



AGENDA

of the

ORDINARY MEETING OF COUNCIL

to be held on

WEDNESDAY 23 OCTOBER 2013

in the

SENIOR CITIZENS ROOM  
Kinglake Community Centre  
Cnr Extons and Main Roads  
Kinglake Central

commencing at

6.00 pm

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**1. PRAYER & RECONCILIATION STATEMENT****2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

File: 12/02/19

**3. CONFIRMATION OF MINUTES**

➤ Minutes of the Ordinary meeting of Council held on 25 September 2013

***Recommendation:***

That the Minutes of the ordinary meeting of Council held on 25 September 2013 be confirmed subject to the amendment of the wording under the heading *Purpose* in Item 6.2 to read:

“This report provides Council with an interim response to the four petitions received by Council, which supported and opposed the installation of additional street lighting in Oswald Drive, Alexandra”.

**4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

File No: 12/01/06-1

**5. OPEN FORUM****6. PETITIONS RECEIVED BY COUNCIL****7. REPORTS BY ADVISORY COMMITTEES OR SPECIAL COMMITTEES****8. OFFICER REPORTS****8.1 CHIEF EXECUTIVE OFFICER****8.1.1 2012- 13 Annual Report**

TRIM Docs: 13/5382, 13/5383

*(Refer Encl 8.4.1 – Annual Report 2012-2013)****Purpose:***

The purpose of this agenda item is to present the Annual Report for the period 1 July 2012 to 30 June 2013 for Council’s consideration.

**Recommendation:**

**That Council formally considers and endorses the Annual Report of the Murrindindi Shire Council for the 2012-2013 financial year.**

**Background:**

Sections 131 and 134 of the *Local Government Act 1989* set out the requirements for the preparation, public exhibition and consideration by Council of the Annual Report. These requirements also include the forwarding of a copy of the Annual Report to the Minister for Local Government by 30 September each year.

Subject to Council's consideration and endorsement of the Council's Annual Report 2012- 2013 at this meeting, all statutory requirements associated with the Annual Report will have been met.

The Annual Report 2012-2013 details Council's performance over the past 12 months in achieving the objectives and activities of the Council Plan 2009 – 2013 and the 2012 – 2013 Annual Budget.

A copy of the Annual Report 2012-2013 is contained in Enclosure 8.4.1. Councillors have previously been provided with a hard copy of the Report.

**Council Plan/Strategies:**

The preparation of the Annual Report supports the goal to provide strategic leadership and effective governance that supports the aspirations of the community, as contained in the recently endorsed Council Plan 2013-2017.

**Legal/Policy Issues:**

It is a requirement of the *Local Government Act 1989* that the Annual Report be considered by Council.

**Financial/Resources/Risk**

The Annual Report includes the audited Financial Report and Standard Statements for the 2012 – 2013 financial year which were approved by Council at its September 2013 Ordinary meeting.

**Discussion:**

The Annual Report 2012-2013 details the Council's performance in achieving the strategic objectives set out in 2009-2013 Council Plan and the 2012-2013 Budget.

Whilst the Report lists many achievements for the year, some highlights include:

- The successful election and induction of a new Council, including five new Councillors;
- Construction and opening of the Kinglake Ranges Health Centre building and the commencement of GP services from the Centre;
- Council attaining core competency in asset management under the National Asset Management Assessment Framework;
- The launch by the State Government of a Practitioner's Guide to Business Recovery following disasters, which was developed by the Council;
- The development and approval by Council of the State's first Local Planning Policy relating specifically to Bushfire Management;
- Completion of the 1,000 Hands installation at Gallipoli Park, Marysville recognising the contributors to the rebuilding of the town following the 2009 bushfires;

- The successful conduct of a Positive Ageing Forum to promote the services, activities and opportunities for older people to be involved in their communities.
- The opening of the rebuilt and enhanced Kinglake Memorial Reserve, with a range of new sporting facilities;
- The development and adoption by Council of a new Council Plan outlining the strategic direction of Council for the period 2013 – 2017 and the ten year Strategic Resource Plan;
- The hosting by Council of the Annual Australian Mobile Library Conference in Marysville; and
- Completion and launch of the re-developed Yea Saleyards, including the roofing of the complex.

The Report also records how Council has progressed in relation to its Key Performance Indicators (KPIs) and sets out the challenges for the year ahead.

The Annual Report recognises the efforts of Council in addressing and meeting its current and future financial commitments as it continues to recover from the financial impacts of the 2009 bushfires.

The Report also highlights a range of operational activities and services delivered that have supported the community. Highlights include:

- Aged and Disability Services provided 8575 hours of domestic services.
- 672 immunisations were undertaken.
- Children's Services provided 13,250 hours of home based care.
- 88,392 library items were borrowed.
- 37,644 head of cattle passed through the Yea saleyard complex.
- "Walk-in" visitors to Visitor Information centres increased by 27 per cent.
- More than 4,000 cubic metres of landfill space was saved through recycling efforts.
- 100 per cent of Council building permits determined within 30 days.
- 1,186 kilometres of roads were maintained.

**Consultation:**

The statutory inspection period as required by the Act has been complied with and includes public notification on Council's website and in local newspapers.

<b>Newspaper / Other</b>	<b>Publishing Date(s)</b>
<b>Newspaper:</b>	
Alexandra and Eildon Standard	2 October 2013
Yea Chronicle	2 October 2013
Marysville Triangle	3 October 2013
North Central Review	1 October 2013
<b>Consultation:</b>	Nil
<b>Mail out:</b>	Nil
<b>Council Website</b>	1 October 2013

The report has been forwarded to the Minister for Local Government and the Department of Transport, Planning and Local Infrastructure.

**Conclusion:**

The presentation of the Annual Report is an important milestone in recognising the significant achievements of Council in 2012–2013.

## **8.2 COMMUNITY SERVICES**

### **8.2.1 Final Municipal Public Health and Wellbeing Plan 2013-2017**

File No: 28/02/16

(Refer Encl 8.2.1 - Municipal Public Health and Wellbeing Plan)

**Purpose:**

The purpose of this report is to provide Council with the final version of the Municipal Public Health and Wellbeing Plan 2013-2017.

**Recommendation:**

**That Council formally endorses the final version of the Murrindindi Shire Council Municipal Public Health and Wellbeing Plan 2013-2017 as per Enclosure 8.2.1.**

**Background:**

The *Public Health and Wellbeing Act* 2008 establishes the statutory role of councils to 'protect, improve and promote public health and wellbeing within the municipal district'.

Under this Act it is a statutory requirement of every council to develop a *Municipal Public Health and Wellbeing Plan* within 12 months of each council election.

This Plan reflects and enhances actions outlined in the *Council Plan 2013-2017*, incorporates existing Council policies and frameworks and provides direction to Council in its decision-making. The Plan also provides information and guidance to the various community and service agencies that work in partnership in the community and with Council.

The Plan was developed collaboratively with all Council departments, community advisory groups, organisations, individuals and service providers. The content of the Plan is based on available health data and aligns with federal, state and regional health initiatives, as well as the social determinants of health as defined by the World Health Organisation.

The development of this Plan has been led and coordinated by Council through the Community Services department.

The *Municipal Health and Wellbeing Plan 2013 – 2017* will focus on a whole of life approach and fulfill other Council planning responsibilities by embedding the following:

- Early Years Action Plan
- Youth Strategy
- Disability Action Plan
- Positive Ageing Action Plan
- Future Recreation and Play strategies.

Council endorsed the draft Plan for public comment at the 26 June 2013 Ordinary Council meeting. The public consultation period ran from 4 July 2013 for a period of 28 days to 1 August 2013.

Eight submissions were received within the public comment period. Council received information on the submissions and approved all recommendations for changes to the plan to incorporate the feedback received.

***Council Plan/Strategies:***

This report is consistent with the *Council Plan 2013-17 – Our Community – ‘We will support and promote health and wellbeing, social connectedness and community involvement.’*

The Plan will complement the Council Plan 2013-17 and support activities that have the ability to improve the Shire’s overall health and wellbeing.

***Legal/Policy Issues:***

This report addresses Council’s statutory requirements under the *Public Health and Wellbeing Act 2008* to develop a *Municipal Public Health and Wellbeing Plan* within 12 months of each council election.

***Financial/Resources/Risk***

The actions outlined in the draft plan will be delivered with the current level of staff and financial resources within Council and other agencies.

***Discussion:***

The Municipal Public Health and Wellbeing Plan demonstrates Council’s accountability for public health and wellbeing outcomes. It reflects strong collaboration across Council departments and with external partners and the community. The final version of the Plan has been refined in line with community feedback and further discussion with key partners.

‘Stay Active and Healthy’ is a simple message with the potential to influence people to stay physically active and engaged in community life. Activities within the Plan are designed to encourage people to make healthy lifestyles choices.

The partnership approach employed in the development of this plan provides a strong foundation for the effective implementation of the strategies and activities identified. The involvement and investment from all Council departments, the Executive Management Team and Councillors greatly assisted in the development of this plan.

An Implementation Plan incorporating actions, measurements and timelines against all strategies is currently under development. The implementation plan is being developed in consultation with all key partners and will be presented to Council in coming weeks.

The final version of the Municipal Public Health and Wellbeing Plan has incorporated recommended actions, resulting from the public submissions. These recommendations were approved by Council on 28 August 2013.

The Plan will be available to the public on the Council website. A copy of the Plan will be sent to all key partners. Large print versions will be available by contacting the Community Services Department.

A Health and Wellbeing Consortium will be developed with representation from Council and the community, including partner agencies, to provide a formal structure to guide and report on progress of the Plan’s implementation.

Council officers will provide the final Municipal Public Health and Wellbeing Plan to the Department of Health upon gaining endorsement from Council.

**Consultation:**

Members of the community, service providers, Councillors and Council departments have contributed to the development of this plan through group and individual discussions over a period of six months and have made a commitment to undertake the actions outlined in the Plan.

A planning workshop held on 9 May 2013, facilitated by Jamie Carroll from Indite Consulting, was attended by representatives of key agencies, Council departments and Councillors.

The four themes in the Plan are based on the insights and aspirations highlighted in the Vision 2030 community consultation held in 2012.

Community and service providers were provided with a further opportunity to provide feedback on the Plan during the public comment period.

**Conclusion:**

The development of the Municipal Public Health and Wellbeing Plan is a legislated responsibility of Council. The plan actively promotes and works towards strengthening healthy and active communities within a partnership approach.

**8.2.2 Community Grants Round June 2013 to September 2013**

File No: 24/07/139-10

(Refer Encl 8.2.2 - Community Grants Summary June to September 2013)

**Purpose:**

The purpose of this report is to inform Council of the recommendations made by the delegated Community and Emergency Grants Assessment Committee on funds to be allocated from the Community and Emergency Grants Program.

**Recommendation:**

**That Council notes the recommendations of the Community and Emergency Grant Committee outlined in the following table.**

Application	Funding sought	Recommendation
Country Women's Association Hume Goulburn Group	\$ 800.00	Supported
Rotary Club Yea Inc.	\$1,000.00	Supported, part contribution of \$500
Alexandra Pastoral & Agricultural Association Inc.	\$ 500.00	Not supported
Kinglake Ranges Tennis Club Inc	\$ 1000.00	Support, contribution of \$500 if funding not received from the Kinglake Ranges Foundation
Murrindindi Cycle Club	\$ 500.00	Not supported
Cathedral Mountain Christian Centre Inc. Trading as El Kanah Marysville	\$5,000.00	Not supported
Fawcett Hall	\$ 500.00	Supported
Australia Biodynamics - Victoria Inc.	\$5,000.00	Not supported



**Background:**

Applications for the June to September 2013 cycle of Council's Community and Emergency Grants Program were assessed by the Community and Emergency Grants Committee comprising the Mayor, Deputy Mayor and the Chief Executive Officer.

Eight applications for grant funding were received in this cycle. All applications and committee's recommendations are summarised in the attached document.

**Council Plan/Strategies:**

The Community and Emergency Grants process is an operational outcome of the 2013-2017 Council Plan theme of Community to provide a seed funding pool to support community initiated projects.

**Legal/Policy Issues:**

Implementation of the program is in accordance with the policy for the Community Grants Program.

**Financial/Resources/Risk**

The Assessment Committee is recommending that a total of \$2,300 in funding be granted this round; therefore there is very little financial risk to Council. Funds remaining unallocated in the 2013/2014 year amount to \$27,700. There are two grant rounds remaining in this financial year.

**Discussion:**

In total, eight applications were received from community organisations for the June to September 2013 round. These applications are listed in Enclosure: A3 Summary June to September 2013 of this report. Four of the eight applications have been supported by the Community and Emergency Grants Committee and recommended to be noted by Council.

- Country Women's Association – to assist in covering the cost of venue hire for the Bi-Annual Hume Goulburn Group Creative Arts Exhibition to be held on the 5 and 6 May 2014.
- Rotary Club Yea – to contribute towards the cost of purchasing new signage for the Yea and District Open Garden Program to be held on the 9 and 10 November 2013. It was noted by Committee that funds raised from the Open Garden Program will be used to support a range of projects including a walking track to the top of Mount Constitution. The Committee's approval for this application does not constitute support for the development of a walking track to the top of Mount Constitution.
- Kinglake Ranges Tennis Club Inc. – to support the conduct of Friday Night Social Tennis, but is only provided on the basis that funding is not received by the Club from the Kinglake Ranges Foundation. If funding is received from the Foundation, the community grant is to be returned to Council.
- Fawcett Hall – to support the purchase and installation of a flag pole in preparation for flag raising on Australia Day 2014.

Five applications were not supported.

- Alexandra Pastoral and Agricultural Association Inc. sought funding cover the cost of a Council planning permit to hold a bush dance at the Alexandra 130th Anniversary Show. The fee for the Council permit has been waived through another process negating the need for the application.
- Murrindindi Cycle Club sought funding to support the Granite Grind Mountain Bike Race event at Lake Mountain. The Committee noted that there was no identified cash

contribution from the club and that the budget indicated a 'surplus' greater than the funding sought from Council.

- Cathedral Mountain Christian Centre sought funding to contribute to the building of a Community Multipurpose Sports Facility located at El Kanah in Marysville. The Committee notes that the project requires further refinement and will advise the group to seek alternate funding sources with the support of Council officers.
- Australia Biodynamics Victoria Inc. sought funding to support the development of a Biodynamic Community Education Program including a series of workshops and field days. The Committee noted that there was a need to review potential income from fees and investigate alternate funding sources.

**Consultation:**

The Community and Emergency Grant applications are assessed by the Community and Emergency Grants Assessment Committee. As required, information is sought from the Community Services Department and other Council Departments.

**Conclusion:**

Council, on the recommendations of the Community Grants Assessment Committee has successfully provided funding to a range of community groups across the shire. Council officers will continue to assist and support the community to identify potential projects for funding.

**9. SEALING REGISTER**

<b>File Reference</b>	<b>Date Seal Affixed</b>	<b>Description of Documents</b>	<b>Signatures of Persons Sealing</b>
24/13/1302-1	01/10/2013	Formal Instrument of agreement between Murrindindi Shire Council and GHO Pty Ltd for geotechnical investigation including concept design and cost estimates for the rehabilitation of the Snobs Creek Road slip failure.	T Johnson Cr M Rae
24/13/1319	01/10/2013	Formal Instrument of Agreement between Murrindindi Shire Council and Warrandale Industries Pty Ltd for Gallipoli Park Stage 2 Landscaping works in the Marysville Skate Park Precinct.	T Johnson Cr M Rae
A7821-10 The Ridge	08/10/2013	Transfer of Land – Lot 1 Certificate of title volume 5387 folio 265, between Murrindindi Shire Council and Riccardo Giovanni Scibilia.	M Abbey Cr J Walsh
24/13/1249	08/10/2013	Transfer of Land – Volume 3779 Folio 706 and Volume 3370 Folio 875 between Murrindindi Shire Council and Bruce Allan Steuart and Alison Heather Steuart.	M Abbey Cr J Walsh
06/05/09	15/10/2013	Transfer of Land – Volume 90827 Folio 404 between Murrindindi Shire Council – The President Councillors and Ratepayers of the Shire of Alexandra and Rural Housing Network Ltd.	M Abbey Cr M Rae

<b>File Reference</b>	<b>Date Seal Affixed</b>	<b>Description of Documents</b>	<b>Signatures of Persons Sealing</b>
06/05/11	16/10/2013	Transfer of Land – Lot 6A on Plan of Subdivision PS4051066J being part of the land in Certificate of Title Volume 10327 Folio 606, Volume 10327 Folio 604, Volume 10327 Folio 605 and Volume 10327 Folio 613 between Geoffrey Thomas Hyland, Jennifer Ann Hyland, Murrindindi shire Council and Owners Corporation Plan No PS401066J, and Geoffrey Thomas Hyland and Jennifer Ann Hyland.	M Abbey Cr M Rae

**Recommendation:**

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

**10. COUNCILLOR PORTFOLIO REPORTS**

10.1 LAND USE PLANNING PORTFOLIO

10.2 ECONOMIC DEVELOPMENT PORTFOLIO

10.3 INFRASTRUCTURE AND WASTE PORTFOLIO

10.4 COMMUNITY SERVICES PORTFOLIO

10.5 CORPORATE SERVICES PORTFOLIO

10.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO

10.7 MAYOR AND DELEGATED COMMITTEE REPORTS

10.8 GENERAL BUSINESS

**11. MATTERS DEFERRED FROM PREVIOUS MEETING**

**12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

**13. ASSEMBLIES OF COUNCILLORS**

File No: 12/01/06

***Purpose:***

This report presents the records of assemblies of Councillors for the 25 September 2013 to 9 October 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 25 September 2013 to 9 October 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:***

<b>Meeting Name / Type</b>	Discussion prior to Ordinary Meeting
<b>Meeting Date</b>	25 September 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Sale of Land</li> <li>2. June (Final) Quarterly Report – Capital Works Program</li> <li>3. Amendment C51 – Murrindindi Planning Scheme</li> <li>4. Petition Response – Street lighting Oswald Drive</li> </ol>
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Ruhr, Cr Derwent, Cr Challen, Cr Kennedy	Staff – M Abbey, T Johnson, P Valente, L Kelly, S Mortensen, K Girvan, M Chesworth
<b>Conflict of Interest disclosures – Nil</b>	

<b>Meeting Name / Type</b>	Councillor Briefing Session
<b>Meeting Date</b>	2 October 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Yea Pool Upgrade</li> <li>2. Development Plans</li> <li>3. Australian Made, Australian Grown</li> </ol>
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Magner	Staff –M Chesworth, T Johnson, S Coller, K Girvan, M Parsons
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Councillor Briefing Session
<b>Meeting Date</b>	9 October 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"><li>1. Ranges and Rivers Program</li><li>2. Municipal Health and Wellbeing Plan</li><li>3. Capital Works Program</li><li>4. Domestic Animal Management Plan</li><li>5. Rating Strategy</li></ol>
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Kennedy, Cr Challen, Cr Magner, Cr Derwent	Staff – M Abbey, T Johnson, M Chesworth, N McNamara, J Canny, P Valente, L Kelly, E Lording, M Parsons
<b>Conflict of Interest disclosures - Nil</b>	

**14. URGENT BUSINESS**

**15. CONFIDENTIAL ITEMS**

It is proposed that the following items be considered in closed session.

- **Crushing Contract For Topsyie Gully Quarry, Yarck**
- **Loan Borrowings 2013-14**

The meeting is to be closed to members of the public as the discussion of this item is confidential pursuant to (Section 89(2)(h) of the *Local Government Act 1989*) - any other matter which the Council or special committee considers would prejudice the Council or any person.