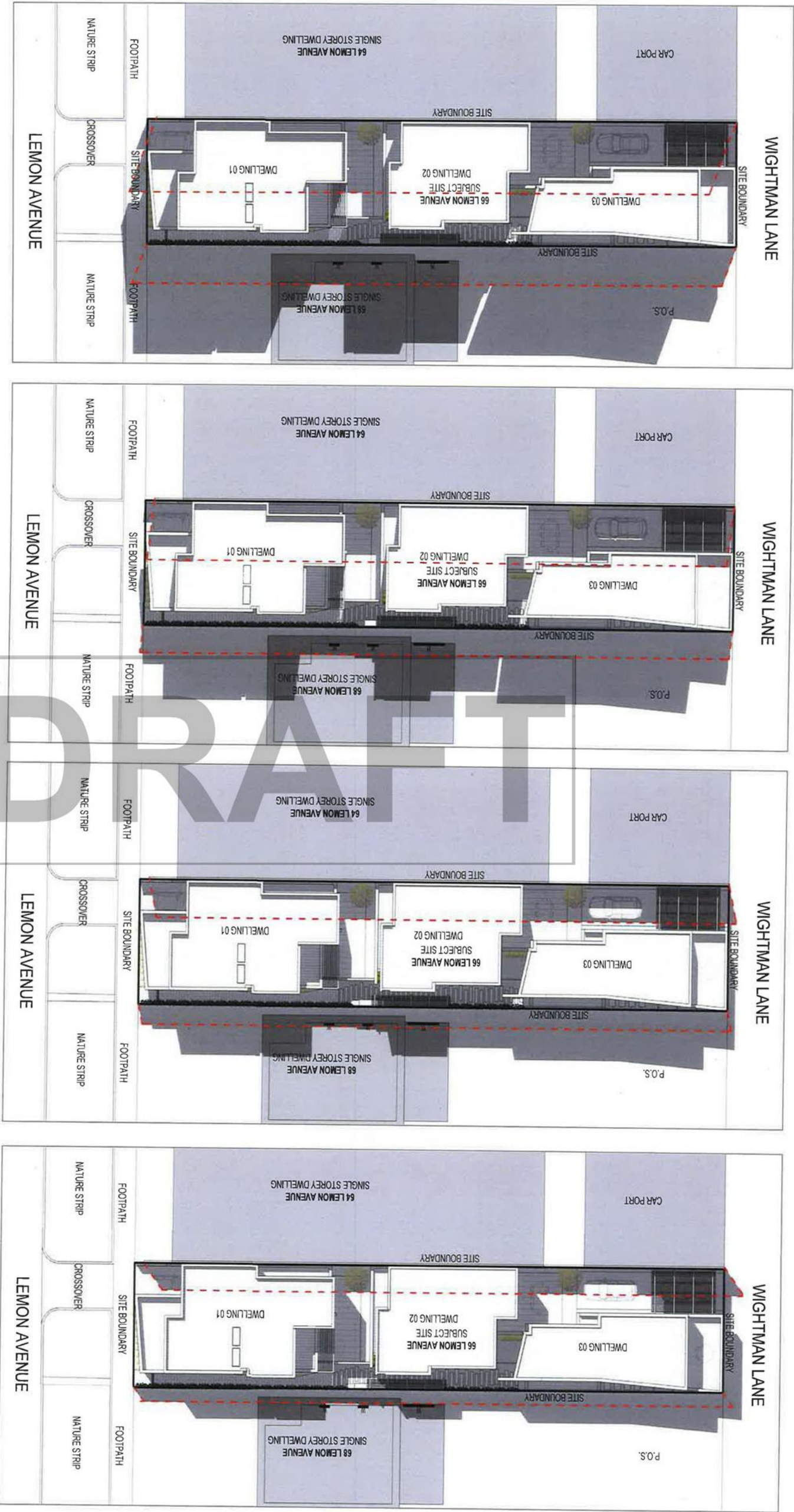
T2

MATERIAL: BLOWN WOOD HORIZONTAL BATTENING
COLOUR: BLACK

T3

WEST ELEVATION - DWELLING 01 & 02





SHADOW KEY

- PROPOSED SHADOW OUTLINE
- H/W HABITABLE WINDOWS
- N/H NON-HABITABLE WINDOWS
- EXISTING SHADOW

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REV	DATE	DETAILS

SHEET NAME	PROJECT
SHADOW ANALYSIS	66 LEMON AVENUE, AUDURA
	CLIENT NAME: JOSHUA WILSON

DATE	SEPTEMBER 2019
SCALE	1:150 A1 / 1:300 A2 / A3
DWG No.	1911
SHEET No.	TP13 REVISION

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REV	DATE	DETAILS

SHEET NAME
SHADOW ANALYSIS

PROJECT
66 LEMON AVENUE, MILDURA
CLIENT NAME
JOSHI/CAMUARO

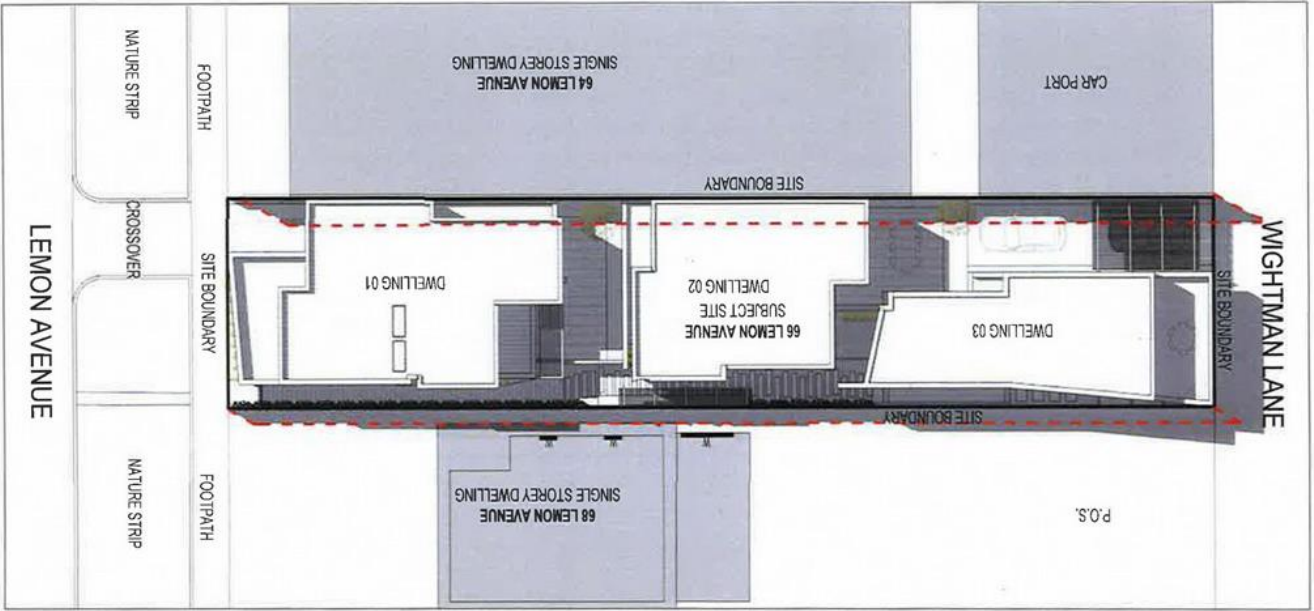
DATE
SEPTEMBER 2019
SCALE
1:150 AT A1 / 1:300 AT A3
DWG No.
1911
SHEET No.
TP14 REVISION



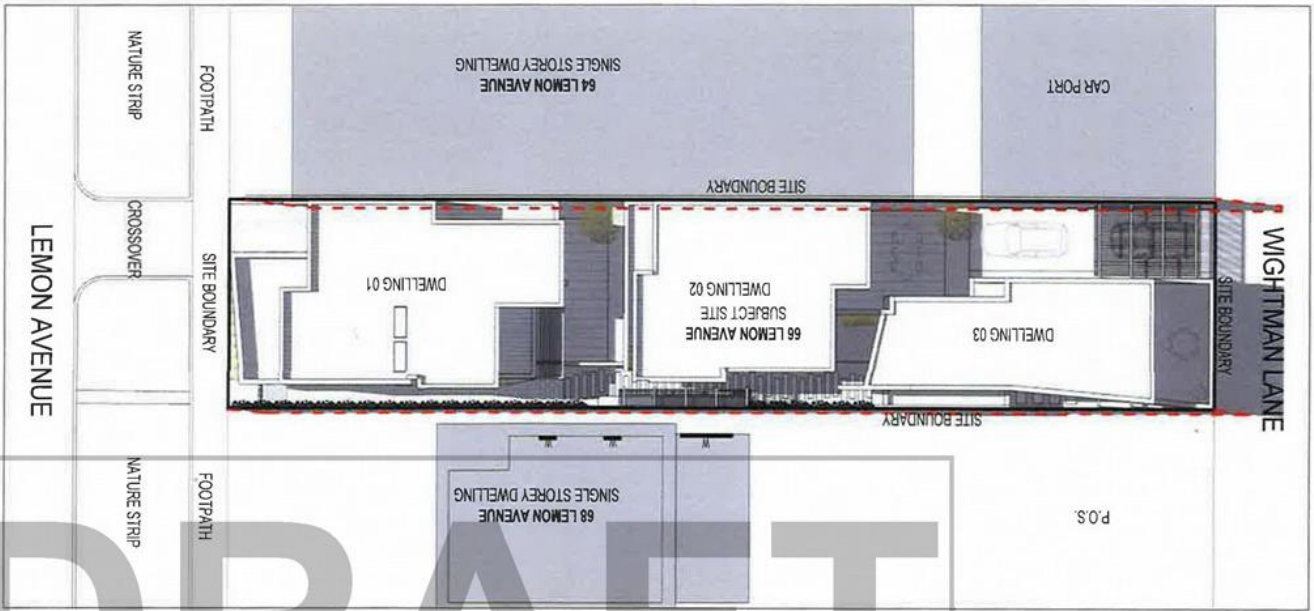
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- SHADOW KEY
- PROPOSED SHADOW OUTLINE
 - HIW HABITABLE WINDOWS
 - W NON-HABITABLE WINDOWS
 - EXISTING SHADOW

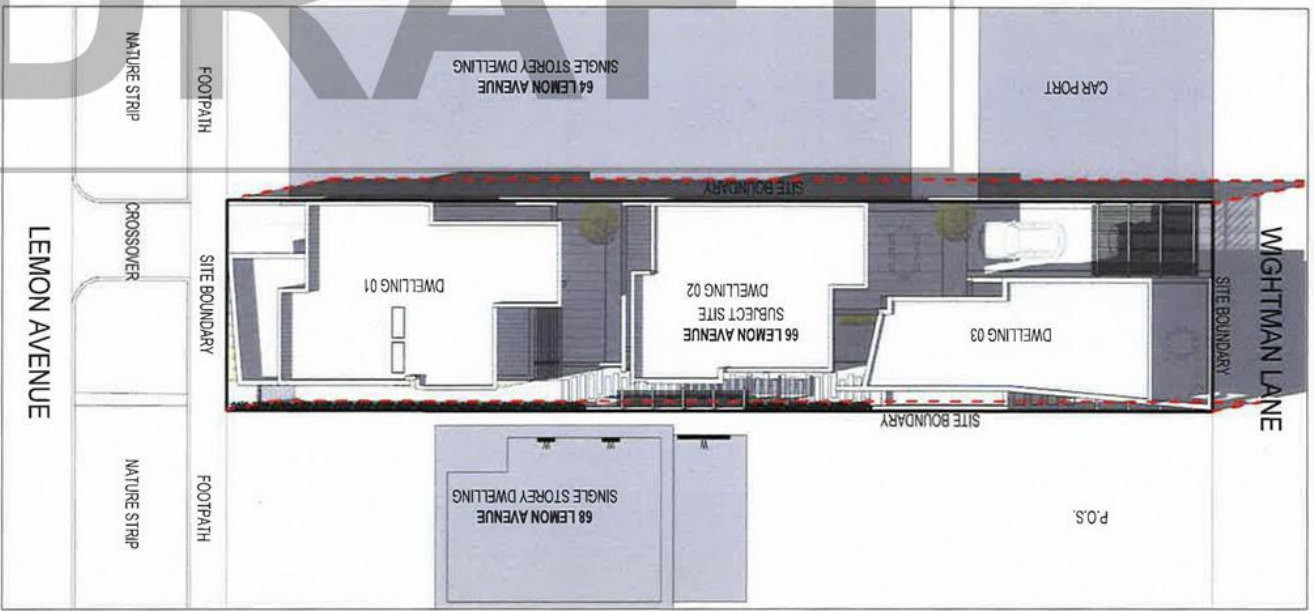
SHADOW ANALYSIS
1PM - 22ND SEPTEMBER

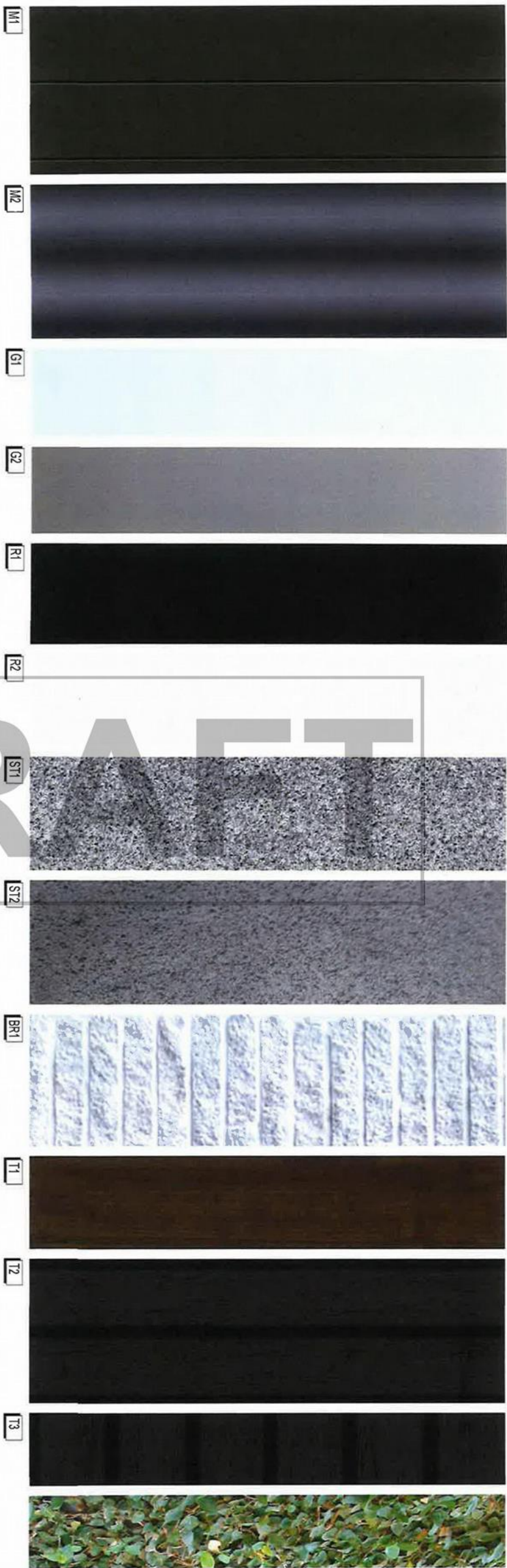


SHADOW ANALYSIS
2PM - 22ND SEPTEMBER



SHADOW ANALYSIS
3PM - 22ND SEPTEMBER





MATERIALS & FINISHES LEGEND

- MATERIAL: STANDING SEAM / NAIL STRIP CLADDING
COLOUR: COLORBOND SATIN NIGHT SKY OR SIMILAR
- MATERIAL: GLASS
COLOUR: CLEAR GLAZING
- MATERIAL: GLASS
COLOUR: FIXED OBSCURE GLAZING
- MATERIAL: RENDER
COLOUR: COLORBOND NIGHT SKY
- MATERIAL: EXPOSED AGGREGATE CONCRETE
COLOUR: GREY
- MATERIAL: BRICKWORK
COLOUR: ADRI MASONRY IVORY
- MATERIAL: BIOWOOD VERTICAL BATTENING
COLOUR: BLACK
- MATERIAL: METAL ROOFING - KLIP-LOK COLORBOND
COLOUR: NIGHT SKY OR SIMILAR
- MATERIAL: MATERIAL: GLASS
COLOUR: FIXED OBSCURE GLAZING
- MATERIAL: MATERIAL: RENDER
COLOUR: COOL WHITE
- MATERIAL: MATERIAL: BLUESTONE PAVER
COLOUR: GREY
- MATERIAL: MATERIAL: TIMBER
COLOUR: WALNUT FINISH OR SIMILAR
- MATERIAL: MATERIAL: BIOWOOD HORIZONTAL BATTENING
COLOUR: BLACK

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REV	DATE	DETAILS

SHEET NAME
MATERIALS & FINISHES

PROJECT
65 EDON AVENUE, ANDORA
CLIENT NAME
JOSPH CAMILLO

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A3
DWG No.
1911
SHEET No.
TP15 RENISON

NORTH

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12 NOV 2019





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REV	DATE	DETAILS
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2		
3		
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6		
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8		
9		
10		

SHEET NAME
307898957165

PROJECT
\$6.15M WAREHOUSE
CLIENT NAME
2018 CAVALLO

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A3
DWG No.
191
SHEET No.
TP16 RENOVATION



NORTH

12 NOV 2019





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REV	DATE	DETAILS
1		

SHEET NAME

30/09/2019/163

PROJECT

55 BROWN AVENUE, MUDRA


CLIENT NAME: JOSH CHALKLAND

DATE: SEPTEMBER 2019

SCALE: 1:50 (A1) / 1:100 (A3)

DWG No.: 1911

SHEET No.: TP17 BENSON



NORTH

12 NOV 2019



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REV	DATE	DETAILS
1		

SHEET NAME
30 PERSPECTIVES

PROJECT
61 LENOX AVENUE, WILDRDA

CLIENT NAME
ASSOCIATED

DATE
SEPTEMBER 2019

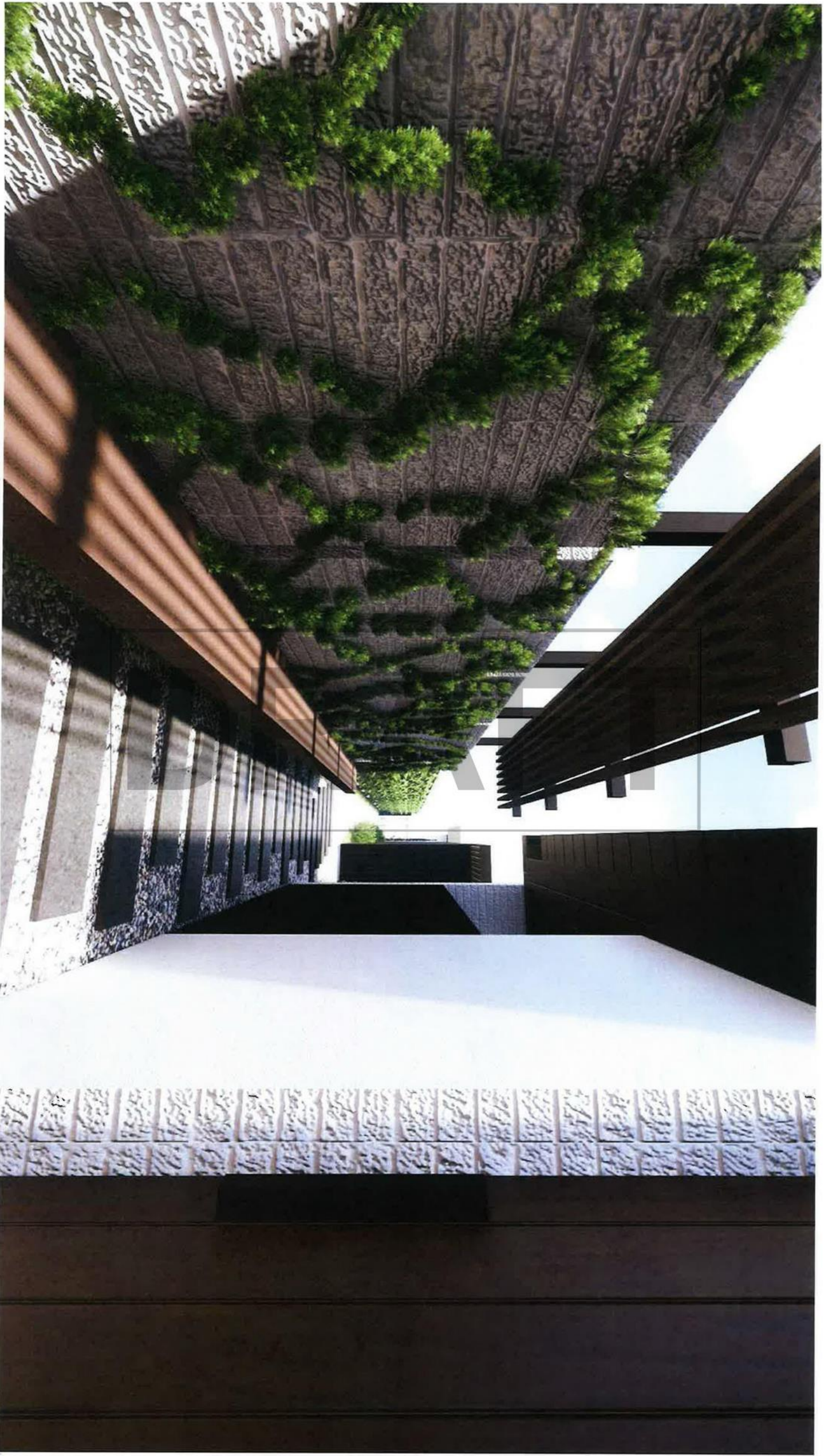
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DWG No.
1811

SHEET No.
TP18 - REVISION



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REV	DATE	DETAILS
1		

SHEET NAME

30789902000000000000

PROJECT

88120000000000000000


CLIENT NAME: 30810000000000000000

DATE: SEPTEMBER 2019

SCALE: 1:50 AT A1 / 1:100 AT A3

DWG No.: 1911


SHEET No.: TP19 PERISOR



NORTH

12 NOV 2019





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REV	DATE	DETAILS
1		

SHEET NAME

3073299CH1M3

PROJECT

81 LEONARD AVE, MURDOH

CLIENT NAME: JOSHUA LARO


DATE: SEPTEMBER 2019

SCALE: 1:50 AT A1 / 1:100 AT A3

DWG NO: 1911

SHEET NO: TP20 REVISION

NORTH



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REV	DATE	DETAILS

SHEET NAME

30/08/2019/163

PROJECT

66 EDWARDS AVE, MCGRA

CLIENT NAME: JOSH DAWLARD

DATE: SEPTEMBER 2019

SCALE: 1:50 A1 / 1:100 A1 A3

DWG No: 191

SHEET No: TP21 REVISION

NORTH



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REV	DATE	DETAILS
1		

SHEET NAME
30 PERSPECTIVES

PROJECT
61 BRYNMAEL WOODRA

CLIENT NAME
JOSH DAWLAND

DATE
SEPTEMBER 2019

SCALE
1:50 A1 / 1:100 A2

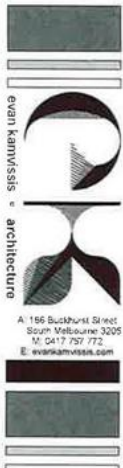
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1911

SHEET No.
TP22

REVISION

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REV	DATE	DETAILS
1		

SHEET NAME
30 PERSPECTIVES

PROJECT
68 LEONARDUS WOODRA
CLIENT NAME
JOSHCOWLAND

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A3
DWG No.
1911
SHEET No.
TP23 REVISION





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REV	DATE	DETAILS
1		

SHEET NAME

307639561/MS

PROJECT

61 ELDON AVENUE, MILDURA

CLIENT NAME: JOSH CATALANO

DATE

SEPTEMBER 2019

SCALE

1:50 AT A1 / 1:100 AT A3

DWG No.

1911

SHEET No.

TP24

REVISION

NORTH

12 NOV 2019



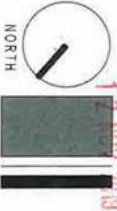
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REV	DATE	DETAILS

SHEET NAME
30 PERSPECTIVES

PROJECT
68 LENOX AVENUE, MILDURA
CLIENT NAME
JOSEPH MALLINO

DATE
SEPTEMBER 2019
SCALE
1:50 AT A1 / 1:100 AT A3
DWG No.
1911
SHEET No.
TP25 REVISION



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14.14 USE OF THE LAND FOR A FOOD AND DRINK PREMISES, LICENSED PREMISES (RESTAURANT AND CAFE LICENCE), VEHICLE AND HORSE FLOAT SALES, BUSINESS IDENTIFICATION SIGNAGE, WAIVER OF CAR PARKING REQUIREMENTS AND DEVELOPMENT OF BUILDINGS AND WORKS FOR VERANDAH AND SHADE SAILS - 57-59 JACARANDA STREET RED CLIFFS

File Number: 005.2015.00000185.001
Officer: General Manager Development

1. Summary

Date Received:	1 July 2019
Subject Property:	57-59 Jacaranda Street Red Cliffs (CP: 108162)
Proposed Amendment:	Amendment to the permit to include a verandah, shade sails and further reduction in car parking requirements to allow for up to 200 persons at the venue.
Zone:	General Residential Zone – Schedule 1 Abuts Road Zone Category 1
Overlays:	Heritage Overlay 303 RC Barclay Square
Applicant:	Regional Building Consultants
Application Triggers:	Clause 32.08-9 – Buildings and works associated with a Section 2 use Clause 43.01-1 – Permit requirement to construct a building or construct or carry out works Clause 52.06-3 – Permit requirement to reduce (including to zero) the number or car parking spaces required under Clause 52.06-5 Clause 52.29 – Alter access to land adjacent to a Road Zone Category 1
Relevant Provisions:	Clause 13.05-1S – Noise abatement Clause 17.04-1S – Facilitating tourism Clause 21.08-3 – Retail/commercial Clause 21.10-6 – Red Cliffs Clause 32.08 – General Residential Zone Clause 43.01 – Heritage Overlay Clause 52.06 – Car parking Clause 52.29 – Land adjacent to a Road Zone Category 1 Clause 65 – Decision guidelines Clause 66 – Referral and notice provisions
Objections Received	0

This amendment application has been called before Council for determination. The amendment seeks to alter to the permit for the Shed Café in Red Cliffs to include the development of additional shade sails, verandah (into the road reserve), increase in patron numbers to allow for up to 200 persons at the venue and an associated reduction in car p This amendment application has been called before Council for

determination. The amendment seeks to alter to the permit for the Shed Café in Red Cliffs to include the development of additional shade sails, verandah (into the road reserve), increase in patron numbers to allow for up to 200 persons at the venue and an associated reduction in car parking requirements.

The site has been used as the Shed Café at this location since January 2016, with the warehouse used for horse float sales. Recent increase in demand for the café has seen the applicant apply to increase the area used for the café and include additional alfresco dining opportunity at the side. The site faces directly to Jacaranda Street (Calder Highway) and is approximately 300m from the centre of Red Cliffs.

The application was received on 1 July 2019, following requests for further information from both the Responsible Authority and Transport for Victoria.

Concerns regarding the reduction of car parking requirements, and the applicants desire to use land owned by Vic Track (adjacent to the site) were resolved through the application process (and removal from the proposal), with justification provided by the applicant with a car parking demand assessment of the local area, as required by *Clause 52.06-7 Application requirements and decision guidelines for permit applications* of the Mildura Planning Scheme.

Regional Roads Victoria required the proponent to enter into service agreements and provide additional details for the proposed verandah into the designated highway reserve area. Once provided the authority provided their conditional consent to the application to amend the permit on 31 March 2020.

The application was notified pursuant to Section 52 of the *Planning and Environment Act 1987*, with no objections to the proposal received.

2. Recommendation

That Council, having caused notice of Planning Application No. 005.2015.00000185.001 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the relevant matters under Section 60 of the *Planning and Environment Act 1987*, determines to grant a permit in respect to the land known and described as 57 – 59 Jacaranda Street, Red Cliffs; being CP 108162, for the amendment to include verandah, shade sails and further reduction in car parking requirements with the following conditions:

1. **the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the Fisher Design and Drafting plans No. DDF0616, Rev G date stamped 29 October 2019 and annotated as but modified to show:**
 - a. **The engineering specifications and standards for design and construction for the proposed pergola/shade sails to be installed within the Calder Highway road reserve.**

2. The use and development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the Responsible Authority.
3. Prior to commencement of use the existing access off Jacaranda Street must be concreted to Council's satisfaction. A Road Opening permit must be obtained prior to driveway works commencing.
4. The sale and consumption of liquor may occur during the following hours:
Good Friday and ANZAC Day – 12noon to 5.00pm
Any other day – 7.00am to 11.00pm
5. The location, details and size of the signs, shown on the endorsed plans including the actual advertisement, must not be altered without the prior written consent of the Responsible Authority.
6. DELETED
7. The wrought iron security fence and gates are to be painted/powder coated black.
8. No horse floats or vehicles may be washed on site.
9. No horse floats or vehicles may be serviced or repaired on site.
10. No horse floats or vehicles may be displayed or stored on an adjacent road or lane.
11. No more than twenty vehicles, including horse floats, may be displayed for sale from the site.
12. No floodlights may be installed except with the prior written consent of the Responsible Authority.
13. No loading or unloading of goods, horse floats or vehicles may occur on Jacaranda Street.
14. The use approved under this permit must not adversely affect the amenity of the locality by reason of the processes carried on, the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise to the satisfaction of the Responsible Authority.
15. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Public Premises) No. N-2 (or as amended), to the satisfaction of the Responsible Authority.
16. Stormwater discharge must discharge to the kerb and channel, to the satisfaction of the Responsible Authority.
17. The verandah and shade sails colours must be in the range of buff to cream, to the satisfaction of the Responsible Authority.

18. The above-mentioned planning permit expires if;

- a. the development or any stage of it does not start within two years of the date of issue of the permit or;
- b. the development or any stage of it is not completed within four years of the date of issue of the permit.
- c. the use does not start within four years of the date of issue of the permit or;
- d. the use is discontinued for a period of two years.

The permit time may be extended pursuant to Section 69 of the Planning and Environment Act 1987 if a written request is received by the Responsible Authority before the permit expires or;

- within 6 months of the expiry date if development has not commenced; or
- within 12 months of the expiry date if the development has commenced and was lawfully started before the expiry date.

Permit Note:

A Permit for Provision of Goods, Advertising, Signs and Outdoor Dining Facilities On Street and Roads must be obtained for outdoor seating within the road reserve.

TRANSPORT FOR VICTORIA

19. Prior to the commencement of use, the applicant must enter into a “Road Works Agreement” with Head, Transport for Victoria for the part use of the road reserve for the installation, maintenance and removal of the pergola.

3. Time Frame

Outline key dates

Application Received	1 July 2019
Further information received	7 November 2019
Application Referred	12 November 2019
Application Notified	12 November 2019
Transport for Victoria further information request	13 December 2019
Application to amend the application received (required by Regional Roads Victoria)	18 February 2020
Referral to Regional Roads Victoria	19 February 2020
Regional Roads Victoria referral response received	31 March 2020
Objector Consultation Meeting	Not required
Planning Referral Committee Meeting	27 April 2020

4. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Area:

2.5 Strategic Land Use

Goal to be achieved:

- A well-developed long-term land use vision.

5. Asset Management Policy/Plan Alignment

This is not relevant to the subject application.

6. Implications - Assessment of the Application

Policy

The State Planning Policy Framework (SPPF), Local Planning Policy Framework (LPPF) and the Planning Scheme Revisions are discussed in the attached report.

Legal/Statutory

Council is required to determine the application pursuant to Section 61 of the Planning and Environment Act 1987. Council's decision is subject to possible review by the Victorian Civil and Administrative Tribunal (VCAT).

Financial

All relevant fees have been paid. In the event of an application for review by VCAT, each party will be required to bear their own costs.

Environmental

As detailed in the Assessment of the Application

Social

As detailed in the Assessment of the Application

Economic

As detailed in the Assessment of the Application.

7. Risk Assessment

Council's decision is subject to possible review by the Victorian Civil and Administrative Tribunal. In the event of an application for review by VCAT, each party will be required to bear their own costs.

8. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 Delegation Report
- 2 Site Photo
- 3 Plans

MILDURA RURAL CITY COUNCIL
STATUTORY PLANNING DEPARTMENT

PLANNING DELEGATION REPORT – Amended Plans/Permit

Application Number

005.2015.00000185.005

Received Date

17 February 2020

Applicant

Regional Building Consultants

Subject property (Parcel No/s 17865)

57-59 Jacaranda Street RED CLIFFS

(CP: 108162)

Proposal

Use of the Land for a Food and Drink Premises, Licensed Premises (Restaurant and Cafe Licence), Vehicle and Horse Float Sales, Business Identification Signage and Waiver of Car Parking Requirements, development of buildings and works for a verandah and alfresco dining

The amendment seeks the approval of an increased patron area within the existing building, verandah and shade sails to the front of the site and to allow for up to 200 person functions.

Zones/Overlays

General Residential Zone - Schedule 1
Heritage Overlay 303 RC Barclay Sq
Abuts Road Zone Category 1

Before deciding on an application to amend a permit or plans Council must consider the requirements of Clause 72 of the Planning and Environment Act, 1987, which states:

72. Application for amendment of permit

A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.

This section does not apply to –

MILDURA RURAL CITY COUNCIL
STATUTORY PLANNING DEPARTMENT

(a) a permit issued at the direction of the Tribunal; or

(b) a permit issued under Division 6.

(3) In this section a reference to a permit includes any plans, drawings or other documents approved under the permit.

73. What is the procedure for the application

(1) Subject to this section, sections 47 to 62 (with any necessary changes) apply to an application to the responsible authority to amend a permit.

Was the matter decided by VCAT? N

Does the requested change alter any conditions of a referral authority? Y

Does the requested change affect the interests of a referral authority? Y

Is the amendment consistent with the current planning scheme? Y

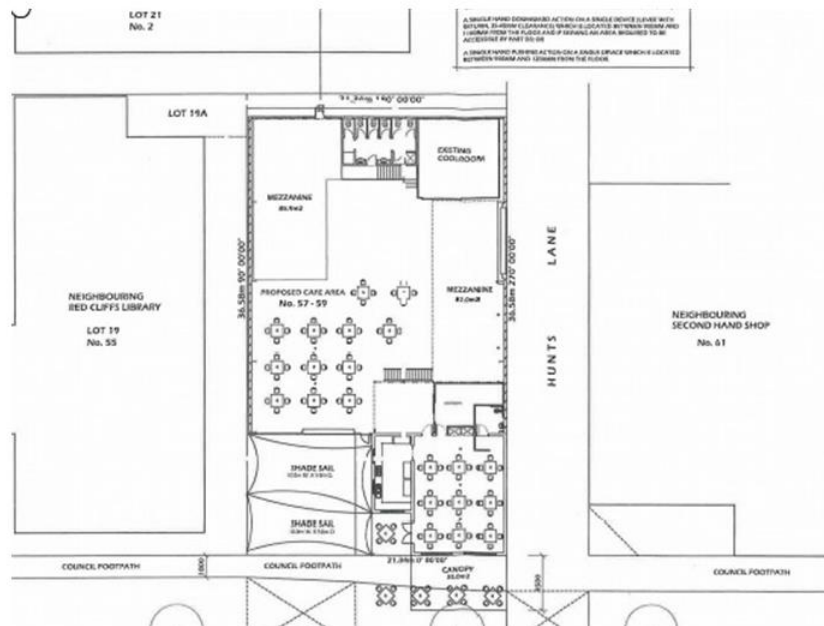
Was a written request detailing the nature of the requested change submitted? Y

NATURE OF THE REQUEST

The applicant, Regional Building Consultants have applied to amend the permit to expand the café area and undertake internal rearrangements, including the development of two shade sails and a verandah. The proposal also requires a further reduction in car parking requirements. The shade sails will be attached to building over the existing driveway access area. The café area will be increased within the warehouse area of the building.

The verandah is located over the road reserve area to Jacaranda Street which is managed by Transport for Victoria.

**MILDURA RURAL CITY COUNCIL
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Has the applicant completed the required forms?

The applicant has completed the application to amend form and paid the appropriate fee.

Is the Permit still Valid?

The permit was issued on 8 December 2015, with the use commencing within the prescribed time. The permit has been extended with respect to development, and will expire on 8 December 2021 if the development has not been completed.

Has there been any change to the Planning Scheme Zone, Overlay or Policy since the permit issued?

There has been changes to the Mildura Planning Scheme since the permit was issued however these changes are not relevant to this amendment application.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.

MILDURA RURAL CITY COUNCIL
STATUTORY PLANNING DEPARTMENT

- Placing a sign on site

The notification has been carried out correctly.

Council has received no objections to date.

Assessment**GENERAL RESIDENTIAL ZONE (Clause 32.08)**

The subject site is zoned General Residential which has the following relevant purpose:

"To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations."

Comment:

The café has existed on the site for many years, servicing the local Red Cliffs community. The proposal to extend the seating area and additional amenity treatments to provide shade to alfresco dining is considered to complement the existing use being undertaken and will allow for the expansion of the existing use.

Clause 32.08-13 Decision Guidelines of this zone states:

"Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework;*
- *The purpose of this zone.*

Non-residential use and development

- *Whether the use or development is compatible with residential use;*
- *Whether the use generally serves local community needs;*
- *The scale and intensity of the use and development;*
- *The design, height, setback and appearance of the proposed buildings and works;*
- *The provision of car and bicycle parking and associated accessways; and*
- *Any proposed loading and refuse collection facilities."*

Comment:

The Municipal Planning Strategy and the Planning Policy Framework will be discussed elsewhere in this report. It is considered that the proposal meets the purpose of the zone by allowing for the expansion of the existing café which services the local Red Cliffs area. The site has been used by the Shed Café for some years following the approval of the permit in 2015, it is considered compatible with existing residential uses which adjoin the site. The potential

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expansion could result in further expansion of the use to evening service (with the café currently operating to 3pm on a daily basis), however it is considered that additional conditions to protect the amenity of the area can be placed on any amended permit. Noise abatement issues will be discussed elsewhere in this report. It is considered that the café generally serves local community needs with Red Cliffs being a satellite town which has enjoyed residential growth in recent years, the expansion of the café will allow for additional service hours and increased seating availability for the local community. The proposed development additions are considered minor when considering the existing use and development of the site, however the increased patron numbers to 200 persons is considered significant to the amenity of the area, for noise and car parking availabilities, however these issues are addressed elsewhere in this report. The loading and refuse collection is not proposed to be altered by this approval.

HERITAGE OVERLAY (Clause 43.01)

The subject site is affected by Heritage Overlay 303 – Barclay Square Precinct. The Heritage Overlay has the following relevant purpose:

"To ensure that development does not adversely affect the significance of heritage places."

Comment:

The amendment application was referred to Council's Heritage advisor, who had no objection to the proposal with a recommendation that the shade sails and verandah be in the range of buff to cream avoiding strong colours, to be consistent with the recommended colours of shops and commercial buildings in the precinct. This will be placed as a condition on any amended permit issued.

Clause 43.01-8 Decision guidelines states:

"Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework;*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place; and*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place."*

Comment:

The Municipal Planning Strategy and the Planning Policy Framework will be discussed elsewhere in this report. It is considered that the proposed works will not adversely affect the heritage significance of the place, as the works are considered to be minor in nature, and will not impact on the existing bulk or contribution of the existing building. The Heritage advisor had no issue with the additional verandah and shade sails, but requested they be of muted colour to

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STATUTORY PLANNING DEPARTMENT

ensure minimal impact to the precinct area, and remain consistent with recommendations for the area.

The Planning Policy Framework (PPF)

NOISE ABATEMENT (Clause 13.05-1S)

Clause 13.05-1S Noise abatement of the PPF is relevant and has the following objective:

"To assist the control of noise effects on sensitive land uses."

The objective is achieved through the following strategy:

"Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area."

Comment:

Conditions will be imposed ensuring that noise emissions from the site are in compliance with the noise limits specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP-N2). This will ensure the amenity of the adjoining residential uses is continued and not detrimentally impacted by live music.

FACILITATING TOURISM (Clause 17.04-1S)

Clause 17.04-1S Facilitating tourism of the PPF is relevant and has the following objective:

"To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and tourist destination."

The objective is achieved through the following strategy amongst others:

"Encourage investment that meets demand and supports growth in tourism."

Comment:

Whilst the application is for the extension of the existing use at the site, it is considered relevant as the Shed Café will be able to expand their current trading abilities to accommodate for the residential growth in Red Cliffs. To ensure the town has additional facilities for food, drink and entertainment to encourage visitors to the township.

The Municipal Planning Strategy (MPS)

RETAIL/COMMERCIAL (Clause 21.08-3)

Clause 21.08-3 Retail/commercial of the MPS is relevant and has the following objective:

MILDURA RURAL CITY COUNCIL
STATUTORY PLANNING DEPARTMENT

"To achieve balanced and sustainable retailing facilities that serve the needs of, and are accessible to, residents and visitors."

The objective is achieved through the following strategy, amongst others:

"Support further commercial development with the existing commercial areas in Irymple, Merbein, Red Cliffs and Ouyen."

Comment:

It is considered that the extension of the existing Shed Café will enable the continued expansion of the existing food and drink premises, which will ensure choice of venues in the small township. The large space will allow for functions to be held along with normal trading. The verandah and shade sails will ensure shaded alfresco dining opportunities for normal trade.

RED CLIFFS (Clause 21.10-6)

Clause 21.10-6 Red Cliffs of the MPS is relevant and states:

Settlement, housing and economic development

"Support the continued development of Red Cliffs as an important satellite township with a distinct local character."

Comment:

It is considered that the expansion of the Shed Café is supporting the continued development of Red Cliffs as the café has grown in popularity it will allow for a large sized function centre being available to the local area.

Relevant Particular Provisions

CAR PARKING (Clause 52.06)

Clause 52.06 Car parking of the particular provisions is relevant and has the following relevant purpose:

"To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality."

Comment:

It is considered that the proposal has the potential to increase the demand for car parking in the local area, however the availability of on street car parking along Jacaranda Street and along Jamison Avenue that is currently underutilised, will accommodate the increased demand.

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Clause 52.05-6 Number of car parking spaces required under Table 1:

Use	Rate	Rate	Car Parking Measure
	Column A	Column B	Column C
Food and drink premises other than listed in this table	4	3.5	To each 100 sq m of leasable floor area

Comment:

The proposed amendment is increasing the floor area to be used by the café by 282m², an additional 11 car parking spaces are required to be provided. Although the car parking rate requires 11 additional spaces it is noted that the application is seeking to be able to seat 200 persons at one time, which could significantly increase the car parking demand on the area. The amendment to the internal arrangement of the building has also results in the loss of 3 existing car parking spaces, taking the total of number of spaces to be reduced by this application to 14 spaces. One space is provided on site for the existing dwelling use above the food and drink premises.

Clause 52.06-7 Application requirements and decision guidelines for permit applications states:

"Before granting a permit to reduce the number of spaces, the Responsible Authority must consider the following, as appropriate:

- *The Car Parking Demand Assessment;*
- *The availability of alternative car parking in the locality of the land, including:*
 - *Efficiencies gained from the consolidation of shared car parking spaces;*
 - *Public car parks intended to serve the land;*
 - *On street parking in non residential zones;*
 - *Streets in residential zones specifically managed for non-residential parking.*
- *On street parking in residential zones in the locality of the land that is intended to be for residential use;*
- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres;*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre;*
- *The future growth and development of any nearby activity centre;*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas."*

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Comment:

The applicant has provided a Car Parking Demand Assessment which has included photos taken of the surrounding area for car parking availability. Details within this report showed that the car parking availability in the wider area was around 90% available. It is considered that a large number of those car parks available and to be used would be in Jamieson Avenue, which has been line marked and sits alongside Barclay Square. This car parking is within 100m of the site, which has been developed to service the Red Cliffs Citizens Club function hall. It is considered that during a peak demand event for both the Citizens club holding a function, and the Shed Café would result in a car parking availability being limited to the area. It is considered that the Shed Café would encourage persons to car pool to the premises for evening service with the limited local availability of taxis in the area limiting transport options particularly for evenings. Onstreet car parking is available along Jacaranda Street, along Jamieson Avenue and into Ilex Street, all within short walking distance to the premises. The site is located slightly out of the immediate CBD area of Red Cliffs, but the nature of the area means that “pop up” commercial premises are located throughout the wider area. The application to amend the permit was notified to the immediate area with no objections to the increased patronage and reduction in car parking received. It is considered that the applicant has suitably demonstrated that the area is able to accommodate the increased car parking demand generated by this application.

LAND ADJACENT TO A ROAD ZONE CATEGORY 1 (Clause 52.29)

Clause 52.29 Land adjacent to a Road Zone Category 1 of the Particular Provisions is relevant and has the following purpose:

“To ensure appropriate access to identified roads.”

Comment:

The proposed amendment was referred to the Department of Transport pursuant to Section 55 of the *Planning and Environment Act 1987*. Upon receipt of further information from the permit applicant, the department provided conditional consent to the proposal.

Clause 52.29-6 Decision guidelines states:

“Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider:

- *The Municipal Planning Strategy and the Planning Policy Framework;*
- *The views of the relevant road authority; and*
- *The effect of the proposal on the operation of the road and on public safety.”*

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Comment:

The Municipal Planning Strategy and Planning Policy Framework has been discussed earlier in this report. The views of the relevant road authority VicRoads have been considered, and their requirements will be included in any amended permit issued. It is considered that the proposal had the potential to impact on how the road operates with additional on street car parking demand, however the road is wide in nature and zoned for 60km, which the roads authority determined that the proposal would not impact on the road use.

LIVE MUSIC AND ENTERTAINMENT NOISE (Clause 53.06)

Clause 53.06 Live music and entertainment noise of the Particular Provisions is relevant and has the following relevant purpose:

"To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise."

Comment:

The site has residential uses within 50m along with mezzanine residences located within the building, it is considered important to ensure the amenity of the residential use is not impacted by live music and entertainment noise.

Clause 53.06-3 Requirements to be met states:

"A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue."

A permit may be granted to reduce or waive these requirements if the Responsible Authority is satisfied that an alternative measure meets the purpose of this clause."

Comment:

The applicant has not applied to waive the requirements of this clause and as a result a condition will be placed on any permit issued requiring compliance with this clause.

The decision guidelines of Clause 65

Clause 65 states:

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

The decision guidelines relevant to this application are:

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- *"The Municipal Planning Strategy and the Planning Policy Framework;*
- *The purpose of the zone, overlay or other provision;*
- *The orderly planning of the area;*
- *The effect on the amenity of the area; and*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts."*

Comment:

The Municipal Planning Strategy, Planning Policy Framework, zone, overlay and other provisions of the Mildura Planning Scheme have been discussed earlier in this report and it is considered that the application to amend the permit has satisfied the requirements of the Mildura Planning Scheme. The proposal is considered to be orderly planning as the expansion of the café has occurred due to its ongoing success, which in turn continues to provide employment, entertainment and food opportunities to the local Red Cliffs area. Although the site adjoining residential uses, it is considered that suitable noise attenuation works can be undertaken to reduce noise to an acceptable level. The existing loading and unloading facilities of the site will remain unchanged, although traffic flow could be impacted by cars slowing to park on the road side and entering traffic, it is considered to be normal to the area, with business existing along Jacaranda Street and being signed to 60km per hour to ensure road safety.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no adopted State policies relevant to this application.

Relevant incorporated or reference documents

There are no incorporated documents relevant to this application.

Relevant Planning Scheme amendments

There are no Planning Scheme amendments affecting this application.

REFERRALS

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	<p>Transport for Victoria</p> <p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> - Before the use starts, amended plans must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the

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	<p>permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the Fisher Design and Drafting plans No. DDF0616, Rev G stamped 29 October 2019 and annotated as but modified to show:</p> <ul style="list-style-type: none"> ○ The engineering specifications and standards for design and construction for the proposed pergola/shade sails to be installed within the Calder Highway reserve. - Before the commencement of the use, the applicant must enter into a "Road Works Agreement" with Head, Transport for Victoria for the part use of the road reserve for the installation, maintenance and removal of the pergola.
Section 52 notices	Nil

Internal Council Referrals	Advice/Response/Conditions
Engineering	<p>No objection subject to the following condition:</p> <ul style="list-style-type: none"> - If the proposed verandah is to be roofed it must discharge to the kerb and channel to the satisfaction of the Responsible Authority.
Heritage advisor	No objection to the proposal.

RECOMMENDATION

It is considered that the requested change meets the requirements set out in Section 73 of the Planning and Environment Act, 1987 and it is recommended that the plans and permit be amended as requested in accordance with Section 74 of the Planning and Environment Act 1987.

Planner	Mrs Natalie Turvey	Checked	Tim Berger
Responsible:	Town Planner	By:	Senior Statutory Planner

Date:	8 April 2020	Date:	16 April 2020
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CONDITIONS

- (1) Before the use starts, amended plans must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the Fisher Design and Drafting plans No. DDF0616, Rev G date stamped 29 October 2019 and annotated as but modified to show:

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- a) The engineering specifications and standards for design and construction for the proposed pergola/shade sails to be installed within the Calder Highway road reserve.
- (2) The use and development as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the Responsible Authority.
- (3) Prior to commencement of use the existing access off Jacaranda Street must be concreted to Council's satisfaction. A Road Opening permit must be obtained prior to driveway works commencing.
- (4) The sale and consumption of liquor may occur during the following hours:
 - Good Friday & ANZAC Day – 12 noon to 5pm
 - Any other day – 7am to 11pm
- (5) The location, details and size of the signs, shown on the endorsed plans including the actual advertisement, must not be altered without the prior written consent of the Responsible Authority.
- (6) DELETED
- (7) The wrought iron security fence and gates are to be painted/powder coated black.
- (8) No horse floats or vehicles may be washed on site.
- (9) No horse floats or vehicles may be serviced or repaired on site.
- (10) No horse floats or vehicles may be displayed or stored on an adjacent road or lane.
- (11) No more than twenty vehicles, including horse floats, may be displayed for sale from the site.
- (12) No floodlights may be installed except with the prior written consent of the Responsible Authority.
- (13) No loading or unloading of goods, horse floats or vehicles may occur on Jacaranda Street.
- (14) The use approved under this permit must not adversely affect the amenity of the locality by reason of the processes carried on, the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise to the satisfaction of the Responsible Authority.
- (15) Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Public Premises) No. N-2 (or as amended), to the satisfaction of the Responsible Authority.
- (16) Stormwater discharge must discharge to the kerb and channel, to the satisfaction of the Responsible Authority.
- (17) The verandah and shade sails colours must be in the range of buff to cream, to the satisfaction of the Responsible Authority.

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(18) The above-mentioned planning permit expires if;

- a) the development or any stage of it does not start within two years of the date of issue of the permit or;
- b) the development or any stage of it is not completed within four years of the date of issue of the permit.
- c) the use does not start within four years of the date of issue of the permit or;
- d) the use is discontinued for a period of two years.

The permit time may be extended pursuant to Section 69 of the Planning and Environment Act 1987 if a written request is received by the Responsible Authority before the permit expires or;

- within 6 months of the expiry date if development has not commenced; or
- within 12 months of the expiry date if the development has commenced and was lawfully started before the expiry date.

Permit Note:

A Permit for Provision of Goods, Advertising, Signs and Outdoor Dining Facilities On Street and Roads must be obtained for outdoor seating within the road reserve.

TRANSPORT FOR VICTORIA

(19) Prior to the commencement of use, the applicant must enter into a "Road Works Agreement" with Head, Transport for Victoria for the part use of the road reserve for the installation, maintenance and removal of the pergola.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

(1) 27 July 2016

The permit and plans forming part of the permit have been amended pursuant to Section 74 of the Planning & Environment Act 1987 to include the use of the land for a licensed premises (Restaurant & Café Licence) and to alter signage.

(2) 8 December 2016

Pursuant to Section 74 of the Planning and Environment Act 1987 the permit has been amended to include a Beer and Wine Producers liquor licence and to alter condition 3 (hours of operation)

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(3) 27 May 2017

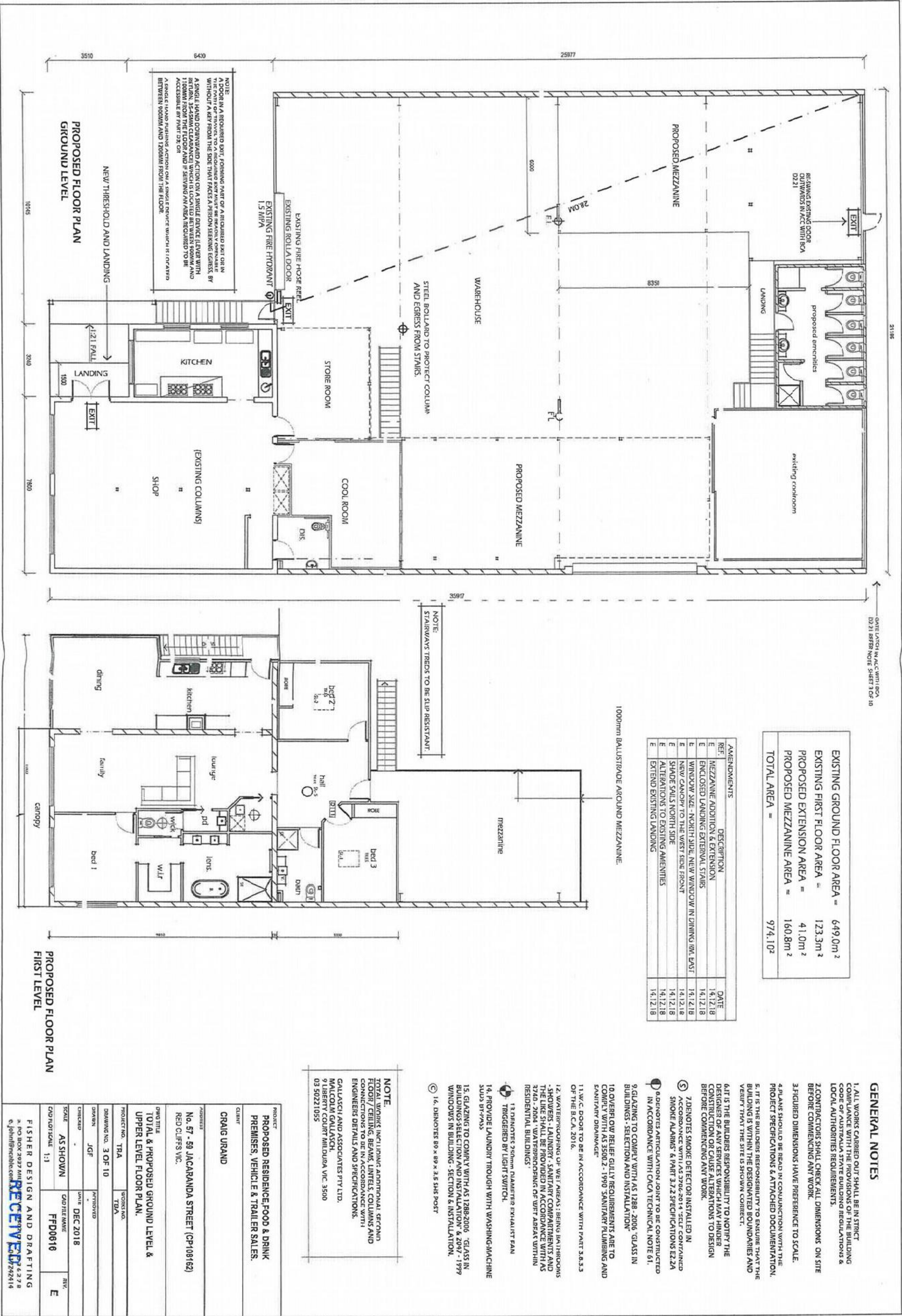
The plans forming part of the permit have been amended pursuant to Section 74 of the Planning & Environment Act 1987 to alter the façade of the building. Condition 5 has also been deleted.

(4) D mmmm yyyy

Pursuant to Section 74 of the Planning and Environment Act 1987 the permit has been amended to alter what the permit allows and included additional permit condition 1, 15, 16, 17 and 19.







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15 URGENT BUSINESS

Nil

16 PUBLIC QUESTIONS

17 CONFIDENTIAL BUSINESS

Recommendation

That Council resolve to move into confidential business to deal with the following matters as pursuant to Section 66(2) of the *Local Government Act 2020*:

17.1 FREEMAN OF THE CITY

Section 3(1)(f) - Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, would unreasonably disclose the personal information of individuals to which this report pertains.

17.2 AMENDMENT TO CONTRACT 1718/4 - HIRE OF ROAD CONSTRUCTION TRUCKS AND TRAILERS PANEL

Section 3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the commercial position of Council, as various negotiations remain pending.

18 CLOSURE