



MINUTES
of the
ORDINARY MEETING OF COUNCIL
held on
WEDNESDAY 22 MAY 2013
in the
ALEXANDRA COUNCIL CHAMBERS
commencing at
6.00 pm

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1. PRAYER & RECONCILIATION STATEMENT

The meeting was opened with Prayer and reading of the Reconciliation Statement.

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

File: 12/02/19

Apologies were received from Cr A Derwent and Cr C Challen (attending a conference).

RESOLUTION:

Cr C Ruhr / Cr B Magner

That Council accepts the apologies of Councillors Challen and Derwent.

CARRIED

Present:

Crs J Walsh (Chair), J Kennedy, B Magner, M Rae, C Ruhr

In attendance:

Chief Executive Officer: Margaret Abbey

General Manager - Sustainability: Michael Chesworth

General Manager Corporate & Community Services: Rob Cherry

General Manager Infrastructure Services: Tamara Johnson

Manager Infrastructure Assets: John Canny

Manager Infrastructure Operations: Mark Leitinger

Manager Customer & Communications: Damien Cocks

Manager Development and Environmental Services: Matt Parsons

Statutory Planning Co-ordinator: Karen Girvan

3. CONFIRMATION OF MINUTES

- Minutes of the Ordinary meeting of Council held on 24 April 2013
- Minutes of the Special meeting of Council held on 15 May 2013

RESOLUTION:

Cr M Rae / Cr J Kennedy

That the Minutes of the Ordinary meeting of Council held on 24 April 2013 be confirmed.

CARRIED

RESOLUTION:

Cr M Rae / Cr J Kennedy

That the Minutes of the Special meeting of Council held on 15 May 2013 be confirmed.

CARRIED

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

File No: 12/01/06-1

No disclosures made.

5. OPEN FORUM

The Chairperson declared Open Forum and invited questions from the Gallery.

Peter Guest, of Marysville, spoke in support of a development application in Marysville (Item 8.1.1 on the agenda).

Gerry Lewis and Cindy Ferguson, representing the Alexandra Railway precinct Master Plan Development Project Steering Group, spoke in support of a masterplan development project for the railway precinct in Alexandra (not on the agenda).

Margot Morrison, of Thornton, expressed her concern at the loss of a heated pool in Marysville (not on the agenda).

The Chairperson closed Open Forum.

6. PETITIONS RECEIVED BY COUNCIL

No petitions received.

7. REPORTS BY ADVISORY COMMITTEES OR SPECIAL COMMITTEES

No new reports.

8. OFFICER REPORTS

8.1 DEVELOPMENT & ENVIRONMENT

8.1.1 *Microbrewery and Restaurant*

File No: 2013/48

Land: 30 Murchison Street MARYSVILLE 3779

Proposal: Construction of a building associated with an industry (brewery), shop (providore), restaurant and tavern bar and beer tasting area); Use of the building for an industry (brewery) and tavern (bar and beer tasting area); a wine and beer producers liquor licence; and a reduction in car parking requirements.

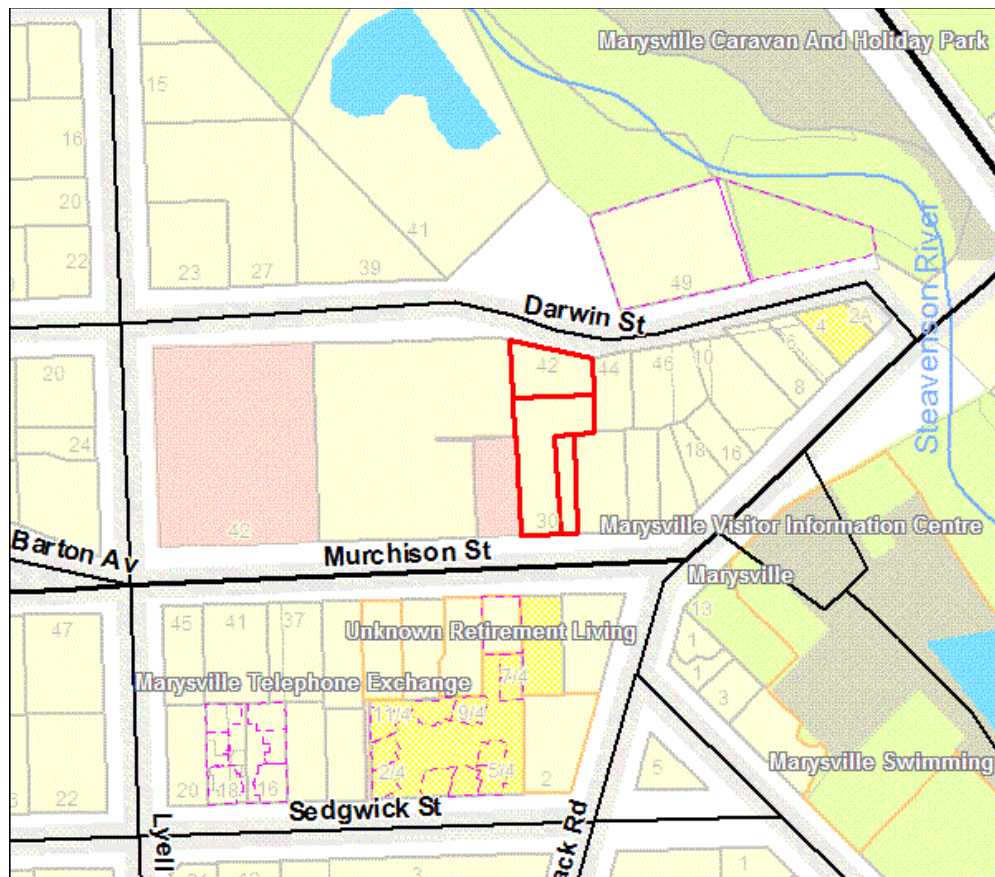
Applicant: P B Guest

Zoning: Business 1

Overlays: Design and Development; Vegetation Protection

Attachments: Application details (*refer Encl 8.1.1a and Encl 8.1.1b*)
(aerial photograph and submissions distributed separately)

Locality Plan



Purpose:

This report recommends that a notice of decision to grant a permit be issued for the planning permissions necessary to allow the construction and use of a building for a restaurant, bar and beer tasting area, retail store and microbrewery at 30 Murchison Street, Marysville.

Recommendation:

That Council issue a Notice of Decision to Grant a Permit for the construction of a building associated with an industry (brewery), shop (providore), restaurant and tavern bar and beer tasting area); Use of the building for an industry (brewery) and tavern (bar and beer tasting area); a wine and beer producers liquor licence; and a reduction in car parking requirements at 30 Murchison Street, Marysville (LOT 1 LP338324, LOT 1 TP78582, LOT 1 LP519772, Parish of Steavenson), subject to the following conditions:

- (1) The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.
- (2) This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before three months after such expiry.
- (3) Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in *Construction Techniques for Sediment Pollution Control* (EPA, 1991) and to the satisfaction of the Responsible Authority.

- (4) In the event of mud, crushed rock or other debris being carried onto public roads from the subject land, appropriate measures must be implemented to minimize the problem to the satisfaction of the Responsible Authority.
- (5) All refuse and rubbish associated with the use allowed must be removed from the area at least once weekly, and more often if required by the Responsible Authority.
- (6) The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.
- (7) The emission of noise from the premises including the surrounding environment and carpark areas either during or immediately after the hours permitted, must not cause annoyance to persons beyond the site.
- (8) The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- (9) Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
- (10) Prior to the commencement of the use hereby permitted the area set aside for landscaping, as shown on the endorsed plan, must be planted in accordance with the endorsed landscaping plan. This area must then be maintained to the satisfaction of the Responsible Authority, and must not be used for any other purpose except with the prior written approval of the Responsible Authority. The existing Rhododendron must be retained or relocated on the site unless it can be shown otherwise that this is not possible.
- (11) Trading hours will be in accordance with the On-Premises Liquor License authorised by the Liquor Licensing Commission.
- (12) Before construction works start associated with the provision of car parking on site, detailed engineering construction plans demonstrating compliance with AS 2890 Parking Facilities and to the satisfaction of the relevant authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions.
- (13) Prior to the commencement of the use hereby permitted, bicycle facilities shall be provided in accordance with the Traffic Impact Assessment Report to the satisfaction of the Responsible Authority.
- (14) Prior to the commencement of the use hereby permitted, the area(s) set aside for parking of vehicles and access lanes as shown on the approved plans must be:

 - a) surfaced with an all-weather seal coat
 - b) constructed and completed to the satisfaction of the Responsible Authority;
 - c) drained in accordance with an approved drainage plan;
 - d) line-marked to indicate each car space and all access lanes;

- e) properly illuminated with lighting designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land;
- f) Provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Responsible Authority

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

- (15) Vehicular entrance to the subject land from the abutting roads must be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicle crossing(s) must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority and shall comply with the following:
- a) standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and the area reinstated;
 - b) any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and must be at the applicant's expense;
 - c) A vehicle crossing permit must be obtained from the Murrindindi Shire Council prior to the commencement of any works on site.

- (16) Prior to the commencement of construction of any building within the subject land a properly prepared storm water drainage plan in accordance with AS3500.3 must be submitted to and approved by the Responsible Authority.

Prior to the commencement of use of the building all storm water and surface water discharging from the site, buildings and works must be conveyed to the point of discharge by underground pipe drains to the satisfaction of the Responsible Authority.

- (17) The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.
- (18) Before the development starts, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

Proposal:

The proposal is for the construction of a new commercial building that would contain an 80 seat restaurant, beer tasting, bar sales, boardroom, retail store (providore) and microbrewery at 30 Murchison Street. The application comprises several different elements. The microbrewery, located in the lower ground level, is to be the smallest form of brewing possible, and is designed predominately for sale on site. It is intended that the brewery be a sustainable enterprise, with all waste products being recycled where possible. The brewery will meet all relevant Australian

standards, with 3 x commercial grade exhaust systems, and insulation and wall structures designed to absorb any noise from the brewing process. The restaurant, bar and providore aspects will be on the ground level (Murchison Street) of the building. The liquor licence being applied for is a Beer and Wine Producers licence, with standard operating hours of 10am till 11pm, although it is anticipated that the actual operating hours for the initial opening period will be 10am to 5pm.

The application provides provision for 24 car spaces, which is a reduction from the 88 spaces required in the planning scheme. This request is supported by a Traffic Impact Assessment report.

The Land & Surroundings:

The subject land is currently vacant, and is a consolidation of three lots, resulting in a total site area of 3200 square metres. The applicant proposes to subdivide an 850 square metre lot facing Darwin Street into the future, making the development site a total of 2350 square metres in size. The site is irregular in shape, and slopes down from Murchison Street to Darwin Street. The property originally contained a dwelling that was destroyed in the 2009 Victorian Bushfires.

The property to the west has been purchased by the State Government and is the site of the Vibe Hotel and Conference Centre. The property to the east currently contains a shop and a dwelling. The land across the road to the north is public land, and the properties to the south have existing commercial buildings.

Referrals:

The application was referred internally to council's Assets and Infrastructure and Economic Development Departments, and the Environmental Health and Building units. They had no objections subject to conditions.

The application was referred externally to VicRoads, who have not responded to the application within the statutory time frame.

Consultation:

The application was notified to 8 nearby and adjoining owners, by way of a sign on the site and with a notice in the Marysville Triangle. 4 submissions were received, including one in support of the application. The submissions can be summarised as follows:

- Reduction in parking should not be supported (2 submissions)
- Limited parking in Marysville already.
- Supports the development in principle (3 submissions)
- Proposal will add to the tourism product on offer.
- Will provide new employment opportunities.
- Concerned with odours from the brewery (2 submissions)
- Considers it irresponsible to permit brewing, sales and drinking of alcohol in a town frequented by families.
- A microbrewery is an industry, in a commercial precinct bordered by residential areas.
- New businesses should complement each other, not compete.
- The site could become a replacement "pub".
- Lack of housing for staff.

| Newspaper / Other | Publishing/Consultation Date(s) |
|---|--|
| <i>Newspaper: Marysville Triangle</i> | 28 March 2013 |
| <i>Consultation: Sign on Site</i> | 22/03/13 – 8/4/13 |
| <i>Mail out: Notice to adjoining and nearby owners</i> | 20 March 2013 |

Planning Considerations:

The proposal combines a range of complementary uses that will be undertaken within a single building. In the Business 1 Zone, a planning permit is required for all buildings and works, but some of the uses, specifically the shop and restaurant elements of the proposal, do not require a planning permit. The proposal has been structured to identify the parts of the construction and the use that require planning permission.

The location of the site is within the existing commercial precinct, and whilst the microbrewery is considered an industrial use, the size of the operation is such that, with appropriate management measures as described in the application, any amenity impacts on surrounding residential areas will be minimised. The Marysville and Triangle Urban Design Framework (UDF) made, among other statements, the following statements in relation to the town centre:

- Roof forms should provide visual interest in the streetscape and provide opportunity for the capture of rainwater.
- Encourage a variety of building forms in Murchison Street, Darwin Street, Sedgwick Street, Pack Road and Falls Road as a reflection of the diverse character of the community.
- Encourage car parking provision behind properties with frontage to Murchison Street, to facilitate a continuous, active commercial frontage.

It is the opinion of Council officers that the application has taken due consideration of the principles outlined in the UDF.

The main grounds of objection can be summarised into three groups – Car parking provision, amenity impacts from the brewery and a moral objection to the development of a business that produces and sells alcohol.

Clause 52.06 of the Murrindindi Planning Scheme requires that 88 car spaces be provided for the development. The application is applying for a reduction in this requirement of 64 car spaces (72% reduction). The car parking reduction request is supported by a Traffic Impact Assessment Report, which details that the reduction can be supported due to the following reasons:

- A high proportion of the activity will be generated by people attending other events or facilities in the area, such as the Vibe Hotel, anticipating that the parking requirements will be shared with other facilities.
- There will be a variation in demand for car parking depending on the time and the season.
- The proposal is expected to serve largely non-local tourists, with arrivals and departures spread over a day.
- A new pedestrian link proposed between Darwin and Murchison Streets will facilitate pedestrian access to the site.
- Bicycle parking will be provided on site.

- The development will have relatively low staffing rates, decreasing the need for staff parking.

The report also provides an assessment of the number of car parking spaces in the vicinity, as follows:

- Approximately 140 on-street car parking in the vicinity.
- Approximately 110 off-street car spaces available in the vicinity.
- Approximately 200 car spaces are proposed in the Vibe Hotel facility.

When assessing the reduction request, Council officers have compared this application to a previous permit issued to the Marysville Patisserie (Falls Road) on 27 September 2010. In this case, there was a requirement for 29 car spaces to be supplied. The development provides 5 car spaces on site (17%), and made a contribution to Council for a further 9 car spaces, bringing the provision of car spaces to 48% of the requirement – effectively a 52% reduction.

This application is for a larger reduction than previously approved, but an assessment of the development has highlighted several important differences. This application is supported by a Traffic Impact Assessment Report which clearly outlines the parking available in the area as being sufficient to support this reduction. Further, the 88 car spaces require provision of eight spaces for the brewery, 32 for the restaurant and 48 for the beer and bar tasting area. The brewery is anticipated to be staffed by 2-3 people at the most, which can account for at least 5 of the car space reduction. Also, the probability of the bar and beer tasting area (estimated capacity of 120 persons), and the 80 seat restaurant operating at capacity at the same time will be infrequent. Based on this assessment, and in full consideration of the TIAR, the request for a reduction in carparking spaces can be justified.

The applicant has advised that the largest potential source of odour is from the evaporation of organic compounds from the microbrewery. The brewery area is to be well insulated, with a specially designed steam condenser installed to trap all steam and odour emissions. Whilst they cannot guarantee that there will be no odours emitted, the applicant is confident that this process will all but eliminate steam and odour emissions. It is the opinion of Council officers that the Australian Standards, in conjunction with the proposed exhaust and waste disposal methods in the application adequately address this matter.

The third issue is an objection to the proposal that Council should not support a business that produces and sells alcohol, and that there are sufficient outlets existing in Marysville for residents and visitors to obtain alcohol. This is an important social consideration, however there is separate legislation that deals with matters such as the responsible service of alcohol and the provision of a development of this type is supported with both the Local Planning Policy Framework of the Murrindindi Planning Scheme as well as the Marysville and Triangle Urban Design Framework.

It is anticipated that this proposed development will become a drawcard in itself as well as positively add to the variety of tourist product available in the town. The architects that designed this proposed building also designed the Vibe Hotel and Conference Centre ensuring a similarity and continuity of design in this portion of the street.

Conclusion:

The proposal provides a multiuse, complementary business that will fit well in the Murchison Street precinct, and adequately addresses all the requirements of the Murrindindi Planning Scheme.

Legal/Policy Issues:**State Planning Policy Framework**

15.01-1 Urban Design

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

Strategies:

- Promote good urban design that make the environment more liveable and attractive.
- Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.

17.01-1 Business

Objective: To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

17.03 Tourism

Objective: To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.

Local Planning Policy Framework

21.03 Issues affecting the shire

- Rebuilding bushfire affected communities. The level of devastation of Marysville and surrounding communities necessitates commitment and support for the return of high quality, sustainable development.

21.06 Tourism Strategies

Issues:

- Ensuring that the landscape and natural features that make the Murrindindi environment unique are not degraded or spoilt.
- Proximity to Melbourne
- Tourism potential due to strategic location and natural environment.
- Rebuilding accommodation and tourist facilities in Marysville and the Triangle following the 7 February 2009 bushfires.

21.07 Serviced Townships Strategies

Strategies and Objectives:

- Implement the strategic and directions and recommendations of the *Roberts Day 2009 Marysville and Triangle Urban Design Framework Report, September 2009*.
- Maintain the attractive physical setting and environmental values of the Marysville township.
- Protect and enhance Marysville's mountain village townscape , lifestyle and tourism values.
- Respect and strengthen the township's characteristic urban design assets and built form typology.
- Promote environmentally sustainable development that maintains and enhances the local landscape structure and scenic views.
- Reconstruct and expand the Murchison Street improvements to provide a quality, consistent, vibrant and safe main street and central area focus for the Marysville township.
- Redevelop a tourism and commercial precinct in the Darwin Street area, providing additional car parking in the precinct, particularly for visitors to lake Mountain.

22.03 Urban Areas

Objectives:

- Ensure that all new use and development has regard to the existing townscape, to design, siting and landscaping issues.
- Ensure that all use and development assists in the presentation of the main road entrances into townships.
- Identify future car parking areas.

22.03-5 Marysville Business Area

Objective: To create a main street and business environment that establishes a new character for Marysville in a manner that encourages quality design, the importance of landscape and increased creation and use of community spaces and connection.

Policy:

- Encourage a variety of building setbacks from the frontage along Murchison Street for publicly accessible courtyards and landscaping.
- Encourage the use of architectural styles that contribute to the mountain village character of Marysville.
- Encourage a variety of building forms in Murchison Street, Darwin Street, Park Road and Falls Road as a reflection of the eclectic character of the community.
- Encourage setbacks from side boundaries to allow for landscaping and provide pedestrian connection to Darwin Street.
- Encourage car parking provision behind properties with frontage to Murchison Street to facilitate a continuous, active commercial frontage.
- Encourage layout and designs that assist access and safety for pedestrians and cyclists.
- Encourage environmentally sustainability measures.
- Protect and enhance street trees and remaining trees on private property and provide opportunities for further landscape treatment.

Zoning

34.01 Business 1 Zone

Purpose: To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

Decision Guidelines:

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape.

A permit is required to construct a building, and a permit is required to use the building for industry (microbrewery) and tavern (bar and beer tasting area).

Overlays

42.02 Vegetation Protection Overlay

Purpose:

- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.

43.02 Design and Development Overlay

Purpose: To identify areas which are affected by specific requirements relating to the design and built form of new development.

Development must:

- Provide a variety of building forms.

- Provide architecture and roof forms that create interest in the streetscape.
- Reinstate side setbacks which provide for landscaping and pedestrian connection.
- Provide car parking areas, where required, screened from Murchison Street.
- Provide building forms that encourage active use of the frontage.

A permit is required for buildings and works.

Particular Provisions

52.06 Car Parking

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.
- The 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.

An interrogation of Table 1: Car Parking Requirement has determined that the development would require 88 car spaces.

A planning permit is required to reduce the number of car parks required for a development from 88 to 24.

52.27 Licensed Premises

Purpose: To ensure that licensed premises are situated in appropriate locations.

A planning permit is required to use land to sell or consume liquor.

RESOLUTION:

Cr C Ruhr / Cr M Rae

That Council issue a Notice of Decision to Grant a Permit for the construction of a building associated with an industry (brewery), shop (providore), restaurant and tavern bar and beer tasting area); Use of the building for an industry (brewery) and tavern (bar and beer tasting area); a wine and beer producers liquor licence; and a reduction in car parking requirements at 30 Murchison Street, Marysville (LOT 1 LP338324, LOT 1 TP78582, LOT 1 LP519772, Parish of Steavenson), subject to the following conditions:

- (1) The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.
- (2) This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before three months after such expiry.
- (3) Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in *Construction Techniques for Sediment Pollution Control* (EPA, 1991) and to the satisfaction of the Responsible Authority.
- (4) In the event of mud, crushed rock or other debris being carried onto public roads from the subject land, appropriate measures must be implemented to minimize the problem to the satisfaction of the Responsible Authority.

- (5) All refuse and rubbish associated with the use allowed must be removed from the area at least once weekly, and more often if required by the Responsible Authority.
- (6) The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.
- (7) The emission of noise from the premises including the surrounding environment and carpark areas either during or immediately after the hours permitted, must not cause annoyance to persons beyond the site.
- (8) The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
- (9) Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
- (10) Prior to the commencement of the use hereby permitted the area set aside for landscaping, as shown on the endorsed plan, must be planted in accordance with the endorsed landscaping plan. This area must then be maintained to the satisfaction of the Responsible Authority, and must not be used for any other purpose except with the prior written approval of the Responsible Authority. The existing Rhododendrum must be retained or relocated on the site unless it can be shown otherwise that this is not possible.
- (11) Trading hours will be in accordance with the On-Premises Liquor License authorised by the Liquor Licensing Commission.
- (12) Before construction works start associated with the provision of car parking on site, detailed engineering construction plans demonstrating compliance with AS 2890 Parking Facilities and to the satisfaction of the relevant authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions.
- (13) Prior to the commencement of the use hereby permitted, bicycle facilities shall be provided in accordance with the Traffic Impact Assessment Report to the satisfaction of the Responsible Authority.
- (14) Prior to the commencement of the use hereby permitted, the area(s) set aside for parking of vehicles and access lanes as shown on the approved plans must be:
 - a) surfaced with an all-weather seal coat
 - b) constructed and completed to the satisfaction of the Responsible Authority;
 - c) drained in accordance with an approved drainage plan;
 - d) line-marked to indicate each car space and all access lanes;
 - e) properly illuminated with lighting designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land;
 - f) Provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Responsible AuthorityCar spaces, access lanes and driveways must be kept available for these purposes at all times.
- (15) Vehicular entrance to the subject land from the abutting roads must be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The

vehicle crossing(s) must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority and shall comply with the following:

- a) standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and the area reinstated;
 - b) any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and must be at the applicant's expense;
 - c) A vehicle crossing permit must be obtained from the Murrindindi Shire Council prior to the commencement of any works on site.
- (16) Prior to the commencement of construction of any building within the subject land a properly prepared storm water drainage plan in accordance with AS3500.3 must be submitted to and approved by the Responsible Authority.

Prior to the commencement of use of the building all storm water and surface water discharging from the site, buildings and works must be conveyed to the point of discharge by underground pipe drains to the satisfaction of the Responsible Authority.

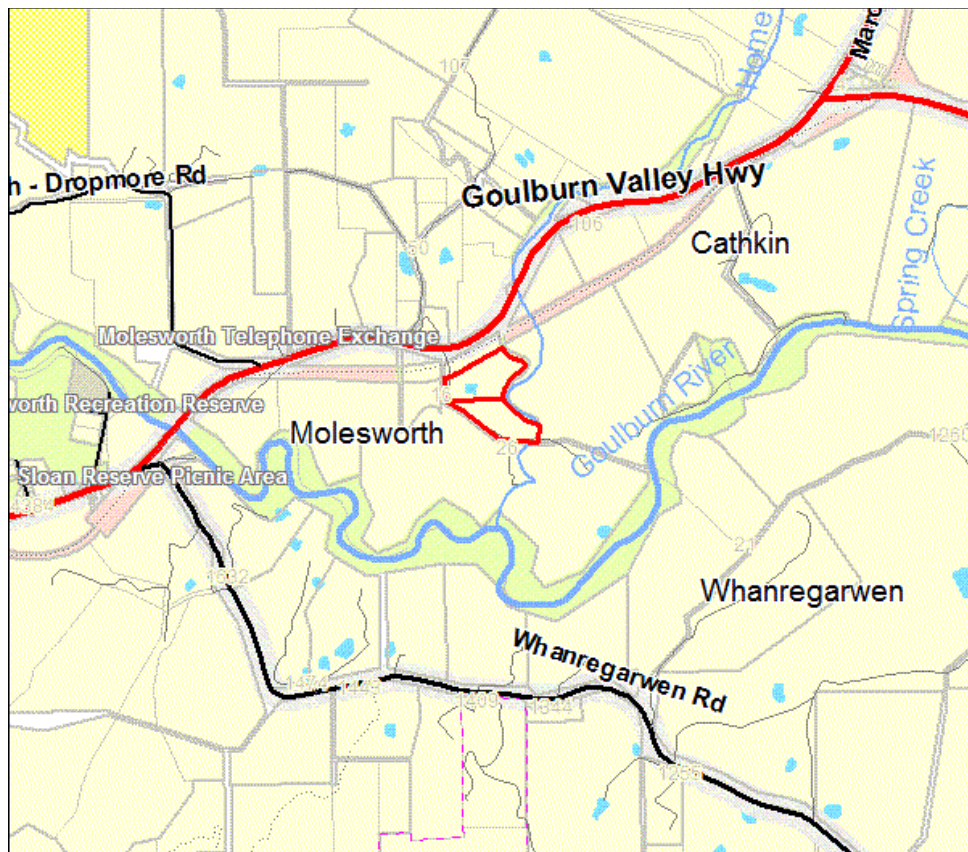
- (17) The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.
- (18) Before the development starts, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Council's assets/Public infrastructure caused as a result of the development or use permitted by this permit.

CARRIED

8.1.2 KCR – Dwelling in Floodway

File No: 2013/11
Land: 25 Baynes Road Molesworth
Proposal: Construction and use of a Dwelling.
Applicant: KCR (VIC) Pty Ltd
Zoning: Farming
Overlays: Floodway; Environmental Significance
Attachments: Application details and GBCMA objection (*refer Encl 8.1.2*)

Locality Plan



Purpose:

This report recommends that a refusal to grant a permit be issued for the construction and use of a dwelling at 25 Baynes Road, Molesworth.

Recommendation:

That Council issue a refusal to grant a permit for the use and construction of a dwelling at 25 Baynes Road, Molesworth (LOT: 1 TP132345, Parish of Molesworth), on the following grounds:

1. The proposal is discouraged within the State Planning Policy Framework and Local Planning Policy Framework of the Council's Planning Scheme Clause 13.02.1 Floodplain Management.
2. The proposal is not consistent with the Victoria Planning Provisions Practice Note *Applying for a Planning Permit under Flood Provisions* (DOI, 2000).
3. It would result in danger to life, health and safety of occupants.
4. It would increase demand on the community infrastructure and emergency services, and in community recovery services.
5. Long-term cumulative impacts of such proposals.

Proposal:

The proposal is to construct and use a dwelling at 25 Baynes Road, Molesworth. The property is made up of two parcels of land, one being approximately 7 hectares in size and the other being 5.8 hectares in size. The proposal is to continue to run beef cattle, and some horses, within 5 fully fenced paddocks on the property.

The Land & Surroundings:

The property currently has a farm shed located on the northern parcel of land, and has a septic tank attached to that shed. The property is generally cleared farming land with scattered trees throughout. The property is bounded by Home Creek to the east, the Mansfield-Tallarook Rail Trail to the north, and Baynes Road to the west and south. The entire property is contained within the Floodway Overlay and the Environmental Significance Overlay. The property is located approximately 2 kilometres east of the Molesworth township.

The area is characterised by cleared farming land containing some dwellings and associated shedding. The Home Creek feeds into the Goulburn River, which is less than 500 metres south of the property. The waterways in the area are generally well vegetated.

Referrals:

The application was referred internally to Council's Assets and Infrastructure department and Environmental Health unit. No objections were received. Due to the Floodway Overlay, the application was referred to the Goulburn Broken Catchment Management Authority (GBCMA). The GBCMA objected to the application on the following grounds:

1. The proposal is discouraged within the State Planning Policy Framework and Local Planning Policy Framework of the Council's Planning Scheme Clause 13.02.1 Floodplain Management.
2. The proposal is not consistent with the Victoria Planning Provisions Practice Note *Applying for a Planning Permit under Flood Provisions* (DOI, 2000).
3. It would result in danger to life, health and safety of occupants.
4. It would increase demand on the community infrastructure and emergency services, and in community recovery services.
5. Long-term cumulative impacts of such proposals.

Consultation:

Notice of application was sent to 6 adjoining and nearby owners. No objections were received.

| Newspaper / Other | Publishing/Consultation Date(s) |
|--|--|
| Mail out: Notice of Application | 4 April 2013 |

Planning Considerations:

The property has three separate planning controls that need to be considered – the farming zone, the environmental significance overlay and the floodway overlay. As the property is less than 40 hectares in size, the zone requires a planning permit for both the use and the development of a dwelling. The application documents detail how the land is currently farmed, being that it runs cattle and has horses grazing through the five separate paddocks. The applicant has advised that to support this application, he would be satisfied with a requirement that the lots be consolidated.

The environmental significance overlay has identified the land as being high quality agricultural land. The purpose of this overlay is to ensure that any development does not remove the land from agricultural production. As the land is already being grazed, and the dwelling is to be located within the existing built area of the allotment, council officers are satisfied that the proposal is in accordance with the purpose of this overlay.

The floodway overlay has identified the land as being part of the Goulburn River floodplains. The extent of the overlay was originally determined from flood mapping completed in 2000 by the Department of Natural Resources and Environment. The Floodway Overlay was

determined based on the relative flood risk assessed for different parts of the floodplain, and considered factors such as flood depth, velocity, natural storage, flood frequency and flood duration.

A Local Floodplain Development Plan has been incorporated into the Murrindindi Planning Scheme, and has the following general requirements for dwellings:

- New buildings must not obstruct natural flow paths or drainage lines.
- The floor level of any dwelling, is set at least 300mm above the 100-year ARI flood level or a higher level set by the Responsible Authority.

The plan also has the following particular development requirements for dwellings:

- The construction of a dwelling must be sited on land where the 100-year ARI flood depth is less than 0.5 metres above the natural surface level, and is less than 0.8 metres above the natural surface level along the defined access route to the dwellings site.

The GBCMA advised that the best estimate of the 100-year ARI (average recurrence interval), for the location is above 173.5 metres AHD (Australian Height Datum). Based on the available LiDAR data, this indicates that the proposed house site would flood about 1.0 metres deep, with access to the property and the dwelling site likely to flood in excess of 1.5 metres deep.

As the site is generally flat, there is no location on the site than can comply with the flood depth which is less than 0.5 metres above the natural surface level.

The referral to the GBCMA is a statutory referral, and as such, the application must be refused by Council.

Conclusion:

The property is in a Floodway Overlay, and as the relevant floodplain authority, the GBCMA have objected to the application. Council has a statutory requirement to refuse the application.

Legal/Policy Issues:

State Planning Policy Framework

13.02 Floodplain management

Objective:

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

14.01 Protection of agricultural land

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

Local Planning Policy Framework

21.04 Agriculture and Rural Land Strategies

Issues:

- Protection of high quality agricultural land for agricultural use.
- Possible incremental effect of housing on productive agricultural land.

Strategies and objectives:

- Ensure that the use and development of rural land is both compatible with and complementary to agricultural activities and protect agricultural potential.

- Ensure that agricultural land is not developed for primarily residential purposes.
- Identify and protect high quality agricultural land.

22.01-5 High Quality Agricultural Land

Objectives:

- Identify and recognise the importance of high quality agricultural land.
- Ensure that high quality agricultural base is protected from unplanned loss.

Zoning

35.07 Farming Zone

Purpose:

- To provide for the use of land for agriculture
- To encourage the protection of productive agricultural land.
- To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Decision Guidelines:

General Issues

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural Issues

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural uses.

Dwelling Issues

- Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental Issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

Overlays

42.01 Environmental Significance Overlay

Purpose:

- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Decision Guidelines

- Maintain the productive potential of high quality agricultural land.
- Consider the suitability of high quality agricultural land in the assessment of development proposals.

44.03 Floodway Overlay

Purpose:

- To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Decision Guidelines:

- The local floodplain development plan or flood risk report.
- Any comments from the relevant floodplain management authority.

RESOLUTION:

Cr M Rae / Cr B Magner

That Council issue a refusal to grant a permit for the use and construction of a dwelling at 25 Baynes Road, Molesworth (LOT: 1 TP132345, Parish of Molesworth), on the following grounds:

1. The proposal is discouraged within the State Planning Policy Framework and Local Planning Policy Framework of the Council's Planning Scheme Clause 13.02.1 Floodplain Management.
2. The proposal is not consistent with the Victoria Planning Provisions Practice Note *Applying for a Planning Permit under Flood Provisions* (DOI, 2000).
3. It would result in danger to life, health and safety of occupants.
4. It would increase demand on the community infrastructure and emergency services, and in community recovery services.
5. Long-term cumulative impacts of such proposals.

CARRIED

8.1.3 Hume Regional Growth Plan

File No: 58/02/19

(Refer Encl 8.1.3 - Council submissions (Encl 8.1.3a – Sept 2012 and Encl 8.1.3b - November 2012), Hume Regional Growth Plan separately provided)

Purpose:

To advise Council on the draft Hume Regional Growth Plan prior to the release of the draft plan for community consultation in early June.

Recommendation:

That Council:

1. **Acknowledges the preparation of a draft Hume Regional Growth Plan and notes the process that allows for public consultation prior to the final document being submitted to Council for endorsement.**
2. **Makes a formal submission to the public exhibition of the Hume Regional Growth Plan consistent with previous submissions.**

Background:

The draft Hume Regional Growth Plan (RGP) is one of eight regional growth plans being developed across Victoria. Together with the Metropolitan Planning Strategy (MPS), the plans will form the basis of the State Government's *Vision for Victoria*.

The Hume RGP project is being overseen by the Hume RGP Project Steering Committee (PSC), a partnership between the 12 Councils in the Hume Region, the Department of Planning and Community Development (DPCD) and other State Departments and Agencies. All 12 Councils in the Hume Region are represented on the PSC. A project management team led by DPCD, ensures the project is delivered to agreed timelines.

Council has made two submissions on the draft growth plan in September and November 2012, copies of which are attached to this report. Council's main issues were that the draft growth plan gives insufficient discussion and direction for the Murrindindi Shire. The submissions urged that the roles, attractions and opportunities for the municipality should be further outlined and enhanced in the final plan, with key attributes being the municipality's locational and environmental appeal, lifestyle advantages, business and tourism opportunities and advantages, the role and potential of townships, the potential to build on the advantages and attributes of the municipality, the continued improvement of physical and community infrastructure and the ongoing promotion of business opportunities.

DPCD officers briefed Council on the draft Hume Regional Growth Plan on 1 May 2013 regarding the pending release of the draft for community consultation in June.

Council Plan/Strategies:

The amendment is compatible with and generally implements the *Murrindindi Shire Council Plan*, in particular the Planning and Environment theme.

Legal/Policy Issues:

There are no particular legal issues associated with the draft growth plan. The draft plan has significant policy issues for Council as it outlines revised strategic land use directions at a regional level that have implications for Murrindindi Shire.

Financial/Resources/Risk

There are no particular financial, resources or risks to council associated with the draft growth plan. Councils previous submissions to DPCD on the draft plan have indicated that it supports the preparation and implementation of regional growth plan initiatives through an amendment to municipal planning schemes by the Minister for Planning (acting as planning authority) without public exhibition.

Discussion:

The draft Hume RGP responds to directions established in the regional strategic plan for the Hume Region (the *Hume Strategy for Sustainable Communities 2010 – 2020*) which represents regional aspirations and sets an agenda for regional development and long term strategic planning. The draft Hume RGP provides an opportunity to refine and implement the directions of the *Hume Strategy for Sustainable Communities* and the development of the Hume RGP is considered to be part of the implementation of the *Hume Strategy for Sustainable Communities*.

Regional growth plans are intended to translate and integrate emerging state-wide regional land use planning policy. The Hume RGP aims to:

- Establish a framework for strategic land use and settlement planning that can sustainably accommodate growth;
- Identify important economic, environmental, social and cultural resources to be preserved, maintained or developed;
- Provide direction for accommodating growth and change including: residential, employment, industrial, commercial, agriculture and other rural activities;
- Show which areas of land can accommodate growth and which are to be maintained;
- Identify opportunities for supporting regional level infrastructure, providing an essential contribution to the long-term sustainability of the region.

Regional growth plans are also intended to help Councils by streamlining planning policy and potentially reducing the strategic workload of Councils and contribute to broader regional goals.

RGPs will provide a regional strategic land use framework for growth and change. RGPs are strategic direction setting documents which identify long term land uses and growth objectives. RGPs will help provide solutions to common issues across each region but will not reduce attention to local issues or replace local planning.

The draft Hume RGP comprises the following five main parts:

Part A: Introduction:

Provides an overview of the context of the Plan and how it is being prepared.

Part B: Regional overview:

Provides a snapshot of the region, a vision for the region and land use principles to achieve the vision.

Part C: Towards the regional growth plan:

Draft regional land use framework, which outlines land use directions in relation to the economy, environment and heritage, urban and rural settlement and infrastructure.

Part D: Draft regional growth plan:

Provides an integrated strategic plan for growth and change, bringing together the key directions outlined in Part C.

Part E: Delivering regional growth:

Identifies actions and outlines how the Plan will be implemented.

The format of the draft Hume RGP is consistent with all other regions RGPs across Victoria. The content and strategies for the Hume RGP are tailored to the issues and circumstances of this region. The draft Hume RGP is supported by a draft Background Paper which underpins the draft Plan.

The key themes considered in the draft Hume RGP include:

- Supporting the development of a more diverse regional economy while managing and enhancing key regional economic assets;
- Protecting environmental and heritage assets and maximising the regional benefit from them, whilst managing exposure to natural hazards and planning for the potential impacts of climate change;
- Focusing growth and development to maximise the strengths of existing settlements;
- Supporting the improvement of people and freight movement and planning strategically for future infrastructure needs.

It is considered that Council's previous two submissions urging that the roles, attractions and opportunities for the municipality should be further outlined and enhanced in the final plan have not been met. There is an opportunity to make a formal submission to further enhance these attributes and opportunities as part of the forthcoming consultation period for the growth plan.

Consultation:

The Hume RGP project timeline diagram below identifies the project phases, timing and engagement activities:



The next key milestone in the project is to release a draft Hume RGP for broad community consultation. Deliverables to date include (refer to timeline diagram):

- Finalisation of governance structures;
- Endorsement of Project Plan and Engagement Strategy;
- Development of Issues Paper;
- Engagement with stakeholders on the development of vision, principles and future options, including stakeholder workshops;
- Making the vision and principles and summary of issues publically available on DPCD's website;
- Completing initial targeted community consultation on the vision, principles and strategic directions; and
- Developing a number of working draft RGPs (and accompanying draft Background Paper) through an iterative process in close consultation with stakeholders.

Once all 12 Councils in the region have been briefed, the community consultation process will commence with the official public release of the draft Hume RGP and draft Background paper on 3 June 2013. The community consultation process will take place over a period of six weeks from 3 June to 12 July 2013. During this period of time the draft Hume RGP and Background Paper will be released for community feedback. In addition, the project website will feature all project documents. A link will be provided from the Murrindindi website. Public notices and press releases will be made available by DPCD, including notices in local news papers. Displays providing information about the draft Hume RGP will also be available at council offices.

The community will have an opportunity to view and discuss the draft Hume RGP with project partners at a number of 'open houses' located across the region during the community consultation period.

The community consultation period provides an opportunity for anyone (including Councils) to consider and comment on the draft Hume RGP and to have their views considered prior to the plans finalisation. Following close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. Council will then be asked to consider the final

Hume RGP for adoption. It is anticipated the final draft Hume RGP will be presented to Council for consideration in September 2013. All RGPs have to be submitted to the Minister for Planning by October 2013 for consideration as part of the 'Vision for Victoria'.

Conclusion:

The next stage of community engagement will involve exhibition of the draft Hume RGP and draft Background Paper. DPCD will officially release these draft documents for community consultation on 3 June 2013 and the consultation period will close on 12 July 2013. During this period of time anyone (including Council) will be able to make a submission regarding the draft Hume RGP.

Following close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. Council will then be asked to consider the final Hume RGP for adoption. It is anticipated the final draft Hume RGP will be presented to Council for consideration in September 2013.

RESOLUTION:

Cr J Kennedy / Cr M Rae

That Council:

1. Acknowledges the preparation of a draft Hume Regional Growth Plan and notes the process that allows for public consultation prior to the final document being submitted to Council for endorsement.
2. Makes a formal submission to the public exhibition of the Hume Regional Growth Plan consistent with previous submissions.

CARRIED

8.2 INFRASTRUCTURE SERVICES

8.2.1 Quarterly Report – Capital Works Program 2012/2013

File No: 24/03/09

Purpose:

This report provides Council with the March quarter update on Councils 2012/2013 Capital Works Program. The report will ensure that Council is abreast of the progress of projects and the financial status compared to budget allocations.

Recommendation:

That Council notes the March Quarterly Capital Works Report.

Background:

At the Ordinary Council Meeting on 23 July 2012 Council resolved that a Quarterly report on the progress and financial status of the Capital Works Program be incorporated in Council's regular reporting cycle.

Council Plan/Strategies:

The Council Plan 2009-13 under the Infrastructure theme lists the strategic objective:

"To enhance the sustainability of our Infrastructure, recognising the changing needs and expectations of our community"

The strategies listed under this theme relevant to the project are to:

1. "Undertake a range of community infrastructure projects which enhance community amenity and foster civic pride";
2. "Align infrastructure service delivery with community needs and expectations"; and
3. "Maintain and further develop a safe and efficient transport network".

Legal/Policy Issues:

Council is obliged to prepare a budget annually. The preparations of a detailed Capital Works Program informs and significantly impacts on the budget.

Financial/Resources/Risk

There is a risk that Council may not invest enough in the replacement of infrastructure to maintain services reasonably required by the community. The preparation of a Ten Year Capital Improvement Plan seeks to mitigate this risk by informing Council of the financial impacts of investment in capital replacement.

The consequence of an insufficient capital investment in renewal is a widening infrastructure gap. The adoption of a Ten Year Capital Improvement Plan provides Council with the ability to manage the infrastructure renewal gap.

Timely reporting of financial issues will assist in early identification of the need to reallocate costs where required. Reporting of project progress will also provide Council and the community with an understanding of when projects will commence and will communicate any delays if they occur.

Discussion:

The March Quarterly Capital Works Program report provides commentary on the following features of the program:

1. Budget Vs. Actual (year to date);
2. Identification of any major variances in income and expenditure;
3. Major areas of expenditure for the quarter being reported on;
4. Details of projects where physical works are anticipated to commence during the next reporting period;
5. Details of the projects that are delayed or other significant developments that have surfaced affecting the budget for the project. This reporting, if done in a timely manner, removes the element of surprise and gives Council the opportunity to vary the scope of a project if required; and an
6. Update on Reconstruction and Recovery projects

This reporting framework aims to ensure a higher level of accountability and therefore a better delivery outcome as compared to previous years. This reporting also aims to ensure that Council and the community are informed of a project's status.

The 2012/2013 Capital Works Program (budgeted and carryover projects) was still being finalised in regard to scope, consultation, design and procurement documentation during the first reporting quarter which meant that the program was well behind an ideal delivery schedule. This report will begin to outline issues regarding program delivery and will identify those projects which will need to carry forward into the next year's program. The report also details completed projects.

In the last quarter there was significant activity undertaken in the design and development and tendering of projects.

Ongoing progress of the Capital Works Program will be reported to Council regularly and as this reporting structure is refined, further information will be provided.

1. Budget Vs. Actual (year to date)

- The 2012/2013 revised adopted Capital Works budget is \$10,558,989
- Year to date expenditure for the 2012/2013 is \$3,683,000
- Variance on Year to date is \$945,000
- This also incorporates the capital works projects for Reconstruction and Recovery.

2. Identification of any major variances in income and expenditure

Table 1 provides some comments on the major variances in relation to expenditure per asset category.

Table 1: Major Variance Comments

| Asset category | Total Variance | Comments of major variances |
|-----------------------|-----------------------|--|
| Buildings | (219,000) | Marysville Community Centre (MCC) expenditure is ahead of schedule. This project relates to signage, engineering consultancy and design for the carpark and streetscape works. A pedestrian ramp was constructed linking the Marysville Primary School to the Community Centre. |
| Plant and Machinery | 740,000 | This variance relates to the delay in purchasing of plant. Review of plant is currently being undertaken in light of the Services Review which is now complete. |
| Roads and paths | 327,000 | Gravel Roads – Works now underway and program 50% complete. Resealing program – Resealing program was awarded during the March quarter. Contract now awarded and program complete. Expenditure will be reflected in the next quarter report. Vegetation Project of \$35K carried forward to 2013/2014. |

3. Major areas of expenditure for the quarter being reported on

The major areas of expenditure for the March quarter include:

- Marysville Skate Park – complete
- UT Creek Precinct – Beaching works undertaken in sections within the Alexandra township to stabilise banks – complete
- Yea Shire Hall – Repair and patching of internal wall and ceiling finishes in preparation for repainting.
- Y Water Centre @ Yea Wetlands – Design works for building construction.
- Buxton Reserve upgrade- complete
- Toolangi All Purpose -complete
- Alexandra Depot – Shed replacement

4. Details of projects where physical works are anticipated to commence during the next reporting period

Physical works which are anticipated to commence in the next reporting period include:

- Delivery of the Resealing program - completed
- Commencement of the Resheeting program
- Yea Shire Hall – Repair and patching of internal wall and ceiling finishes in preparation for repainting. Demolition, kitchen upgrade works will begin, electrical fit out. In addition design for the refurbishment and extension of the supper room and change rooms will have gone to tender. Planning approval has been received.
- Yea Railway Station – roof repairs
- Installation of the 1000 hands project
- Construction of Marysville Car Park and associated works.
- Path works – Webster St, Aitken St and Centre Avenue Alexandra
- Kinglake Path Extension (Kinglake RAC to Edwards Staff Drive)- Surveying and design
- Alexandra Depot Lunch Room – Ceiling installation
- Big River bridge and the two bridges over the Taponga River, Eildon – replacement end posts and timber rails.
- In the March quarter the following bridge renewal projects were identified for works:
 - Moores Road Bridge, Flowerdale
 - Ghin Ghin Road, Homewood
 - Abes Lane Bridge, Yea
 - Rotary Park Cable Bridge , Alexandra

Progress to date has included development of the scope of works and quotes have been received for the works and they are in the process of being awarded. Completion of these works is expected by 30 June 2013.

5. Details of the projects that are delayed or other significant developments that have surfaced affecting the budget for the project. This reporting, if done in a timely manner, removes the element of surprise and gives Council the opportunity to vary the scope of a project if required.

Yea Shire Hall

As previously reported The Yea Shire Hall project will not be delivered in this financial year and as reported last quarter required Council to seek a funding extension on the Regional Development Victoria (RDV) Grant funding. A report was also undertaken to consider the heritage elements of the project and this has been integrated into the final plans for the refurbishment. Officers have reviewed the project timelines and anticipate completion in December 2013. Works ongoing include the repair and patching of internal wall and ceiling finishes in preparation for repainting. Demolition, kitchen upgrade works will begin, electrical fit out. In addition design for the refurbishment and extension of the supper room and change rooms will have gone to tender. Planning approval has been received.

Kinglake Walking Path (Kinglake RAC to Edward Staff Drive)

This project is funded by the Local Government Infrastructure program. A Project Reference Group has been established for this project and the design is currently being finalised and tender documentation for the construction of the path is being developed. Completion of this project is anticipated to be December 2013.

Y Water Centre @ Yea Wetlands

Design work is nearing completion with drawings to be released for public comment during February. The final design was presented to Council in March with tenders for construction called in April 2013. The final tender report will be delivered to the May Ordinary Council Meeting.

Resealing Program

During the quarter the works associated with this program were awarded and all works were completed in Month.

Resheeting Program

The Resheeting program was being developed during the quarter. Current progress on the program is that 50% has been completed with the most of the program on track to be completed by 30 July 2013 if not earlier.

Essential Safety Services System

As previously reported this project relates to the auditing and installation of safety infrastructure such as fire equipment, air systems, and maintaining access and egress for identified Council buildings. It is anticipated that this project will not be completed in full this financial year and the budget will need to be carried forward to next year's program. An audit will be undertaken in June and works will commence next financial year.

Landfill Capital Cell Construction, Evaporation Pan and Landfill design

As previously reported these projects are listed in the Capital works Program as two separate projects with budgets of \$500,000, \$156,000 and \$50,000 respectively. However a new waste management strategy is being prepared including a new landfill management plan. This project will need to be carried forward to the next year's program.

6. This section relates to all Reconstruction and Recovery projects and provides a general update.

Marysville Car Park

A report on the tender is to be considered by Council at the May Ordinary Council Meeting. The anticipated completion date is 30 September 2013.

Buxton Reserve Upgrade

This project is complete.

Toolangi All Purpose Track

All works now complete

Kinglake Memorial Reserve Redevelopment

The redevelopment has now been completed in line with the original scope of works.

1000 Hands Project Marysville

Construction works are scheduled to commence in May 2013 with the project completion by 30 June 2013.

Narbethong Reserve

Remaining works include asphaltting of car park which are anticipated to be completed by the end of June.

Buxton Streetscape

Remaining works include Buxton Hall car parking. Project due for completion by 30 June 2013.

Gallipoli Park Stage 2

A Project Control Group meeting was held to review the concept plan for the development of the surrounds to the Marysville Skate Park. Detailed changes are underway and expected to be finalised in early June 2013.

Consultation:

The March Quarterly Capital Works report has been developed with the respective officers responsible for the delivery of the capital works program.

Conclusion:

The introduction of regular / quarterly reporting on the capital works program will better inform Councillors of the progress and major variances for each project. This will have the level of accountability of all officers involved in the development and delivery of the annual capital works program.

RESOLUTION:

Cr M Rae / Cr B Magner

That Council notes the March Quarterly Capital Works Report.

CARRIED

Cr Ruhr queried the composition of membership of the PRG for Kinglake Path Extension.

The General Manager Infrastructure Services took the question on notice.

8.2.2 Road Closure – Cnr Smith and Lyons Street, Yea

File No: Ass 7591

(Refer Encl 8.2.2 - Road Closure Plans)

Purpose:

This report seeks Council concurrence to the closure and sale of a portion Government Road abutting Lot 9 PS515515, Township of Yea and known as 27 Smith Street, Yea. (as per attached plan).

Recommendation:

That Council:

- 1) **Resolves to give its concurrence to Department of Environment and Primary Industries to the closure of a portion of Government Road abutting Lot 9 PS515515, Township of Yea; and**
- 2) **Authorises the General Manager – Infrastructure Services to sign the relevant “Consent to Closing of Road” form as its written concurrence to the closing of the road.**

Background:

The landholders at 27 Smith Street, Yea initiated discussions with Council on the status of the substantial gardening structures and formed access road to their property that exist outside of their property boundary on the unused Lyons Street, Yea.

Council recommended the landholders should seek to purchase from the Department of Sustainability and Environment that portion of the unused road over which the structures and access road exist.

The Department of Environment and Primary Industries have now requested the written consent of Council to the road closure to allow the purchase to proceed.

Council Plan/Strategies:

This report is consistent with the following strategy in the Council Plan 2009/13:

Infrastructure Strategy – to enhance the sustainability of our infrastructure, recognising the changing needs and expectations of our communities.

Legal/Policy Issues:

The concurrence of Council is necessary before a road can be closed, as such Council is required to Consent to Closing of a Road under Sect 349 of the *Land Act 1958*.

Financial/Resources/Risk

There are no implications on Council as a result of the closure of the road.

Discussion:

The portion of unused road in question is not required for Council purposes as Lyons Street, Yea is an unused and vegetated road, with alternative access available to adjoining properties.

Consultation:

Council officers in consultation with the landholders and officers of the Department of Sustainability and Environment agree that the closure of the road has no impact on neighbouring landholders, other public bodies or the general public.

Conclusion:

The closure of this portion of road provides a practical outcome for the landholders to gain security of their assets.

RESOLUTION:

Cr J Kennedy / Cr B Magner

That Council:

- 1) Resolves to give its concurrence to Department of Environment and Primary Industries to the closure of a portion of Government Road abutting Lot 9 PS515515, Township of Yea; and
- 2) Authorises the General Manager – Infrastructure Services to sign the relevant “Consent to Closing of Road” form as its written concurrence to the closing of the road.

CARRIED

8.2.3 Road Closure - Kinglake Central Recreation Reserve

File No: 52/03/16

(Refer Encl 8.2.3 - Road Closure Plans)

Purpose:

This report seeks Council approval to the closure of unused road abutting the former Kinglake Central State School Reserve, known as Crown Allotment 2034, Parish of Kinglake (as per attached plan).

Recommendation:

That Council:

- 1) **Resolves to give its concurrence to Department of Environment and Primary Industries to the closure of unused road abutting the former Kinglake Central State School Reserve, known as Crown Allotment 2034, Parish of Kinglake; and**
- 2) **Authorises the General Manager of Infrastructure Services to sign the relevant "Consent to Closing of Road" form as its written concurrence to the closing of the road.**

Background:

In 2011, the Minister for Education approved the revocation and surrender of the former Kinglake Central State School Reserve site to the Crown and to reserve the land for recreation purposes.

The former School site now houses the newly developed tennis and netball courts complex and adjoins the Kinglake Memorial Reserve presently owned by Council.

Council requested the Department of Environment and Primary Industries to close the unused road adjoining both the former School site and the Kinglake Memorial Reserve to provide a practical shape to the precinct for future management arrangements.

The Department of Environment and Primary Industries has now requested the written consent of Council to the road closure.

Council Plan/Strategies:

This report is consistent with the following strategy in the Council Plan 2009/13:

Infrastructure Strategy – to enhance the sustainability of our infrastructure, recognising the changing needs and expectations of our communities.

Legal/Policy Issues:

The concurrence of Council is necessary before a road can be closed, as such Council is required to Consent to Closing of a Road under Sect 349 of the *Land Act 1958*.

Financial/Resources/Risk

There are no implications on Council as a result of the closure of the road.

Discussion:

The process for closure of unused roads requires the consent of Council under the *Land Act 1958*.

Consultation:

Council officers in consultation with officers of the Department of Education and Early Childhood Development and the Department of Environment and Primary Industries agreed that the closure of the road had no impact on neighbouring landholders, other public bodies or the general public.

Conclusion:

The closure of this portion of road provides a practical outcome for the future management of the Kinglake Memorial Reserve precinct.

RESOLUTION:

Cr M Rae / Cr B Magner

That Council:

- 1) Resolves to give its concurrence to Department of Environment and Primary Industries to the closure of unused road abutting the former Kinglake Central State School Reserve, known as Crown Allotment 2034, Parish of Kinglake; and
- 2) Authorises the General Manager of Infrastructure Services to sign the relevant "Consent to Closing of Road" form as its written concurrence to the closing of the road.

CARRIED

8.3 CORPORATE SERVICES**8.3.1 Procurement Policy Review**

File No: 09/06/10

(Refer Encl 8.3.1- Revised Procurement Policy)

Purpose:

The purpose of this report is to inform Council in relation to the implementation of Section 186A of the *Local Government Act 1989* (the Act) and in particular paragraph (7), covering review of procurement policies.

Recommendation:

That Council adopts the revised version of the Procurement Policy.

Background:

Council's Procurement Policy was last reviewed in April 2012. It is a requirement under Section 186A of the *Local Government Act 1989* that a Council must review the current procurement policy at least once in every financial year.

Council Plan/Strategies:

This report is consistent with the 2009-13 Council Plan theme of Corporate Development. A key activity within the Strategic Objective of this theme is to implement procurement policies and processes.

Legal/Policy Issues:

Review of the policy is required under Section 186 of the Act.

Section 186A Procurement policy states:

- 1) A Council must prepare and approve a procurement policy.
- 2) A Council must within 12 months after the commencement of section 67 of the *Local Government Amendment (Councillor Conduct and Other Matters) Act 2008* prepare and approve a procurement policy.
- 3) A procurement policy must include any matters, practices or procedures which are prescribed for the purposes of this section.
- 4) A Council must have regard to guidelines made under subsection (5) in preparing a

procurement policy.

- 5) The Minister may make guidelines with respect to the form or content of a procurement policy.
- 6) Guidelines made under subsection (5) must be published in the Government Gazette.
- 7) At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.
- 8) A copy of the current procurement policy must be available for inspection by the public—
 - a) at the Council office; and
 - b) on the Council's Internet website.
- 9) A Council must comply with its procurement policy.
- 10) In this section procurement policy means the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council."

Financial/Resources/Risk

The following needs to be considered when adopting this policy:

- Cost of consultants to assist with developing best practice procedures and templates.
- Risk of non compliance with the Act.
- Cost of engaging the minimum of one officer to ensure continuity of process.

Discussion:

As all Bushfire Recovery Projects have been completed the following amendment to the Council Procurement Policy is provided for consideration in order to reflect that normal business practices have resumed.

Amendment 1 – At clause 6.3.2.2.1, as below, be removed from Council's Procurement Policy.

6.3.2.2.1 Quotations / Tenders – Bushfire Reconstruction Projects Only

Purchase of goods, services having a total of \$150,000 GST inclusive or less and building and construction works having a total valuation of \$200,000 GST inclusive or less may be undertaken using the procurement by quotation method as described below:

- *between \$0 and \$25,000 GST inclusive*
Purchase order – a minimum of one recorded quote
- *Construction services with a value \$25,001 to \$149,999 – Request for Quotation.*
Purchase order and Council will receive at a minimum of three written quotations by issuing a written Request for Quotation. Quotations returned by the nominated closing date must be evaluated and documentation to be presented to accounts payable with invoices for payment.
- *Construction works with a value \$25,001 to \$199,999 – Request for Quotation.*
Purchase order and Council will receive at a minimum of three written quotations by issuing a written Request for Quotation. Quotations returned by the nominated closing date must be evaluated and documentation to be presented to accounts payable with invoices for payment.

For all expenditure greater than \$100,000 it is a minimum requirement that all contractual relationships be documented in writing as required in Clause 6.7

Purchase of goods, services having a total in excess of \$150,000 GST inclusive and building and construction works having a total in excess of \$200,000 GST inclusive may be undertaken using the Department of Transport Construction Supplier Register (CSR) by quotation method as described below:

- *Three written quotations for purchases between \$25,000 and \$150,000 for construction services; and*
- *Three written quotations for construction works between \$25,000 and \$200,000.*

Amendment 2 – At clause 6.3.3, Dot Point 5 – ‘Insufficient Quotations’; expansion of exemption to allow for either completion by the CEO of hardcopy certificate or advice of exemption via electronic means.

Amendment 3 - At clause 6.4.2.2, Dot Point 3 – replace sentence with words that indicate 'All contract and tenders requiring additional budget.'

Amendment 4 – At clause 7.4.3, ‘Support for Local Business;’ that the word ‘Local’ be defined as the Murrindindi Shire.

The Procurement Guidelines will be updated to include details of the acceptance of late tenders and composition of evaluation panels.

Consultation:

Council Officers have been consulted in the development of this policy and it has been considered and endorsed by Council’s Executive Management Team.

Conclusion:

The endorsement of this reviewed policy will support compliance with the Section 186A of the *Local Government Act 1989*.

RESOLUTION:

Cr B Magner / Cr J Kennedy

That Council adopts the revised version of the Procurement Policy.

CARRIED

8.3.2 *Financial Report for Period 1 January 2013 – 31 March 2013*

File No: 10/02/20

(Refer Encl 8.3.2 - Standard Statements)

Purpose:

The purpose of this report is to provide a review of the operating and capital financial activities for the period 1 January 2013 to 31 March 2013.

Recommendation:

That the financial report for the period ended 31 March 2013 be received.

Background:

Financial governance is important for a Council’s good overall governance because the consequences of failure can be very significant for a Council.

Councillors, sitting as Council, have an overall accountability for the Council's finances. This comes in two ways. Firstly, Council is required to prepare and periodically review its long term financial plan. Secondly, Council must also receive regular financial reporting. As a minimum, Council must receive a quarterly financial report which compares actual and budget revenues and expenses.

The quarterly financial report is not viewed in isolation and is to be considered in conjunction with separate quarterly reports on the Council Plan and the Capital Works Program.

Council Plan/Strategies:

This report is consistent with the Council Plan Governance strategy to provide sound financial management.

Legal/Policy Issues:

This report is required under Section 138 of the *Local Government Act 1989*.

Financial/Resources/Risk:

The financial implications flowing from this quarterly review are included within the report.

Discussion:

Annual Council Budget

The March Quarterly Review includes all known adjustments to Council's budget as at 31 March 2013. These revised budget figures as at the 31 March 2013 provide the most accurate projection of the year end financial outcome. The revised budget figures are important as they provided a starting point for the development of the Draft 2013-14 budget. The revised budget indicates an expected operating surplus of \$12.675M, while the year to date variance as measured against the revised budget is a favourable \$490k.

Table (1) below is a reconciliation which summaries the changes from Council's original operating and capital works budgets through the September, December and now the March budget reviews. The explanation for the September and December adjustments have been outlined in the previous quarterly reviews presented to Council. The March budget adjustments as identified in points (a)-(g) are explained below Table 1.

Table 1 Reconciliation of Budget Adjustments - March 2013 Quarterly Review

| | Operating | Capital |
|---|--------------------|-------------------|
| Adopted Budget 2012/2013 | 1,274,391 | 10,239,815 |
| Carry forwards adjustments | (4,026,602) | 3,932,086 |
| Other Minor adjustments | 40,000 | (202,000) |
| Vic Grants Commission - Reduction | (235,160) | |
| September Revised Budget 2012/13 | (2,947,371) | 13,969,901 |
| Transfer between Capital & Operating Accounts | 49,080 | (49,080) |
| Carry forward balance & Service Review Adjustments | (15,193) | 415,590 |
| Additional Rate Revenue offset by reduction in Rates Assistance Package | 151,016 | - |
| Infrastructure Operations - Private Works | (180,829) | - |
| Council Resolutions: Yea Saleyards | 42,364 | 217,522 |
| Gifted Assets maintenance and operations (unspent funds to be transferred to Reserve) | 1,500,000 | |
| Rail Trail Valuation - Underlying Asset \$10.0M & New Works \$6.0M | 16,000,000 | |

| | | |
|--|-------------------|-------------------|
| December Revised Budget 2012/13 | 14,599,067 | 14,652,093 |
| (a) Transfer between Capital & Operating Accounts | (6,241) | (6,241) |
| (b) Capital works deferred to the 2013/14 Budget | | (4,047,693) |
| (c) Adjustments to capital works projects | | (39,170) |
| (d) Grant & Contributions funds relating to deferred capital works | (1,708,000) | |
| (e) Net Additional Income | 1,020,620 | |
| (f) Net Increase In Expenditure | (925,298) | |
| (g) Net Loss on disposal of Assets | (304,497) | |
| March Revised Budget 2012/13 | 12,675,651 | 10,558,989 |

Particulars of points (a) – (b) are provided as follows:

- (a) **Transfers between Capital and Operating expense** - Occasionally expenditure is incorrectly recorded as capital expenditure when it is in fact operational expenditure, and vice-versa. This is generally caused by errors in interpretation of expenditure capitalisation guidelines, or incorrect identification of the ownership and control of the underlying asset. These types of adjustments have no impact on Councils cash position. The adjustment above relates to a signage project.
- (b) **Capital Works deferred** - A number of projects have been identified as being unable to be completed in the 2012/13 year. These projects have been listed as carry forward projects. Details of these projects have been presented to Council as part of the capital works budget for 2013/14. The major items are the Y Water Visitor information Centre, the Yea Shire Hall, and cell construction at the Alexandra Landfill.
- (c) **Adjustments to Capital Works projects** - Relates mostly to adjustment for the Marysville Community Centre, Glenburn and Toolangi Community House projects together with and a number of other small adjustments.
- (d) **Grant and Contributed funds** - Grant income receipt expected to be delayed until 2013/14, relates mostly to Y Water Visitor information Centre, and the Yea Shire Hall.
- (e) **Net Additional Income** - Expected additional income to be received from VBBRA project management funds of \$550k, NDFA storm funding of \$440k; both of these have corresponding expenditure offsets. There is anticipated additional interest income of \$165K and saleyards fees of \$63k, as well as minor up and down adjustments across many items.
- (f) **Net Increase in Expenditure** - Mostly relates to the \$550k and \$440k mentioned in the above point. There has also been and increased adjustment to depreciation of \$239K resulting from the preliminary building revaluation figures. Depreciation useful life rates have been adjusted from 30-50 years to 30-80 years to more closely correlate with the short life and long life rates used for building renewal calculations. Many minor ups and down expenditure adjustments have also been made resulting in the net \$925k anticipated increase in operational expenditure.
- (g) **Net Loss on disposed assets** - Part of the service review involved a review of all of Councils Land and Building assets. During this process it was discovered that a parcel of land owned by Goulburn Valley Water, was recorded in Councils asset register. This error arose during the time of Alexandra Shire Council when the Council also administered the then Alexandra Water Board. The fair value of the land was \$326k. This adjustment must be reflected in the Income Statement, however, it does not alter Councils cash position. The difference between the \$326k and the \$305k represents a favourable variance on sale of Council plant.

Analysis Quarterly Financial Report Year to Date Variances to 31 March 2013

The budget adjustments as outlined above in Table (1) have been incorporated into a revised set of Budgeted Standard Statements as at 31 March 2013.

The following Statements are included in *Enclosure 8.3.2*:

- Budgeted Standard Income Statement
- Budgeted Standard Income Statement (Alternative Underlying Result Format)
- Budgeted Standard Balance sheet
- Budgeted Standard Cash Flow Statement
- Budgeted Standard Capital Works Statement
- Budgeted Statement Reconciliation of Non Discretionary Cash and Reserves

Below is a brief analysis of each of the Statements

Standard Income Statement (Statement A)

Overall the income statement reflects a favourable variance of \$490k with income up on year to date expectations and expenditure down.

The Year to Date Summary of the Income Statement for the period ending 31 March 2013 is provided in Table 2 as follows:

Table 2 – Summary of Income Statement

| | YTD | YTD | |
|-----------------|--------------|--------------|------------|
| | Budget | Actual | Variance |
| | \$k | \$k | \$k |
| Revenue | 27,163 | 27,303 | 140 |
| Expenses | 20,299 | 19,949 | 350 |
| Surplus | 6,864 | 7,353 | 490 |

The key components comprising both Revenue and Expenses variances are summarised by category in Tables 3 and 4 as follows:

Table 3 – Key Revenue component variance

| Variance | | |
|----------------|------------------------|--|
| \$k | | |
| 140 | Favourable to budget | |
| Key Components | Type | Particulars |
| 60 | Grants - recurrent | Mainly relates to Community Services programs – payments in advance and timing pending finalisation of funding agreements |
| 76 | Grants - Non-Recurrent | \$50k received for HACC equipment grant, unbudgeted but will have offsetting expenditure so nil impact on overall budget position. The balance relates to timing of Bushfire related funding |

Table 4 – Key Expense component variance

| Variance | | |
|-----------------|----------------------|--|
| \$k | | |
| (350) | Favourable to Budget | |
| Key Components: | Type | Particulars |
| 152 | Employee Benefits | Unfavourable variance 2% Relates mostly to roads maintenance work teams. Has resulted due to the delay in the capital works resheeting program. Resheeting will be a major focus for the remainder of the year therefore fewer wage cost will be charged to the operating statement and more to capital works. This will bring operational expenditure back into line with expectations. |
| (504) | Materials & Services | Favourable variance mainly relates to <ul style="list-style-type: none"> • (\$90k) Plant & Fleet—reflects lower utilisation • (\$70k) Maintenance of Buildings • (\$65k) Garbage and recycling collections due to delay in payment of account • (\$55k) Parks and Gardens due to less reliance on labour hire arrangements • (\$40k) Delay in tree management plan • (\$23k) Timing of payments in IT area including software maintenance agreements • (\$24k) Storm Damage • Other minor variations |

Balance Sheet (Statement B)

The Balance Sheet – Statement B as at 31 March 2013 shows Assets with a favourable variance of \$382k and Liabilities with a favourable variance of \$108k resulting in an overall year to date expected equity position of \$490k.

Table 5 – Key Balance Sheet component variance

| Variance | | |
|-----------------|----------------------|--|
| \$k | | |
| 945 | Favourable to Budget | |
| Key Components: | Type | Particulars |
| \$1,323k | Current Assets | Variance due to <ul style="list-style-type: none"> • Delays in capital works resulting in higher than anticipated cash. • Outstanding debtors relating to NDF fund works |
| (\$941k) | Non Current Assets | Delay in purchase of motor vehicles, resheeting and resealing. |
| \$127k | Current Liabilities | Variance due to repayment of contract retention amounts following the wind down of reconstruction works. |

Cash Flow Statement (Statement C)

The Cash Flow Statement – Statement C as at 31 March 2013 shows better than budget cash position of \$831k.

Table 6 – Key Cash Flow Statement component variance

| .Variance | | |
|----------------------|--------------------------------|---|
| \$k | | |
| 945 | | |
| Favourable to Budget | | |
| Key Components: | Type | Particulars |
| \$20k | Cash from Operations | Minor improvement on expected YTD position |
| \$937k | Cash From Investing Activities | Reflects the retention of cash due to delay in completing capital works |
| (\$127k) | Cash From Financing Activities | Cash being returned to on contract retentions as the period covered by the retention expires. |

Statement of Capital Works (Statement D)

As at 31 March 2013, Capital Works are \$945k under the year to date budget of \$4.60M. Table 7, indicates that across the asset categories, the largest variances are \$741k in Plant and Machinery and \$327k in Roads and Paths.

Table 7 – Summary of Capital Works completed (Financial)

| Asset Category | YTD Budget 31/03/13 \$'000 | Actuals 31/03/13 \$'000 | Variance YTD \$'000 | Complete to YTD Budget % |
|----------------------------|----------------------------------|-------------------------------|---------------------------|--------------------------------|
| Buildings | 2,035 | 2,254 | (219) | -11% |
| Plant & Machinery | 1,057 | 316 | 741 | 70% |
| Roads & Paths | 1,070 | 743 | 327 | 31% |
| Bridges | 193 | 179 | 14 | 7% |
| Drainage | 65 | 39 | 26 | 40% |
| Cultural | 17 | 15 | 2 | 12% |
| Furniture & Equipment | 125 | 95 | 30 | 24% |
| Library Materials | 66 | 42 | 24 | 36% |
| Total Capital Works | 4,628 | 3,683 | 945 | 22% |

Table 8 – Key Capital component variance

| | | |
|------------------------|-----------------------------|---|
| Variance | | |
| \$k | | |
| 945 | Favourable to Budget | |
| Key Components: | Type | Particulars |
| (219) | Buildings | Expenditure ahead of expectations Marysville Community Centre |
| 740 | Plant & Machinery | Delay in purchase of plant |
| 327 | Roads & Paths | Variance due to delay <ul style="list-style-type: none"> • Gravel roads – resheeting \$119k • Sealed Roads – reseals \$141k • Vegetation Project-\$35k • Road Safety Program - \$28k |

Non Discretionary Cash & Council Reserves (Statement E)

This reconciliation lists all Council reserves together with funds held as Deposits or Trust – which are required to be refunded, and an allowance for provision of employee entitlements – being a nominal amount of 25% of Council Annual Leave Liability. Also included is a listing of Reserves (as per note 24 of Council’s Annual Financial Statements) stating the balance as at 30 June 2012, projected balance to be held in Reserves as at 30 June 2013 and a brief explanation of the purpose of each reserve.

Key Financial Ratios

The traffic light system comprises:

| |
|---|
| Risk Ledger |
| High risk of short-term and immediate sustainability concerns |
| Medium risk of long-term sustainability concerns |
| Low risk of sustainability concerns |

| Financial Ratios - VAGO Risk Assessment Criteria | | | | | | | |
|--|--------|--------|-----------------|----------------|----------------|--|--|
| Ratio | Actual | Actual | Original Budget | Revised Budget | 5 Year Average | | |
| | 2011 | 2012 | 2013 | 2013 | 2008-2012 | | |
| Liquidity (Measures the ability to pay existing liabilities within 12 months) Risk High 0-1 Medium 1.0-1.5 Low Greater than 1.5 | 2.28 | 2.34 | 1.69 | 2.07 | 2.19 | | |
| Self Financing (measures the ability to replace assets using cash generated by operations) Risk High <10% Medium 10%-20% Low >20% | 21.59% | 29.20% | 28.73% | 27.86% | 24.26% | | |
| Indebtedness (Shows how well Council can meet debt from own source revenue) Risk High >60% Medium 40%-60% Low <40% | 27.50% | 27.25% | 25.39% | 27.25% | 29.79% | | |

This indicates that Council has an overall low risk in terms of its financial position, based on the VAGO assessment criteria. However, this does not negate the need for strong financial management nor support from the State Government in relation to the gifted assets as these will have an impact upon the future assessment of these indicators and Council's long term financial sustainability.

Consultation:

There has been consultation with Operating and Capital Budget holders with regard to preparation of financial data and provision of variance particulars.

Conclusion:

Operating performance for the March quarter has been largely in line with the total budget, where revenue has not been achieved corresponding expenditure has not been spent. As of the March quarter, Council remains in a favourable cash position.

RESOLUTION:

Cr M Rae / Cr B Magner

That the financial report for the period ended 31 March 2013 be received.

CARRIED

8.4 CHIEF EXECUTIVE OFFICER

8.4.1 Quarterly Council Plan Report to 31 March 2013

File No: 10/01/15

(Refer Encl 8.4.1)

Purpose:

The purpose of this report is to provide Council with an update on the progress on activities listed in the Council Plan 2009 – 2013 (Fourth Year Review) for the quarter ended March 2013.

Recommendation:

That Council receives the Council Plan (2009-13) report to the end of March 2013 on the status of Council Plan activities.

Background:

The Council Plan for the period 2009 – 2013 was prepared following the Council election in November 2008. Due to the impact and uncertainty created by the February 2009 fires, the first version of the plan focussed largely on the first year 2009 - 2010. The plan has since been reviewed annually and Council has completed and adopted its final review of the Council Plan.

Council Plan/Strategies:

The Council Plan is the key planning document which translates Council's obligations under the *Local Government Act 1989* into strategies and actions. Specifically the plan:

- Guides Council's strategic direction
- Identifies Council priorities and strategic indicators
- Contributes to the development of the annual budget for the next four years

The Council Plan is a key document for local community groups, residents, investors, and other levels of government who play a vital role in helping the Council delivery on its commitments. It sets out what we expect to achieve over a four year period and guides the allocation of finances through the Strategic Resource Plan.

Legal/Policy Issues:

Council is obliged under the *Local Government Act 1989* to review its Council on an annual basis.

Financial/Resources/Risk:

The Council Plan, in particular the Strategic Resource Plan, includes Council's long term financial plan and its implementation is supported by the Annual Budget.

Discussion:

In the third quarter of the 2012 - 2013 Council Plan Review, ending March 2013, 32 activities were on schedule (35%), 38 activities are ongoing (43%), 3 activities were not due to commence (3%) and 9 activities were completed. There are 6 activities that have been deferred and 2 have been withdrawn as a result of the Services Review or pending outcomes of the Services Review.

Highlights for the quarter were:

- The Reform and Recovery Plan is being implemented through a range of actions including the employment of staff and the conduct of programs funded under the Murrindindi Assistance Package as well as the implementation of organisational system improvements and efficiencies. Council received the second annual report on the implementation of the Plan at its March 2013 meeting.
- The Celebrating Positive Ageing Forum held in February provided an opportunity for older people across the Shire to get involved in a range of activities and to provide feedback directly to Council on issues that they feel are important to ageing well in Murrindindi Shire.
- The Healthy and Active Third Age Strategy has been the focus of the Positive Ageing Advisory Group for the past few months. The Positive Ageing Advisory Group has developed key priorities and a set of values that will underpin the new action plan. These priorities have been tested with the Community, Service clubs and groups and Service Providers as part of a broad consultation strategy in this area.
- An integrated Diversity Plan has been developed in partnership with the Alexandra and District Hospital. The plan is now being implemented and will be reviewed within 12 months. Key actions include a stronger focus on strengthening relationships with the local Indigenous community and improving the cultural awareness of all staff.
- Council has continued to support Yarra Ranges Regional Marketing in the implementation of the Marysville and Triangle Marketing and Events Implementation Plan. The Marysville 150 years celebrations are underway with six events already completed including the very successful Marysville World's Longest Lunch held on 15 March. The 150 years events program is promoted through the printed and online 150 Year Events Calendar, event banners and flags and through a public relations campaign being delivered by Chatterbox Marketing.
- Progress has been made on a range of actions identified in the implementation plan for the Economic Development Strategy (2011 - 2016). Some examples this quarter include the completion of the Murrindindi Training Needs Analysis in partnership with the Central Ranges Local Learning and Employment Network (CRLLEN), support to assist the

Murrindindi Business and Tourism Association to secure funding via the state government's Streetlife program to plan the future direction and development of the Association, completion of the Tourism Product Audit in partnership with Goulburn River Valley Tourism, provision of support for the annual industry networking event undertaken by the Upper Goulburn Food Wine and Culture Group, facilitation of pre planning/building application meetings for three major developments (one in Kinglake and two in Marysville and Surrounds) and development of plans for the fit out and volunteer recruitment/ training associated with the Y Water Centre (Yea).

- Officers continue to fulfil the agreed outcomes outlined in the MOU and In Kind agreement with Goulburn River Valley Tourism (GRVT). The 2nd publication of the regional Holiday Planner will be available in the last quarter of the financial year. The GRVT promotion at the Caravan and Camping Supershow at Caulfield racecourse from 7 - 9 March was well attended.
- Advocacy for funding from the ACT project to support/facilitate business and network development initiatives for the MTI was successful. To this end recruitment to the role of business development manager for the MTI will be undertaken during March/April. The allocation of resources and this appointment will see the offer of training at the MTI expand rapidly.
- The Hume Regional Strategy has identified the development of a trail from Alexandra to Eildon as a priority. The DPCD is currently preparing a Hume Regional Tracks and Trails Strategy and has involved community consultation as part of its development. The Advancing Country Towns Project has developed an initiative that includes the preparation of a feasibility study for a link which was endorsed by Council at its March 2013 meeting.
- Council achieved a core competency under the National Asset Management Framework (NAMAF). This is a significant achievement and recognition of a large amount of work undertaken to improve Council's Asset Management practices.

Consultation:

Community consultation is undertaken in relation to individual projects and activities identified in the Council Plan. This report provides the opportunity for Council to promote its achievements for the second quarter 2013 in relation to the implementation of the Objectives and Strategies from the Council Plan.

Conclusion:

Progress on the plan throughout 2012 – 2013 is a priority as a key focus for implementing Council's objectives and priorities for the municipality.

RESOLUTION:

Cr C Ruhr / Cr M Rae

That Council receives the Council Plan (2009-13) report to the end of March 2013 on the status of Council Plan activities.

CARRIED

8.5 COMMUNITY SERVICES

8.5.1 *Review of Community Grants Program Policy*

File No: 24/07/139-7

(Refer Encl 8.5.1 - Community Grants Policy)

Purpose:

The purpose of this report is for Council to review the revised Community Grants Program policy and adopt the recommended changes.

Recommendation:

That Council adopts the revised version of the Community Grants Program Policy.

Background:

The Community Grants Program aims to support community groups and organisations to undertake events, activities and projects to strengthen the community. The operation of the program is supported by the Community Services Department of Council. All applications are assessed by the Community Grants Assessment Panel.

The Council policy on the Community Grants Program is scheduled for review every four years, within 6 months of a Council election.

Council Plan/Strategies:

This report relates to Theme 1 – Governance within the Council Plan 2009 - 2013. It specifically addresses 1.1.3 Improve Governance systems, processes and relationships.

Legal/Policy Issues:

Review of Council policies is covered under the Policy Development and Approvals Delegation policy.

Financial/Resources/Risk

There are no financial or resourcing implications as a result of the policy review and proposed changes. Council allocates \$30,000 each year for support to community organisations.

Discussion:

The Community Grants Program aims to strengthen communities across Murrindindi Shire through the provision of financial support for community events and projects.

Council officers created a first draft review of the Community Grants Policy. This draft version was sent to all members of the Community Grants Assessment Panel. Council officers met with members of the Assessment Panel to discuss the reviewed policy and application form and further adjustments and additions were completed.

The following provides a summary of the changes proposed in the revised version of the Community Grants Program policy:

- Clarification of the eligibility criteria for applicants of Community Grants. The criteria were simplified and further developed to encourage community partnership.
- Clarification and further explanation of the assessment process including a change to the minimum funding amount that will be decided on by the assessment panel without the need to seek Council approval from up to \$500 to up to \$1000. The application process has also been amended to describe the role of the Community Services Department in supporting the Community Grants Program
- Clarification and further information on the assessment criteria applicants will need to meet
- Reformatting and review of the application form in line with policy changes

Consultation:

This policy was reviewed with input from relevant Council officers and all members of the Community Grants Assessment Panel.

The change to the Community Grants Policy, Guidelines and Application process will be advertised prior to the closure of the next round of Community Grants.

Conclusion:

Council officers, in consultation with the Community Grants Assessment Panel, undertook a review of the Community Grants Program policy as part of the schedule for Council policy review. Several changes have been suggested with the aim of providing greater clarity and support to individuals and community groups in accessing the Community Grants Program.

RESOLUTION:

Cr M Rae / Cr J Kennedy

That Council adopts the revised version of the Community Grants Program Policy.

CARRIED

8.6 ECONOMIC DEVELOPMENT**8.6.1 *Railtrail Integrated Marketing And Wayfinding Strategy – Name and Branding***

File No: 60/02/06

(Refer Encl 8.6.1a, Encl 8.6.1b and Encl 8.6.1c)

Purpose:

The purpose of this report is to present Council with the Brand Road Test Report (refer Encl 8.6.1b), Brand Style guide (refer encl 8.6.1a) and Brand Recommendation Paper (refer Encl 8.6.1c) relating to the Integrated Marketing and Wayfinding Strategy for the Rail Trail for Council's endorsement.

Recommendation:

It is recommended that Council:

- 1. Adopts the name change from Goulburn River High Country Rail Trail to River High Line, subject to the inclusion of the words "rail trail" preceding the word "Victoria" on the logo and other branding.**
- 2. Endorses in principle the Brand Style Guide for River High Line 2013 as outlined in *Enclosure 8.6.1a*, with the amendment outlined in point 1 above.**
- 3. Endorses the implementation of the River High Line Brand, as amended, across all print, digital and signage applications.**

Background:

Council has received an overview of the Integrated Marketing and Wayfinding Strategy for the Rail Trail. The first major output of that Strategy is the development of a new brand consisting of a name, logo and creative elements including colour, graphics and words.

Following a workshop consisting of council officers, community and business representatives from the Murrindindi, Mitchell and Mansfield Shires and regional tourism representatives it was proposed to the consultants appointed to undertake the Strategy that the name of the rail trail be changed from Goulburn River High Country Rail Trail to River High Line. This was based on the following considerations:

- The current name is considered too long and difficult to promote
- There already exists a High Country rail trail in Victoria
- Goulburn as a name is often confused by visitors with Goulburn in New South Wales
- There was a desire that the name not sit within the nest of other rail trails but achieve a level of differentiation without losing the local connection with the railway line history
- River and High adequately capture the features of the Goulburn River and High Country.

Subsequent to the workshop the branding graphical elements were developed to deliver the River High Line name and the resulting logo and branding approach is summarised in the draft Brand Style Guide attached to this report (*refer Encl 8.6.1a*).

A test of the name and branding elements was undertaken by the consultants involving both professional and community stakeholder feedback from 18 April to 8 May 2013. Attached to this report is the Brand Road Test Report prepared by the consultants which summarises the findings of this consultation process (*refer Encl 8.6.1b*).

The time line of this element of the Integrated Marketing and Wayfinding Strategy includes the presentation to each of the three Councils at their respective May 2013 meetings the final recommendations from the Project Control Group and Advisory Committee for the name and brand changes. These recommendations are detailed in *Enclosure 8.6.1c* to this report.

Council Plan/Strategies:

This project is broadly consistent with the Local Economy Theme of the Council Plan 2009-2013 and strategies to:

- Undertake or facilitate major economic development projects
- Participate in cooperative marketing

Legal/Policy Issues:

Nil.

Financial/Resources/Risk

The strategy development project including the work to finalise the name and branding is fully funded by external grant funds.

Other than required directional and traffic management (safety) signs, no interpretive, identity (branding) or Wayfinding signage or marketing tools were part of the original scope of works.

The strategy development does not include the cost of manufacture and installation of signage, however it does include creation of content for all signage plus a fully operational website and mobile site, interactive mapping, social media pages and third party endorsement mechanisms such as Trip Advisor, Blogs and similar.

Discussion:

The Brand Road Test Report (Encl 8.6.1b) outlines the outcomes of the consultation process which concluded on 8 May 2013.

A total of 317 survey responses and 25 non survey responses were received. The number of responses received provides a constructive measure of professional and public opinion regarding the proposed name and brand and provides a meaningful Brand Test.

Recreational cyclists made up the largest response group (62%), followed by walkers (30%) and community members living near the rail trail (30%). The geographical split of respondents showed that 48% were from one of the three shires, 31% were from Metropolitan Melbourne and 21% were from other locations.

A summary of the results contained in the attached report are as follows:

- Logo appeal – 55% find it reasonably to extremely appealing
- Name – 61% were not in favour (the opinion on what the name should be varied widely)
- How it works in signs – 54% think it works reasonably to extremely well
- How it works in digital media – 47% think it works reasonably to extremely well
- Many free text comments were received and are almost all about the name. These free text comments have been provided separately to councillors.

The Brand Road Test showed divided opinion on the name of the rail trail with public opinion unsupportive and professional tourism opinion supportive. With respect to these comments most who did not support the name have an issue with 'Line' rather than 'Rail Trail' in the name.

In terms of 'Rail Trail' versus 'Line' the consultants acknowledge in the report that it is difficult to convey the context of marketing in a survey approach and it is important to note that all promotion of the name will appear in a 'Rail Trail' context at all times, supported by Rail Trail content and images, and within Rail Trail specific material and media (refer Brand Style Guide in Enclosure 8.6.1a for examples).

Some comments have been received that suggest using the term Rail Trail somewhere in the branding, at least for an interim period, to support the name change from rail trail to line. This approach adopted in the main logo as indicated below, and is recommended by officers for Council's endorsement.

RIVER HIGH LINE
Rail Trail - Victoria

A number of respondents prefer names of their own geographic area such as High Country Rail Trail, Goulburn River Rail Trail, Mansfield Rail Trail or Mansfield Line, or no change from the current name.

The consultants note that it is expected that new brands take between 6 and 12 months to 'bed in' with stakeholders and that local community stakeholder acceptance of a new brand and/or name can vary considerably from market acceptance.

Consultation:

An initial brand workshop involving Council officers and community and business representatives from the three shires plus regional tourism body representation was undertaken on 6 March 2013.

Following the development of the revised name and branding approach, a road test of the approach was conducted involving targeted professional comment from peak tourism bodies including Tourism Victoria, and a community and rail trail user survey. The latter survey was available for responses between 18 April and 8 May 2013.

Conclusion:

The development of the Integrated Marketing and Wayfinding Strategy is important to the future success of the rail trail. The naming and branding of rail trail are key components in the further development of the Rail Trail experience for visitors and local people alike.

MOTION:

Cr C Ruhr / Cr J Walsh

That Council:

1. Adopt the name change from Goulburn River High Country Rail Trail to River High Line, subject to the inclusion of the words "Rail Trail" preceding the word "Victoria" on the logo and other branding.
2. Endorse in principle the Brand Style Guide for River High Line 2013 as outlined in *Enclosure 8.6.1a*, with the amendment outlined in point 1 above.
3. Endorse the implementation of the River High Line Brand, as amended, across all print, digital and signage applications.

MOTION LOST

RESOLUTION:

Cr C Ruhr / Cr M Rae

That Standing Orders be suspended.

CARRIED

Standing Orders were suspended at 7.16 pm.

RESOLUTION

Cr C Ruhr / Cr B Magner

That Standing Orders be resumed.

CARRIED

Standing Orders were resumed at 7.18pm.

RESOLUTION:

Cr C Ruhr / Cr J Walsh

It is recommended that Council:

1. Does not adopt the name change from Goulburn River High Country Rail Trail to River High Line.
2. Does not endorse in principle the Brand Style Guide for River High Line 2013.
3. Does not endorse the implementation of the River High Line Brand.
4. Refers the matter back to the Project Control Group to further consider the name change and branding recommendations.

CARRIED

9. SEALING REGISTER

| File Reference | Date Seal Affixed | Description of Documents | Signatures of Persons Sealing |
|-----------------------|--------------------------|--|--------------------------------------|
| 3/2012/13 | 24/4/2013 | Agreement made pursuant to Section 173 of the Planning & Environment Act 1987. Property Lot 1 on PS649244B Triangle Road, Homewood, between Murrindindi Shire Council and Barrie Morel Griffiths, Margaret Muriel Griffiths. | Cr M Rae M Abbey |
| 24/13/1310 | 30/4/2013 | Mortgage Deed Parties – The Council named in the schedule and Commonwealth Bank of Australia – Mortgaged property - the general rates revenue of the Council. | M Abbey M J Chesworth |
| 24/13/1260 | 1/5/2013 | Formal Instrument of Agreement between Murrindindi Shire Council and Densal Pty Ltd – Contract Description: Installation of 1000 Hands Project. | M Abbey Cr M Rae |
| ASS9213 | 7/5/2013 | Transfer of Land – Transferor Charles Anthony Phelan, Transferee Murrindindi Shire Council – Reserve No 1 on Plan of subdivision PS714386T being part of the land described in Certificate of Title Volume 9742 Folio 421. | M Abbey Cr M Rae |
| ASS 9213 | 7/5/2013 | Release and Indemnity Agreement between Murrindindi Shire Council and Charles Anthony Phelan. Property Reserve No 1 on PS714386T, 3384 Whittlesea Yea Road, Flowerdale, Vic 3717. | M Abbey Cr M Rae |

Recommendation:

That the list of items to which the Council seal has been affixed be noted.

RESOLUTION:

Cr C Ruhr / Cr M Rae

That the list of items to which the Council seal has been affixed be noted.

CARRIED

10. COUNCILLOR PORTFOLIO REPORTS**10.1 LAND USE PLANNING PORTFOLIO**

Cr Rae acknowledged the work done by Council Officers in planning areas including their contribution to the bushfire recovery effort and the implementation of the bushfire overlay.

10.2 ECONOMIC DEVELOPMENT PORTFOLIO

No report.

10.3 INFRASTRUCTURE AND WASTE PORTFOLIO

Cr B Magner acknowledged the work of Council Officers in implementing the capital works program.

10.4 COMMUNITY SERVICES PORTFOLIO

No report.

10.5 CORPORATE SERVICES PORTFOLIO

No report.

10.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO

Cr Kennedy advised that Landcare groups across the shire have been very active and recently included in their program a farm walk in Yea.

10.7 MAYOR AND DELEGATED COMMITTEE REPORTS

Cr Walsh advised he had attended:

- The Rural Councils Victorian Summit, with the Chief Executive Officer, at Lakes Entrance.
- Central Ranges Local Learning and Employment Network (CRLLEN) Annual General Meeting and applauded their excellent work and hopes that funding will continue for this important network.
- Attended Timber Towns meeting, which announced an App to help with BAL assessments
- The MAV State Council Conference
- Goulburn River Valley Tourism announcement of the Destination Marketing Grant.

10.8 GENERAL BUSINESS

Nil.

11. MATTERS DEFERRED FROM PREVIOUS MEETING

Nil.

12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil.

13. ASSEMBLIES OF COUNCILLORS

File No: 12/01/06

Purpose:

This report presents the records of assemblies of Councillors for the 24 March 2013 to 8 May 2013, for Council to note in accordance with Section 80A of the *Local Government Act 1989 (the Act)*.

Recommendation:

That Council receives and notes the record of assemblies of Councillors for 24 March 2013 to 8 May 2013.

Background:

In accordance with Section 80A of *the Act*, written assemblies of Councillors are to be reported at an Ordinary Council Meeting of the Council.

An assembly of Councillors includes advisory committees, where one or more Councillors were present, along with planned or scheduled meetings involving at least half of the Councillors and a Council Officer.

A Councillor who has a conflict of interest at an assembly of Councillors, must disclose the conflict of interest, and leave the meeting while the matter is being discussed.

A written record is required to be kept of every assembly of Councillors, including the names of all Councillors and staff at the meeting, a list of the matters considered, any conflict of interest disclosed by a Councillor, and whether a Councillor who disclosed a conflict left the meeting.

Summary:

| | | |
|---|---|--|
| Meeting Name / Type | Councillor Briefing Session | |
| Meeting Date | 24 March 2013 | |
| Matters discussed | <ol style="list-style-type: none"> 1. Tender – Allandale Road 2. Tender – Breakaway Bridge 3. Tender – Break O’Day Road 4. Tender – Landfill Monitoring 5. Loan Borrowings 2012-13 6. Planning Applications – Castella Quarry | |
| Attendees: Councillors – Cr Walsh, Cr Rae, Cr Derwent, Cr Magner, Cr Kennedy, Cr Challen | Staff – M Abbey, M Chesworth, T Johnson, J Canny, R Cherry, K Girvan, M Parsons | |
| Conflict of Interest disclosures - Nil | | |

| | | |
|--|---|--|
| Meeting Name / Type | Economic Development Advisory Committee | |
| Meeting Date | 22 April 2013 | |
| Matters discussed | <ol style="list-style-type: none"> 1. Toolangi Zipline Project 2. Kinglake Ranges Business Network Project 3. Council Plan | |
| Attendees: Councillors – Cr Walsh, Cr Challen, Cr Derwent | Staff – M Chesworth, R Elkington, L Wallace, A Leadbeater, M Abbey | |
| Conflict of Interest disclosures - Nil | | |

| | | |
|---|---|--|
| Meeting Name / Type | Councillor Briefing Session | |
| Meeting Date | 24 April 2013 | |
| Matters discussed | <ol style="list-style-type: none"> 1. Strategic Resource Plan 2013-17 2. Draft Budget 2013-14 | |
| Attendees: Councillors – Cr Walsh, Cr Rae, Cr Challen, Cr Kennedy, Cr Magner | Staff – M Abbey, M Chesworth, T Johnson, J Canny, M Leitinger, R Cherry | |
| Conflict of Interest disclosures - Nil | | |

| | | |
|---|--|--|
| Meeting Name / Type | Councillor Briefing Session | |
| Meeting Date | 1 May 2013 | |
| Matters discussed | <ol style="list-style-type: none"> 1. Code of Conduct 2. Hume Regional Growth Plan 3. Draft Council Plan 2013-17 4. Draft Strategic Resource Plan 2013-17 5. Draft Budget 2013-14 | |
| Attendees: Councillors – Cr Rae, Cr Derwent, Cr Challen, Cr Kennedy, Cr Magner | Staff – M Abbey, R Cherry, M Chesworth, T Johnson, J Canny, M Parsons, K Girvan, A Cassell | |
| Conflict of Interest disclosures - Nil | | |

| | | |
|--|---|--|
| Meeting Name / Type | Councillor Briefing session | |
| Meeting Date | 8 May 2013 | |
| Matters discussed | <ol style="list-style-type: none"> 1. Draft Budget 2013-14 2. Draft Strategic Resource Plan 2013-17 3. Planning Applications 4. Community Grants Policy 5. Rail Trail Branding 6. Y Water Centre Governance | |
| Attendees: Councillors – Cr Walsh, Cr Rae, Cr Derwent, Cr Challen, Cr Kennedy, Cr Magner, | Staff – M Abbey, T Johnson, M Chesworth, R Cherry, A Cassell, K Girvan, M Parsons, J Canny, N McNamara, R Elkington | |
| Conflict of Interest disclosures - Nil | | |

RESOLUTION:

Cr M Rae / Cr J Kennedy

That Council receives and notes the record of assemblies of Councillors for 24 March 2013 to 8 May 2013.

CARRIED**14. URGENT BUSINESS**

No urgent business raised.

RESOLUTION:

Cr C Ruhr / Cr J Kennedy

That the meeting close to the public.

The meeting closed to the public at 7.25 pm.**RESOLUTION:**

Cr Cr C Ruhr / Cr J Kennedy

That the meeting reopen to the public.

The meeting reopened at 8.25 pm.**RESOLUTION:**

Cr C Ruhr / Cr J Kennedy

That the meeting be closed to the public pursuant to s.89(2)(h) of the *Local Government Act 1989* due to matters which the Council or special committee considers would prejudice the Council or any person.**CARRIED**

The meeting closed to the public at 8.25 pm.

RESOLUTION:

Cr C Ruhr / Cr M Rae

That the meeting re-open to the public.

CARRIED

The meeting re-opened to the public at 8.40 pm.

In accordance with the confidential Council resolutions the Chair, Mayor John Walsh, released the following resolutions:

15.3 EXCHANGE OF LAND, 2950 HEIDELBERG-KINGLAKE ROAD, KINGLAKE (KINGLAKE RAC BOUNDARY)

File No: A5694

RESOLUTION:

Cr C Ruhr / Cr J Kennedy

That Council:

1. Exchanges an area of land owned by Council of 409m² with an area of land owned by Rosa Cicerale of 157m², at no cost to her;
2. Authorises the Chief Executive Officer to sign all documents and undertake all administrative procedures in respect of the proposed land exchange;
3. Obtains a valuation of the land from a valuer who has the qualifications prescribed under the "Act";
4. Resolves to give public notice of the proposed land exchange as per the requirements of section 189 of the "Act"; and;
5. Consider any submissions (if received) under section 223 of the *Local Government Act 1989* before determining whether to proceed with the exchange or not, and;
6. Should no submissions be received then the transfer of land be proceeded with and Council's common seal will be affixed to the transfers of Lots 1 & 2 on PS 714388P.

CARRIED

15.4 CONSTRUCTION OF MARYSVILLE COMMUNITY CENTRE CARPARK AND ASSOCIATED STREETScape WORKS

File No: 24/13/1239

RESOLUTION:

Cr M Rae / Cr J Kennedy

That Council

1. Accepts the tender from Warrandale Industries Pty Ltd for the lump sum price of Four Hundred and Fifty Eight Thousand Four Hundred and Thirty Four dollars and Sixty Seven cents excluding GST (\$458,434.67 ex GST) for Contract Number 24/13/1239
2. Council authorises the Chief Executive Officer to authorise contract documentation as required.

3. Apply common seal of the Council to this contract.

CARRIED

15.5 LIBRARY SERVICES MANAGEMENT

File No: 10/08/02

RESOLUTION:

Cr M Rae / Cr B Magner

That Council:

1. Does not proceed with full membership of the Yarra Plenty Regional Library Service.
2. Continues operation of a stand alone library service, supported by a Coordinator Library Services position.
3. Submits a proposal to the Board of the Yarra Plenty Regional Library Service to enter into a Service Level Agreement to provide selected library services and products that include:
 - (i) Shelf ready collection material;
 - (ii) Eresources;
 - (iii) Provision of a Library Management System; and
 - (iv) Other services and products as required, that do not exceed provisions within Council's current adopted budget for provision of Library Services.

CARRIED

15.7 Y WATER CENTRE AT YEA WETLAND – BUILDING CONSTRUCTION

File No: 24/13/1305

RESOLUTION:

Cr J Kennedy / Cr M Rae

That Council:

1. Accepts the tender from Darjelyn Constructions Pty Ltd for the lump sum price of \$762,330.00 (seven hundred and sixty two thousand three hundred and thirty dollars) for Contract Number 24/13/1305, Y Water Centre at Yea Wetlands-Building Construction.
2. Authorises the Chief Executive Officer to authorise contract documentation as required.
3. Affix the Council seal to this contract.

CARRIED

There being no further items of Business, the Chairperson declared the meeting closed at 8.40 pm.

CONFIRMED THIS

CHAIRPERSON
