



AGENDA  
of the  
ORDINARY MEETING OF COUNCIL  
WEDNESDAY 23 OCTOBER 2019  
at  
Murrindindi Shire Council  
Council Chamber  
Perkins Street  
Alexandra  
6.00 pm

\*\* Audio recordings of all Council meetings are taken by Council's Governance Officers and published on Council's website. (Resolution of Council 23 January 2019)

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**1. PLEDGE AND RECONCILIATION STATEMENT****2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE****3. COMMUNITY RECOGNITION****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST****5. CONFIRMATION OF MINUTES**

5.1 Minutes of the Ordinary Meeting of Council held on 25 September 2019.

**Officer Recommendation**

**That the minutes of the Ordinary Meeting of Council held on 25 September 2019 be confirmed.**

**6. PETITIONS****6.1 PETITION – ACCESS TO RUBBISH BIN DELIVERY COLLECTION ON BROOKS CUTTING ROAD**

Attachment(s): Petition - Access to Rubbish Bin Delivery - Brooks Cutting Road Alexandra & Koriella (distributed to Councillors separately)

**Purpose**

This report is to advise Council that a petition has been received relating to access to rubbish bin delivery collection on Brooks Cutting Road Alexandra/Koriella. The petitioners request for the rubbish truck to turn right at Brooks Cutting Road and Swann and continue along this road, where other homes could also put their bins outside their properties and end at 1.26 kilometres down the road.

**Officer Recommendation**

**That Council refer the petition to the Director Assets and Development for a report to be prepared for 27 November 2019 Ordinary meeting of Council.**

**Background**

The petition was signed by 12 people and received 25 September 2019. The petition was submitted by Jim and Paula Inness.

The submitters have expressed their concern over transporting the bins to the corner of Brooks Cutting and Swann Road due to the age and health of the residents on Brooks Cutting Road. The submitter has advised there is suitable turning circle area for a Cleanaway truck that cattle trucks use.

**6.2 PETITION – BROOKS CUTTING ROAD ALEXANDRA/KORIELLA**

Attachment(s): Road Condition – Brooks Cutting Road Alexandra/Koriella (distributed to Councillors separately)

**Purpose**

This report is to advise Council that a petition has been received relating to the condition of Brooks Cutting Road in Alexandra and Koriella. The petitioners request that the first 1.5 kilometres of the road be sealed or at least a major upgrade undertaken.

**Officer Recommendation**

**That Council refer the petition to the Director Assets and Development for a report to be prepared for 27 November 2019 Ordinary Meeting of Council.**

**Background**

The petition was submitted by Jim and Paula Inness and received on 25 September 2019. The petition was signed by eight people.

The submitter has advised:

‘The condition of the gutters and the water laying on the road at the reserve is appalling. We have had to pull vehicles that have got stuck in the culvert that is also in a bad place.’

‘The amount of traffic, local, tourists and farming trucks is quite substantial. There is at least three or more caravans camping at Brooks Reserve each day, and some of these caravans are extremely large. The road is not safe for them with these vehicles, we are worried that something will happen this road’.

**6.3 PETITION – CONDITION OF GORDONS BRIDGE ROAD CASTELLA**

Attachment(s): Petition - Condition of Gordons Bridge Road Castella - Harry Braun (distributed to Councillors separately)

**Purpose**

This report is to advise Council that a petition has been received relating to the condition of Gordons Bridge Road Castella. The petitioners request to upgrade and seal Gordons Bridge Road, at least at a minimum between Melba Highway and Moore Court.

**Officer Recommendation**

**That Council refer the petition to the Director Assets and Development for a report to be prepared for 27 November 2019 Ordinary Meeting of Council.**

**Background**

The petition was submitted by Harry Braun and received on 16 October 2019. The petition is signed by 20 people.

The submitter has advised:

‘The road is full of potholes making it a labyrinth to navigate and hence dangerous. It is virtually impossible to avoid every pothole, damage to vehicle suspension is distinctly possible during every trip’.

‘The road is also graded about once per year, usually in autumn before the rains and the road then becomes muddy, slippery and dangerous’.

**7. PUBLIC PARTICIPATION TIME**

**7.1 OPEN FORUM**

**7.2 QUESTIONS OF COUNCIL**

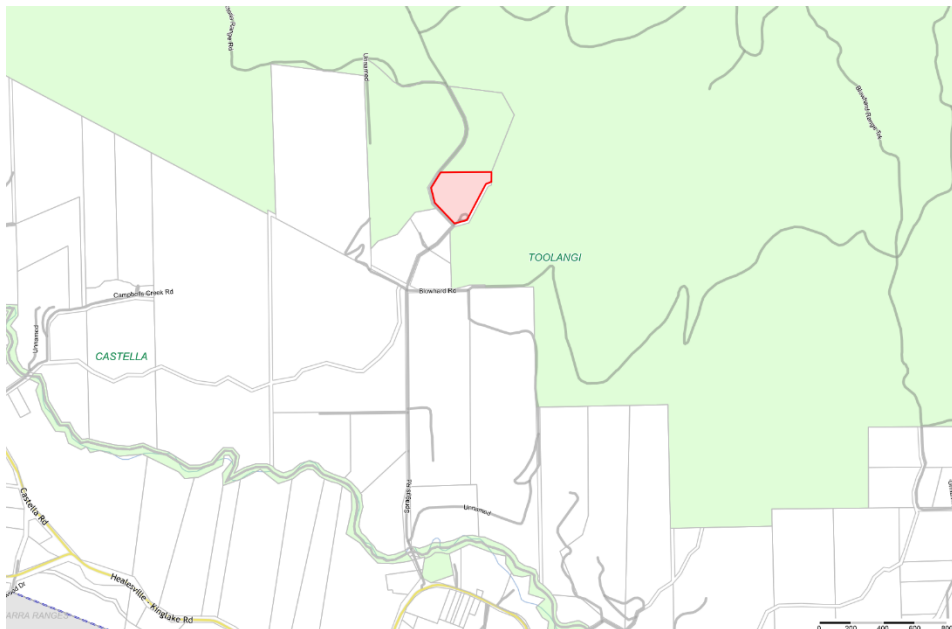
**8. OUR PLACE**

**8.1 USE AND DEVELOPMENT OF LAND FOR AN OUTDOOR RECREATION FACILITY (HIGH ROPES ADVENTURE PARK INCLUDING ZIPLINES AND ELEVATED ACTIVITIES AND KIOSK), REMOVAL OF NATIVE VEGETATION AND DISPLAY OF A BUSINESS IDENTIFICATION SIGN - 248 SPRAGGS ROAD, TOOLANGI**

Attachment(s): Attachments (refer Attachment 8.1)  
 Submissions (distributed to Councillors separately)

Land: 248 Spraggs Road Toolangi  
 Proposal: Use and development of land for an outdoor recreation facility (high ropes adventure park including zip lines and elevated activities and kiosk), removal of native vegetation and display of a business identification sign  
 Applicant: M.P. Savage Pty Ltd  
 Zoning: Farming  
 Overlays: Environmental Significance – Schedule 1 (High Quality Agricultural Land)  
 Bushfire Management

**Locality Plan**



**Purpose**

This report recommends that a Notice of Decision to Grant a Planning Permit be issued for the use and development of land for an outdoor recreation facility (high ropes adventure park including zip lines and elevated activities and kiosk), removal of native vegetation and display of a business identification sign at 248 Spraggs Road, Toolangi. The application is being reported to Council because four objections have been received for this proposal.

**Officer Recommendation**

**That Council issue a Notice of Decision to Grant a Permit for the use and development of land for an outdoor recreation facility (high ropes adventure park including zip lines and elevated activities and kiosk), removal of native vegetation and display of a business identification sign at 248 Spraggs Road Toolangi (C/A: 77 CAL: B, Parish of Woodbourne), 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 plans, shall not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. The permit shall expire if the development hereby permitted is not completed and the use commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.**
- 3. 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.**
- 4. Hours of operation are between the hours of:**
  - a. 9am until 6pm, January to April**
  - b. 9am until 5:30pm, May to August**
  - c. 9am until 6pm, September to December.**
- 5. The kiosk/café may only provide packaged food and beverages for visitors.**
- 6. No more than 150 patrons, plus 30 staff, may be permitted on the site at any one time to the satisfaction of the Responsible Authority.**
- 7. Prior to the display of the business identification signs, amended plans that are generally in accordance with those provided must be submitted for approval by the Responsible Authority. Such plans must show:**
  - a. proposed size of each sign. The total combined area of the signs must not exceed 3 square metres (m<sup>2</sup>0)**
  - b. design of the signs including colours and supporting structures.**

**The location and details of the sign(s), including supporting structures, as shown on the endorsed plans, must not be altered unless with the prior written consent of the Responsible Authority. Once approved, the plans will be endorsed and form part of this permit.**
- 8. The business identification sign shall be located wholly within the boundaries of the subject land and shall be kept in good order and maintained to the satisfaction of the Responsible Authority. Signs not to be illuminated.**

**Engineering**

- 9. Prior to the commencement of construction a suitably prepared engineering plan detailing the proposed driveway, car park, earthworks and drainage, including erosion and sediment control measures, must be submitted to and approved by the Responsible Authority.**
- 10. Prior to commencing building works the existing vehicular entrance to the subject land from Spraggs Road must be upgraded and sealed, at the applicant's expense, to provide ingress and egress at a location, size and standard to the satisfaction of the**

**Responsible Authority. Refer to Councils *Infrastructure Design Manual* 12.9.2 – Rural Vehicle Crossings and Standard Drawing SD 255.**

11. **Prior to commencement of the use hereby permitted the car park must be constructed in accordance with the approved plan with 150 millimetres (mm) thick Class 3 Fine Crushed Road (FCR) and equipped with suitable in-ground markers, to the satisfaction of the Responsible Authority.**
12. **Car spaces, access lanes and driveways must be kept available for these purposes at all times.**
13. **No stormwater discharge from downpipes or overflow from water storage tanks and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.**
14. **The approved works must not cut off natural drainage to adjacent properties.**
15. **The car parking of guest vehicles must be confined to the designated parking area within the site, as set out on the endorsed plan.**
16. **A sign indicating the car parking area must be erected to direct drivers, the sign must not exceed 0.3m<sup>2</sup> and must be located and maintained to the satisfaction of the Responsible Authority.**
17. **The internal access road must be of an all-weather construction with dimensions adequate to accommodate emergency service vehicles.**

#### **Environmental Health**

18. **All wastewater is to be retained and treated onsite in accordance with *Land Capability Assessment*, Reference No. 190116, prepared by EWS Environmental Water & Soil Consultants, and Council and Environment Protection Authority (EPA) recommendations.**
19. **A permit to install a septic system will be required from Council prior to the commencement of any building works.**

#### **Department of Environment, Land, Water and Planning (DELWP)**

20. **Before any works start onsite, the permit holder must advise all persons undertaking any works, including the vegetation removal, onsite of all relevant permit conditions and associated statutory requirements or approvals.**
21. **The native vegetation permitted to be removed, deemed lost, destroyed or lopped under this permit is 0.3 hectares (ha) of native vegetation, which is comprised of:**
  - a. **0.300ha of native vegetation patch.**
22. **To offset the removal of 0.3ha of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)* as specified:**
  - a. **A general offset of 0.134 general habitat units:**
    - i. **located within the Goulburn Broken Catchment Management Authority (GBCMA) boundary or Murrindindi Shire municipal area**
    - ii. **with a minimum strategic biodiversity value of 0.456.**
23. **Before any native vegetation is removed, evidence that the offset required by the permit has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must be one or both of the following:**
  - a. **An established first part offset site including a security agreement signed by both parties, and a management plan detailing the 10-year active management actions and ongoing management of the site; and/or**



- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the DELWP, Hume regional office via [humeregion.planning@delwp.vic.gov.au](mailto:humeregion.planning@delwp.vic.gov.au).

24. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.
25. No night activities to be undertaken, either during construction or in operation, without consultation with biodiversity staff from DELWP.

#### Country Fire Authority (CFA)

26. Before the development is occupied or the use commences, a Bushfire Emergency Plan (BEP) to the satisfaction of the Responsible Authority and CFA must be submitted to and endorsed by the Responsible Authority. The BEP must clearly describe the proposed emergency management arrangements and should address the following matters:
- a. premises details:
    - i. describe property and business details
    - ii. identify the purpose of the BEP stating that the plan outlines procedures for:
      - closure of premises on any day with a fire danger rating of Extreme or Code Red
      - evacuation (evacuation from the site to a designated safer off-site location)
      - shelter-in-place (remaining on-site in a designated building).
  - b. review of the BEP:
    - i. outline that the plan must be reviewed and updated annually prior to the commencement of the declared fire danger period
    - ii. include a Version Control Table.
  - c. roles and responsibilities:
    - i. detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.
  - d. emergency contact details:
    - i. outline organisation/position/contact details for emergency services personnel.
  - e. bushfire monitoring procedures:
    - i. details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period
    - ii. describe and show (include a map) the area to be monitored for potential bushfire activity.
  - f. action statements – trigger points for action:
    - i. prior to the fire danger period:
      - describe on-site training sessions and fire equipment checks

- identify maintenance of bushfire protection measures such as vegetation management (including implementation of protection measures required by any endorsed Bushfire Management Plan).
  - ii. closure of premise during forecast fire danger rating of Code Red days:
    - outline guest notification procedures and details of premises closure (including timing of closure).
  - iii. evacuation:
    - identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services
    - details of the location/s of the offsite emergency assembly location
    - transport arrangements for staff and guests including details such as:
      - number of vehicles required
      - name of company providing transportation
      - contact phone number for transport company
      - time required before transportation is likely to be available
      - estimated travelling time to destination
    - actions after the bushfire emergency event.
  - iv. shelter-in-place:
    - show the location and describe the type of shelter-in-place
    - triggers for commencing the shelter-in-place option
    - procedures for emergency assembly in the shelter-in-place building.
27. **Premise Closure**  
The use of the Kiosk/Harness Room approved under this permit and the use of the Tree Climbing Facility must not operate after 10.00am on any day with a declared fire danger rating of Extreme or Code Red.
28. **Bushfire Management Plan**  
The Bushfire Management Plan - 248 Spraggs Road, Toolangi (prepared by Practical Ecology, Version 1, dated 17 July 2019) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
29. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

#### **Notations**

1. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004* associated regulations.
2. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

**Background**The Land and Surroundings

The subject land is made up of approximately 8.07 hectares (ha) at the end of Spraggs Road in Toolangi. Part of the lot is heavily covered in mostly native vegetation and the remainder is cleared with some scattered existing structures, including a dwelling and three outbuildings. Spraggs Road is a sealed road and there is an existing gravel driveway providing access to the dwelling.

The property is bound on the east, north and west by public land, which is mostly forest and is adjacent to Camp Toolangi Education Adventure Mountain Retreat to the south west. The subject land and the abutting land to the south west is zoned Farming and all other adjoining land is in the Public Conservation and Resource Zone. All nearby Farming Zoned land is also within the Environmental Significance Overlay, Schedule 1.

Proposal

The application seeks planning approval to:

- use and develop land for an outdoor recreation facility
- remove native vegetation.

The existing dwelling is proposed to continue to be used by the landowner.

The applicant describes the proposal as being an adventure park, 'Tree Surfing', for tourism which will include a high ropes course and zip lines for recreational use, suitable for families. To support this proposal the application provides for 60 car spaces and a kiosk which will provide packaged food and beverages to patrons. The kiosk building will also include a storage facility for the safety equipment required for the high ropes course and toilet facilities, including a disabled toilet.

The adventure park is proposed to be open to the public seven days per week, excluding Christmas Day and those days as required by the Emergency Management Plan. Varying operating hours are proposed depending on season:

- 9am – 6pm, January through to April
- 9am – 5:30pm, May through to August
- 9am – 6pm, September through to December

Visitors are required to make bookings prior to arrival ensuring that only an appropriate number of people are on the site at any given time.

A total estimate of approximately 30,000 visitors are expected annually, with increased visitation expected during school holidays.

The construction of the high ropes course and implementation of the zip lines will require some native vegetation to be lopped and removed. A full vegetation assessment report supports the application and confirms that the minimum extent of native vegetation necessary for the proposal will be affected.

The high ropes course is to be constructed with platforms wrapped around trees, which have been designed and tested by professionals to have a minimum impact on the vegetation and to allow growth of the trees to continue. There will be varying levels of height and difficulty for the course.

Public Notification

Notice of the application was provided in the form of letters to adjoining, opposite and nearby property owners and occupiers. At the end of the notice period four objections had been received.

The objections were received from nearby landowners. The grounds of objection are summarised below:

- entrance to Spraggs Road is unsealed and unsuitable for increased traffic
- inappropriate operating hours (6pm considered too late)
- lack of a Traffic Impact Assessment with application
- 100 kilometre (km) per hour speed limit along Spraggs Road, increased traffic increases risk of an accident and conflict with slow moving farm machinery
- property access is on a sharp corner, dangerous with passing log trucks
- biosecurity for Strawberry Runners, Toolangi is in a Plant Protection District which is legislated under the *Plant Health and Plant Products Act 1995*
- signage is inappropriate in Farming Zone
- impact to local fauna
- limited information provided regarding proposed kiosk
- high bushfire risk area
- impact on surrounding agricultural land, specifically relating to Farming Zone and Environmental Significance Overlay
- tourism should be located away from areas identified as strategic agricultural land.

Attempts to mediate an outcome relating to the objections have not been successful. The issues raised by the submitters are discussed further in this report.

#### Referral Authority Advice

The application was referred externally to the Country Fire Authority (CFA), the Department of Environment, Land, Water and Planning (DELWP) and Regional Roads Victoria (RRV). The referral authorities provided responses and CFA and DELWP gave conditional consent to the granting of a permit. RRV had no objections to the application.

The application was also referred to Agriculture Victoria in relation to biosecurity and the potential risk from additional traffic along Spraggs Road, which will be passing the existing Strawberry Runner farms. Agriculture Victoria have clarified that the proposed development and subsequent increased traffic would have no impact on biosecurity in the area.

### **Discussion**

#### Overview

The key issues in considering an application are whether the proposed use and development and removal of native vegetation is consistent with the purpose, objectives and requirements of the Farming Zone, the Bushfire Management Overlay and Environmental Significance Overlay. The application is also required to address the State, Regional and Local Policy and provide a response to the relevant particular provisions, specifically those relating to native vegetation, car parking and bushfire planning.

This application is also required to be considered for its potential economic development for Murrindindi Shire and impact on tourism.

State, Regional and Local Policy

Relevant Clauses	Comment
<p><u>02.02 Vision</u>                      Council seeks to enhance the liveability, amenity and quality of life in the municipality.                      Council will facilitate sustainable population and economic growth.                      Increased economic growth and investment will enhance population growth, employment and social and cultural benefits for the municipality.</p>	<p><u>Complies.</u>                      The proposal is for a tourist attraction that will encourage people to visit Murrindindi Shire.</p>
<p><u>02.03 Strategic Directions</u>  <u>Environmental and Landscape Values</u>                      Protecting environmental values, including native vegetation, roadside vegetation and scattered paddock trees.                      Protecting biodiversity and environmental values of local, state, national and international significance.                      Protecting and enhancing habitat and wildlife corridors across the landscape.</p>	<p><u>Partially Complies</u>                      The proposal requires the lopping and removal of some native vegetation to allow for the high ropes course and zip lines to be constructed. The understorey required to be cleared will need to be maintained for the safety of the adventure park. Proposal is within a Plant Protection District for Strawberry Runners. Agriculture Victoria have confirmed that there will not be an impact on biosecurity in the area.                      The removal of native vegetation will potentially impact on local wildlife and habitats, however removal is to the minimum extent necessary for the proposal.</p>
<p><u>02.03 Strategic Directions</u>  <u>Natural Resource Management</u>                      Protecting high quality agricultural land for ongoing agricultural use.                      Ensuring that the use and development of rural land protects and enhances agricultural potential and the productive capacity of the land and surrounding land.                      Supporting existing agricultural production activities.</p>	<p><u>Complies.</u>                      The subject land is not currently being used for agricultural purposes and a significant portion of the land is occupied by mature vegetation and the potential for future agricultural uses is limited.                      The site is mostly surrounded by Crown Land and will have a minimal impact on nearby agricultural uses.                      The adjoining lot to the south is currently used for a recreational camp and will be a compatible use.</p>
<p><u>02.03 Strategic Directions</u>  <u>Economic Development</u>                      Facilitating the growth of home-based business, small business, niche industries and rural based industries.                      Supporting new and emerging industries.                      Encouraging sustainable growth in tourism, leveraging Murrindindi Shire’s natural assets, proximity to Melbourne and links with neighbouring regions.</p>	<p><u>Complies.</u>                      The proposal is for a new adventure park with a high ropes course and zip lines which will be an asset to tourism in the area.                      The subject site is located on the southern end of Murrindindi Shire and is within a reasonable proximity to Melbourne.</p>
<p><u>11.03-5S Distinctive Areas and Landscapes</u>                      To protect and enhance the valued attributes of identified distinctive areas and landscapes.                      Recognise the important role these areas play in the state as tourist destinations.                      Support use and development where it enhances the valued characteristics of these areas.                      Protect areas that are important for food production.</p>	<p><u>Complies.</u>                      The proposal will invite tourists into the Toolangi area to have a nature-based experience.                      The proposal will not impact the distinctive areas and landscapes found within the Toolangi area.</p>
<p><u>12.01-1S Protection of Biodiversity</u>                      To assist the protection and conservation of Victoria’s biodiversity.                      Ensure that decision making takes into account the impacts of land use and development on Victoria’s biodiversity, including consideration of:</p> <ul style="list-style-type: none"> <li>• cumulative impacts</li> <li>• fragmentation of habitat</li> <li>• the spread of pet plants, animals and</li> </ul>	<p><u>Complies.</u>                      The proposed use and development will be wholly contained within the lot, while nearby land is used and protected for growing strawberry runners the subject site is not adjacent to these fields.                      The nearest Strawberry Runner field is more than 500 metres (m) away and is separated by very mature vegetation, Crown Land forests.</p>

<p>pathogens into natural ecosystems.</p>	
<p><u>12.01-2S Native Vegetation Management</u> Objective - to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. Avoid the removal, destruction or lopping of native vegetation. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided. Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native.</p>	<p><u>Complies.</u> The application is supported by a Native Vegetation Impact Assessment, Arborist Report and Native Vegetation Removal Report, which have been referred to DELWP as the Relevant Authority. Measures are proposed to minimise the removal of native vegetation. DELWP have required an offset for vegetation proposed to be removed.</p>
<p><u>13.02-1L Bushfire Planning</u> Locate, design and manage use and development to reduce the risk to human life, property and community infrastructure from bushfire to an acceptable level.</p>	<p><u>Complies.</u> The subject site has been identified as being in a 'bushfire prone area' (and subject to the Bushfire Management Overlay), in response the application is supported by a Bushfire Management Statement and Emergency Management Plan. The proposed Emergency Management Plan will ensure that the outdoor recreation facility is closed to the public on days forecast to be classified as having Code Red and Extreme fire danger ratings.</p>
<p><u>14.01-1S Protection of Agricultural Land</u> Objective - to protect the state's agricultural base by preserving productive farmland. Protect productive farmland that is of strategic significance in the local or regional context. Consider the compatibility between the proposed or likely development and the existing use of the surrounding land. Consider the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas. Balance the potential off-site effects of a use or development proposal against the benefits of the proposal.</p>	<p><u>Does not comply.</u> Although the land is not currently used for agriculture, there is an existing cleared section of the property, (of approximately 4ha), that could be used for agriculture. Nearby land is used for agricultural purposes. There is a small waterway that flows through the property, if this was to be impacted by the use and development it could negatively impact on nearby agricultural properties which rely upon this water source.</p>
<p><u>15.01-6S Design for Rural Areas</u> Objective - to ensure development respects valued areas of rural character. Ensure that the siting, scale and appearance of development protects and enhances rural character. Site and design development to minimise visual impacts on surrounding natural scenery and landscape featured including ridgelines, hill tops, waterways, lakes and wetlands.</p>	<p><u>Complies.</u> The proposed development will not be visible from neighbouring properties and will be minimally visible from Spraggs Road, due to the surrounding mature vegetation.</p>
<p><u>14.04-1S Facilitating Tourism</u> Objective - to encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination. Encourage the development of a range of well-designed and sited tourist facilities. Create innovative tourism experiences. Encourage investment that meets demand and supports growth in tourism.</p>	<p><u>Complies.</u> The proposed outdoor recreation facility compliments the existing natural environment and will encourage visitors to experience the Toolangi landscape. The proposal will facilitate new tourism opportunities.</p>

Farming Zone (Clause 35.07)

An application for an outdoor recreation facility in the Farming Zone the application is required to address:

- capability of the land to accommodate the proposed use
- how the use or development relates to sustainable land management
- how the proposed use might impact adjoining and nearby agricultural uses.

The application is supported by a Land Capability Assessment to determine how wastewater will be treated and retained onsite for the kiosk. The Land Capability Assessment has been assessed and determined as appropriate by Council's Environmental Health Officer. The existing dwelling has an existing wastewater treatment system which is not proposed to be affected.

The subject site of over 8ha has sufficient space for all of the existing and proposed facilities, including 60 car spaces with the land under the zip lines to be left clear. The new farm shed (which does not require a planning permit) and the kiosk are proposed to be located in the vacant land near the existing dwelling and will not require the removal of any native vegetation.

The land is not currently being used for agricultural purposes. As almost half of the site is heavily vegetated the agricultural potential for the land is limited. The proposal will allow for the site to be used for tourism purposes.

There are nearby properties which are currently being used for agricultural purposes, specifically to grow strawberry runners. The nearest field is more than 500m from the subject land. The adjoining property in the Farming Zone is used as an educational retreat and is not used for agricultural purposes.

#### Environmental Significance Overlay – Schedule 1 (Clause 42.01)

##### High Quality Agricultural Land

Objectives to be achieved:

- protect high quality agricultural land because of its versatility, productivity and ability to sustain a wide range of agricultural uses without degradation
- protect the potential production from high quality agricultural land
- prevent the unsustainable development of high quality agricultural land that may result in the loss of the quantity or quality of the land and limit the full productive potential of the land.

The application does not specifically address the requirements of the Environmental Significance Overlay, and the land is not currently being used for agriculture.

The proposed use only requires limited infrastructure which does not preclude future use of the land for agricultural purposes.

#### Bushfire Management Overlay (Clause 44.06)

The application is supported by a Bushfire Management Statement, prepared by Practical Ecology, who determined the Bushfire Attack Level as BAL-29. This report was referred to the CFA, who provided conditional consent to the granting of a permit.

#### Car Parking (Clause 52.06)

The purpose of the provision is to ensure 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 *Murrindindi Planning Scheme* does not specify a car parking requirement for the use of an outdoor recreation facility, therefore car parking spaces must be provided to the satisfaction of the Responsible Authority.

The proposal is supported by a visitation projection which estimated a maximum of up to 46.67 cars per day over January, with 5.49 per hour. The proposed car park will provide for 60 car spaces which will provide sufficient parking for visitors and staff. In addition, there is also sufficient space near to the dwelling for resident use.

The proposal requires visitors to book in advance of using the facility. This will enable the operator to control the number of users (and vehicles) using the facility at any one time. The proposed amount of car parking is appropriate for the proposed number of patrons using the facility.

#### Native Vegetation (Clause 52.17)

Purpose is to ensure there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

The application is supported by a Native Vegetation Impact Assessment, Arborist Report and Native Vegetation Removal Report, which have been referred to DELWP as the Relevant Authority. DELWP have not objected to a permit being granted, subject to conditions including the requirement to offset vegetation proposed to be removed.

Plans and specialist reports supplied with the application conclude that the minimum extent necessary for the development are to be lopped or removed.

#### Bushfire Planning (Clause 53.02)

Purpose is to ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

As the subject site is in the Bushfire Management Overlay the application was referred to the CFA, who provided conditional consent to the granting of a permit.

#### **Discussion – Issues Raised by Objectors**

As noted above, Council is required to consider whether the land is capable of accommodating the proposal, including the impact on adjoining and surrounding land uses.

#### Entrance to Spraggs Road is unsealed and unsuitable for increased traffic

The interface between Healesville-Kinglake Road and Spraggs Road is unsealed for approximately 90m in both directions. This section, classified as Spraggs Road, is managed by Council as part of the normal rotation of road maintenance.

The application relates to the crossover to Spraggs Road at the entrance to the subject site.

#### Inappropriate opening hours (6pm considered too late)

The application identifies estimated operating hours, restricting the opening hours from 9am until 5:30pm during the winter months, with an extension to 6pm for the remainder of the year. These opening hours reflect daylight savings times and would allow all visitors to depart prior to the sun setting. Daylight hour operation of the outdoor recreation facility is not considered to cause unreasonable detriment to nearby and adjoining properties. If a permit was to be issued there would be a condition included to ensure that the facility does not operate past these timeframes.

#### Lack of a Traffic Impact Assessment with application

While the application was not supported by a Traffic Impact Assessment, an estimate for visitor vehicles was provided. This determines that up to six cars per hour would be arriving to the adventure park and approximately six cars departing.



100km per hour speed limit along Spraggs Road, increased traffic increases risk of an accident and conflict with slow moving farm machinery

As mentioned above there is a possible increase of 12 vehicle movements per hour along Spraggs Road, during peak times.

Sraggs Road is a 6.5m bitumen road with a generous road reserve, it is considered that there is sufficient space and safe sightlines for vehicles to pass slow moving farm machinery.

Property access is on a sharp corner, dangerous with passing log trucks

The access to the subject site has been assessed and the access onto the property would need to be upgraded.

The access is also appropriately located to avoid mature native vegetation.

The application was referred to Regional Roads Victoria (RRV) for consideration to examine the intersection of Spraggs Road with the arterial road network. RRV did not object to the proposal.

Biosecurity for strawberry runners, Toolangi is in a Plant Protection District which is legislated under the *Plant Health and Plant Products Act 1995*

The Strawberry Runner Growers Co-operative which operate in the Toolangi area provide for approximately 80 to 90% of all certified strawberry plants grown in Australia. The proclamation under the protection aims to prevent the introduction of certain pests and diseases which affect the strawberry industries located in the district.

The objections relating to biosecurity express concerns about the additional tourists in the area, how the vehicles, people and rubbish might impact on the strawberry runners. A scientific report was provided by the submitters which provides an assessment of biosecurity risk associated with increased tourism. The report summarises that increasing the volume of tourists in areas near to strawberry runner production is an 'extreme' risk for Charcoal Rot disease and a 'high' risk for phylloxera pest.

The application was referred to Agriculture Victoria who determined that the proposal would pose no threat to biosecurity in the Toolangi area.

Signage is inappropriate in the Farming Zone

The signage is proposed to be located on the entrance gate to the adventure park and provide directional assistance to visitors. The signage would be required to be in accordance with the signage provisions of the *Murrindindi Planning Scheme*, which allow for a maximum display area of 3m<sup>2</sup> in area and will not be illuminated.

Impact to local fauna

The application was referred internally to Council's Environmental Programs Officer and externally to DELWP who provided conditional consent to the granting of a permit. Specifically, DELWP have restricted that no activities are to occur at night if a permit may issue.

This condition will ensure that nocturnal animals are not impacted by the proposed use and development.

Limited information provided regarding proposed kiosk

The application is supported with a plan for the kiosk, which includes a kiosk/café, small office, three unisex toilets and one unisex disabled toilet, a harness storage room and a large deck. The proposal states that the decking area will be used for staff to demonstrate safety equipment and allow harnesses to be fitted. The kiosk will be able to provide packaged food and drinks.

High bushfire risk area

The application was referred, under the Bushfire Management Overlay, to the CFA who provided conditional consent to the granting of the permit. The application is also supported by an

Emergency Management Plan that specifies that the adventure park is to be closed to the public on days of a Code Red and Extreme fire danger ratings.

Impact on surrounding agricultural land, specifically relating to Farming Zone and Environmental Significance Overlay

As mentioned above, the subject site is not currently being used for agricultural purposes and the adjoining land is made up of forest and a camp. The closest agricultural land is more than 500m away and is separated by Crown Land which is heavily vegetated with mature trees. It is considered that there would be a very low impact on nearby agricultural lands.

Tourism should be located away from areas identified as strategic agricultural land

As mentioned above, there is not any significant agricultural land adjacent to the proposal and the proposed use and development will allow visitors to the area to experience the natural Toolangi landscape. The *Murrindindi Planning Scheme* and the *Council Plan 2017-2021* supports tourism and economic development in areas where visitors can experience the natural landscape and where it is within close proximity to Melbourne.

### Conclusion

Council officers are satisfied that this application meets the requirements of the *Murrindindi Planning Scheme* as it will be a positive tourism and economic development for the Toolangi area. In this instance there is a balance between retaining the site for agricultural purposes and the community economic benefit of a new tourism business that will attract new visitation into Murrindindi Shire.

### Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* Our Place and Our Prosperity strategic objectives:

- 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'
- 'work with our businesses, regional partners and communities to support a diverse visitor experience that promotes our natural assets, and a vibrant range of events'.

### Relevant Legislation

The proposal is being considered under the provisions of the *Murrindindi Planning Scheme* and the *Planning and Environment Act 1987*.

### Financial Implications and Risk

There are no financials implications or risks associated with the consideration of this application for planning permit.

### Conflict of Interest

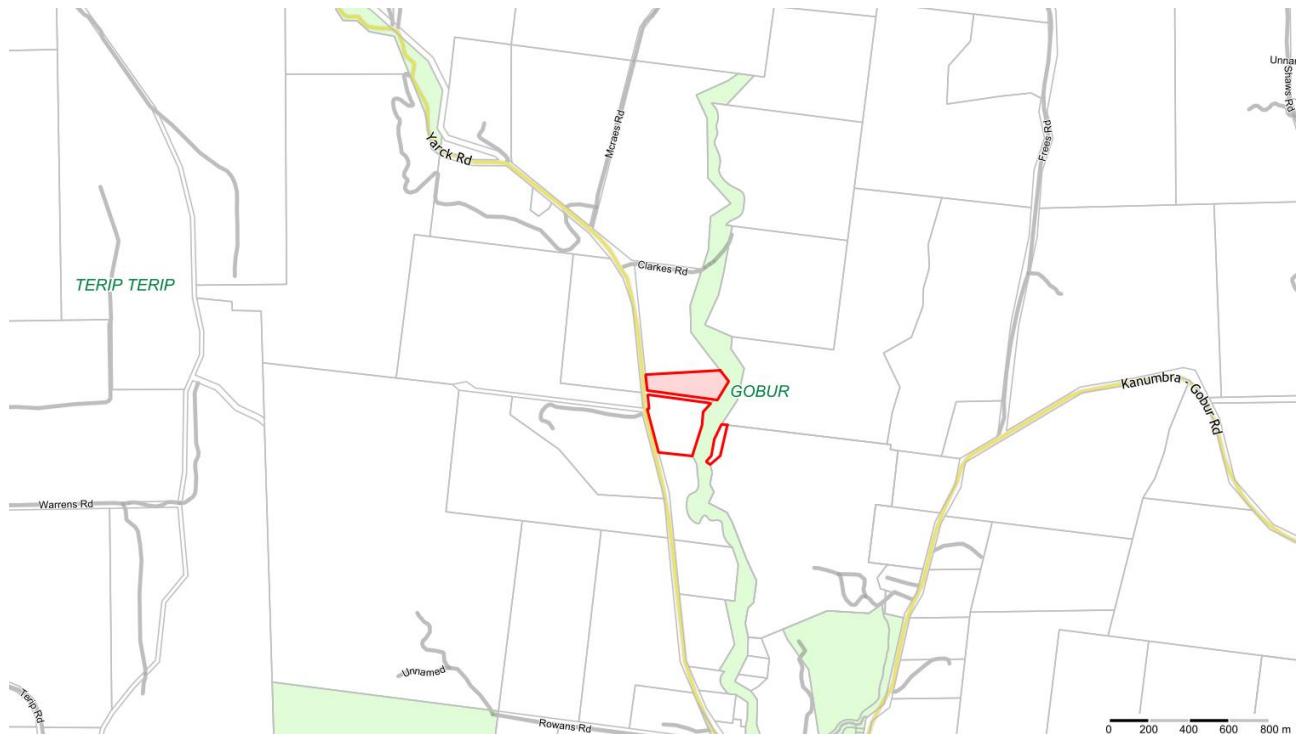
There are no declared conflicts of interest in relation to this report.

## 8.2 DWELLING, 1274 YARCK ROAD, GOBUR

Attachment(s): Attachments (refer Attachment 8.2)  
Submissions (distributed to Councillors separately)

Land: 1274 Yarck Road, Gobur  
Proposal: Use and development of a dwelling (retrospective)  
Applicant: Ellen Hogan and Associates  
Zoning: Farming  
Overlays: Bushfire Management (part of land only but not applicable to proposed development site)

## Locality Plan



### Purpose

This report recommends that Council refuse to grant a Planning Permit for the use and develop the land at 1274 Yarck Road, Gobur for the purpose of a dwelling. The proposal is predominantly rural residential development in an agricultural area. Additionally, one objection has been received.

### Officer Recommendation

**That Council issue a refusal to grant a permit to use and develop the land for a dwelling at 1274 Yarck Road, Gobur. Grounds of refusal:**

1. **Proposal does not comply with the requirements of Clause 02.03 Strategic Directions:**
  - a. **protecting rural land for productive agricultural uses and compatible rural uses**
  - b. **ensuring that the use and development of rural land protects and enhances agricultural potential and the productive capacity of the land and surrounding land**
  - c. **ensuring that agricultural land is not developed for primarily residential purposes**
  - d. **discouraging the fragmentation of rural land into lots incapable of productive agricultural and rural use.**
2. **Proposal does not comply with the requirements of Clause 13.07-1S Land Use Compatibility as residential uses should be directed to a residential area.**
3. **Proposal does not comply with the requirements of Clause 14.01 Agriculture, given that it creates predominantly residential use in a farming environment that has the potential to limit the operation and expansion of adjacent and nearby agricultural uses in high quality agricultural land.**
4. **Proposal does not comply with the requirements of Clause 16.01-5S Rural Residential Development, with an objective to 'discourage development of small lots in rural zones for residential use or other incompatible uses.**

**5. Proposal does not comply with the requirements of Clause 35.07 Farming Zone as the proposed use of the land for a dwelling has the potential to limit agricultural uses on the subject site and surrounding land and has not justified the need for a dwelling.**

**Background**

Land and Surroundings

The subject land consists of three separate parcels which are individually 6.94, 4.67 and 0.82 hectares (ha) in area, with a total land area of 12.43 hectares. There are three existing buildings within a contained area of land which includes an existing agricultural shed that has been renovated to be used for a dwelling. The shed is set back approximately 22 metres (m) from Yarck Road. The shed did not require a planning permit as it was applied for as an agricultural building in 1989. A building permit was granted for the agricultural shed.

The property is located in an agricultural area characterised by medium sized farms with some small lots on the eastern side of Yarck Road, abutting Godfrey's Creek. The land is generally cleared and slopes gently to the east towards Godfrey's Creek and is used for grazing. Nearest existing dwellings to the proposed dwelling are approximately 250m to the northwest and 450m to the southwest.

Proposal

The applicant seeks approval for the use and development of the land for the purpose of a dwelling. This is to be achieved by gaining retrospective approval to convert the existing shed into a dwelling. The building is set back 22m from Yarck Road (existing shed that has been converted) and comprises of three bedrooms with timber cladding and colorbond roof in muted tones. The application documents include a Land Management Plan.

Public Notification

The application was advertised by giving notice to adjoining and nearby landowners and displaying a notice on the land. Two submissions were received, one which objected to the proposal, and one in support.

The objecting submission raised the following issues:

- small allotment in a farming area, creating a precedent for further development
- visual pollution with further development, with other sheds on nearby lots. Will adversely impact on character and appearance of area and its natural beauty and importance
- agricultural business difficult to run on a small lot. Available land would be severely reduced with water logging, substantially reducing productivity
- insufficient land available for proper effluent disposal, increasing risk of pollution to Godfrey's Creek
- no respect for law constructing a dwelling without appropriate planning and building permits
- application is not consistent with Dwellings in Farming Zone as per *Rowe v Murrindindi (2012) VCAT P106/2012*.

A second submission supported the application, noting the subject farm land is well maintained and that a dwelling would not impact on other farming operations with very few farms left that could be truly productive.

The applicant responded to the objecting submission, noting that:

- the landowners have greatly improved their property and take great pride in maintaining it

- the landowners offer to consolidate the three small allotments on the land into one title
- while the land is used for cattle and sheep grazing, there would be few farms in area deriving a full income from farming
- using the land for a dwelling would not increase the existing building footprint, creating no visual pollution
- there would be no impact on Godfrey's Creek as the effluent system would be over 100m from Godfrey's Creek and be to Council standards.

#### Referrals

No external referrals required, although the applicant has submitted evidence of their Crown Land Licence to access Godfrey's Creek.

#### **Discussion – Planning Assessment**

##### State, Regional and Local Policy

The proposal is considered not to meet Clause 14.01-1S Protection of Agricultural Land, of the *Murrindindi Planning Scheme*, including the objective:

'To protect the state's agricultural base by preserving productive farmland' and the strategy 'protect productive agricultural land from unplanned loss due to permanent changes in land use'.

While the structure proposed to be used as a dwelling already exists there is no legal permission for the shed to be used for a dwelling. Even though the shed is existing, there is only permission for the structure to be used for agricultural purposes. The use of the agricultural shed for a dwelling will have a greater impact on the agricultural productivity of the land than its current permitted use.

Council officers do not consider this dwelling to be required for the management or the surveillance of the existing farming operations on the land based on the information provided in the application.

##### Farming Zone (Clause 35.07)

The primary purpose of this zone seeks to provide for agricultural uses. Responsible authorities are required to consider the following guidelines when considering an application for and the use and development of the land for the purpose of a dwelling:

- capability of the land to accommodate the proposal
- how the use relates to sustainable land management
- compatibility with adjoining and nearby land uses
- how agricultural production is supported and enhanced
- potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses
- impact on physical features and resources of the area, in particular on soil and water quality
- loss or fragmentation of productive agricultural land
- impact from agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation
- potential to lead to a concentration or proliferation of dwellings in the area
- need to protect and enhance the biodiversity of the area
- location of on-site effluent disposal area to minimise the impact of nutrient loads on waterways and native vegetation

- visual impact of development on surrounding land.

The proposal has the potential to impact on the productive agricultural use of the subject land and nearby land.

The application was supported by a Land Management Plan which describes the site as being unviable for agricultural uses and does not adequately demonstrate the need for a dwelling for the ongoing management of the land.

The intensity of the farming operations on these properties could increase and might have adverse effects on the subject site. There is a possibility that if dwellings were to be approved on these lots then they could be adversely affected by the agricultural uses on adjacent land to the north, from odour, noise, dust, traffic or spraying.

The application, if approved, would allow a dwelling use in the area that is not consistent with the objectives of the Farming Zone.

### **Discussion – Issues Raised by Objector**

As noted above, Council is required to consider whether the land is capable of accommodating the proposal, including the impact on adjoining and surrounding land uses.

#### Small allotment in a farming area, creating a precedent for further development

The area is characterised and zoned as agricultural land. There is a significant variance between the lots sizes of surrounding properties. Lots in the general area range from 2ha and up to 170ha. There are several small lots in the Farming Zone, including the former gold mining areas of Gobur, which are considered relatively small for agricultural purposes. In many cases the small allotments in the Farming Zone are owned as part of a wider rural holding.

#### Visual pollution with further development, with other sheds on nearby lots. Will adversely impact on character and appearance of area and its natural beauty and importance

Potential visual impacts are a very subjective matter. The existing structure is a colorbond structure with gable roof in a light charcoal colour that blends well with the subject land and area. There are no design controls applying to the land and area. Although it is considered that the proposed building (which is existing) may be satisfactory from a visual perspective, the change of use of land will result in additional construction and changes to visual amenity of the area.

#### Agricultural business difficult to run on a small lot. Available land would be severely reduced with water logging, substantially reducing productivity

It is considered that the proposal will not adversely affect the agricultural potential and productivity of the subject land as the existing building footprint will not be expanded and no farmland is being removed as a result of the proposal. It is likely however that the conversion of the building into accommodation will then result in the need for further shedding on the property.

The proposal has the potential to adversely impact on adjoining or nearby land being used for productive agricultural purposes. The use of land for a dwelling surrounded by properties being used for agriculture is a conflicting use and could restrict the future potential for agriculture.

The proposal does not meet the planning scheme policy under Clause 14.01-1S, Protection of Agricultural Land, to 'protect productive agricultural land from unplanned loss due to permanent changes in land use'. While it is agreed that it is difficult to run a complete agricultural business on a smaller lot, this principle applies to most lots in the municipality where it is not possible to conduct a full economic return on any one single lot. Rather than require any one lot to be fully economically sustainable, Clause 14.01-1S has emphasis on maintaining the general agricultural productivity of rural land, a strategic direction that is not met in this proposal.

Insufficient land available for proper effluent disposal, increasing risk of pollution to Godfrey's Creek

The proposal and land can be effectively serviced with access, internal access, drainage and effluent disposal. Council officers are satisfied that effluent may be satisfactorily disposed of on the land, with detailed septic tank approval required prior to occupation, if a permit was to be issued.

No respect for law constructing a dwelling without appropriate planning and building permits

This is not a relevant planning consideration. The applicant is undertaking the required approval process for their proposal by applying for retrospective planning approval. In addition to a planning permit, the existing shed would also require building approval, establishing that it meets relevant building standards for a dwelling.

Dwellings in Farming Zone as per *Rowe v Murrindindi (2012) VCAT P106/2012*

The application is for the use and development of 12.43ha of land for the purpose of a dwelling.

The Victorian Civil and Administration Tribunal (VCAT) case, *Rowe v Murrindindi (2012)*, regarded an application for the use and development of land for the purpose of a dwelling on a lot of 4.2ha on a property approximately 350m from the subject site.

While there are differences in the sizes of the two lots, the VCAT case is considered relevant to this application. Both properties are significantly under the 40ha lot requirement to have an as of right use of the land for a dwelling under the Farming Zone.

The VCAT member Alison Glynn, made the following findings:

- While the land has limited capacity for agricultural production this is not the reason to support a dwelling on the land that will lead to its long term retention as a separate rural living parcel, rather than being farmed in conjunction with adjoining or nearby land.
- Development on small lots would change the visual and rural surrounds as dwellings on small lots have the potential to alter the rural amenity of the area.
- The planning scheme directs that active nearby farming enterprises should be protected from the encroachment of rural living type uses such as dwellings on small lots.
- Identifies the area as not a location where rural living or small lot rural holdings are encouraged by either the zone or planning provisions.

A further VCAT case, *Deacon v Murrindindi (2009)* also related to a smaller lot (4.26ha) that was initially supported by Council. It was subsequently refused by VCAT as the proposed use as a sheep stud did not require intensive or constant supervision and that the proposal would result in a dwelling on a small rural lot and the dwelling use would become the dominant use of the land.

**Conclusion**

Council officers are not satisfied that this application meets the requirements of the *Murrindindi Planning Scheme*. The proposal will adversely affect the agricultural potential and productivity of the land. The proposal will affect the ability of adjoining or nearby land to be used for productive agricultural purposes. The proposal has not justified the need for a dwelling on the land.

**Council Plan/Strategies/Policies**

This report is consistent with the *Council Plan 2017-2021* Our Place strategic objective 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.

**Relevant Legislation**

The proposal has been assessed under the provisions of the *Murrindindi Planning Scheme* and the *Planning and Environment Act 1987*.

**Financial Implications and Risk**

There are no financial implications or risks associated with this report.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

**8.3 SOUTHERN GOULBURN VALLEY WASTE AND RESOURCE RECOVERY EDUCATION STRATEGY 2019-2021**

Attachment(s): Southern Goulburn Valley Waste and Resource Recovery Education Strategy 2019-2021 (refer Attachment 8.3)

**Purpose**

This report seeks Council endorsement for the Southern Goulburn Valley Waste and Resource Recovery Education Strategy 2019-2021.

The objective of the strategy is to provide strategic direction for the development and delivery of waste and resource recovery education in the Southern Goulburn Valley region. To achieve this, the strategy provides guiding principles, strategic directions and a three-year action plan to assist in development, implementation and evaluation of waste and resource recovery education programs and activities in the region.

**Officer Recommendation**

**That Council endorse the attached Southern Goulburn Valley Waste and Resource Recovery Education Strategy 2019-2021.**

**Background**

The Southern Goulburn Valley Waste Education Strategy 2019 2021 (Strategy) was developed for the tri-council partnership of Murrindindi, Mitchell and Strathbogie Shire Councils. This Strategy has been developed in line with the *National Waste Policy*, *Victorian Education Strategy* and with input from the Goulburn Valley Waste and Resource Recovery Group's (GVWRRG) Education Steering Committee.

The Strategy was brought to Council for comment in July 2019, and Council's feedback has now been incorporated into the final document.

**Discussion**

The Strategy has been developed to guide the delivery of waste education across the three participating Councils of Murrindindi, Mitchell and Strathbogie. Formal endorsement of the Strategy by each Council will indicate a commitment to a multi-lateral approach that will deliver consistent messaging and resourcing of waste and resource recovery education in the region.

During development of the Strategy there was substantial community engagement which has directly driven the actions outlined in the Strategy. Delivery of some actions has already commenced, such as the upcoming worm farm workshop.

**Council Plan/Strategies/Policies**

This matter is consistent with the *Council Plan 2017-2021* Our Place strategic objective to strengthen the environmental sustainability of our communities, protect our natural environment and reduce resource consumption.



**Financial Implications and Risk**

The Regional Waste and Resource Recovery Education Officer position is funded by the kerbside collection and receivables contracts for each of the three councils, with additional funds from the GVWRRG Local Government Forum. Each council will utilise their operational funding for development of waste education materials and workshops identified in the three-year action plan. Future funding to support this position and its associated activities may also be sought through collaborative external funding opportunities.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

**Community and Stakeholder Consultation**

Community consultation on the topic was completed prior to the drafting of the Strategy, the findings from this consultation has been comprehensively used to inform the action plan.

The main finding from these engagement activities included priority waste and resource recovery education activities or programs. Each of the following activities have been represented in the three-year action plan:

- composting/worm farm workshop
- school tours of a Resource Recovery Centre (excursions)
- school visits
- business waste engagement (Council officer visits)
- community tours of a Resource Recovery Centre.

Other popular activities noted in the community engagement findings that have been included in the action plan include more information available on council websites and more signage.

**9. OUR PEOPLE****9.1 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN YEAR 2 PROGRESS REPORT**

Attachment(s): Murrindindi Health and Wellbeing Plan YEAR 2 Implementation progress report 2018 - 2019 (refer Attachment 9.1a)  
Murrindindi Health and Wellbeing Plan YEAR 3 2019-2020 Implementation plan (refer Attachment 9.1b)

**Purpose**

The purpose of this report is to provide Council with an update on the implementation of the Municipal Public Health and Wellbeing Plan and provide information on the year two progress report.

**Officer Recommendation**

**That Council note the Municipal Public Health and Wellbeing Plan 2017-2021 Year Two Progress Report.**

**Background**

The *Public Health and Wellbeing Act 2008* (the *Act*) establishes the statutory role of councils to 'protect, improve and promote public health and wellbeing within the municipal district'. Under the *Act* it is a statutory requirement of every council to develop a Municipal Public Health and Wellbeing Plan.

The development of the new Municipal Health and Wellbeing Plan for 2017–2021 (Plan) has focused on aligning health and wellbeing priorities to the Council Plan 2017-2021. This integration drives a focus on health and wellbeing across the Shire and strengthens the mandate for health and wellbeing action. The Plan is developed collaboratively with all Council departments, community advisory groups, organisations, individuals and service providers.

The Plan partnerships with external agencies is concentrated in Our People and one area of Our Place of the Council Plan. This report provides information on the activities completed in year two of the four-year plan in these areas.

### **Discussion**

A total of 21 service partners were involved in delivering actions in the second year of the Plan. Service partners included representatives from every department of Council and key external agencies involved in the development of the plan.

The Plan year two progress report documents the large volume of work that has been undertaken in the 2018/19 financial year to support the health and wellbeing of people in living in Murrindindi Shire. The following provides some examples of the outcomes achieved over the past 12 months.

#### Our People Strategy 1.1

This strategy is to 'encourage activities and events that celebrate our vibrant, diverse and creative people and communities'.

Over 15 events were delivered by Council or our partners to celebrate our diverse and creative communities including events celebrating Harmony Day and NAIDOC week and events encouraging community connectedness. There continued to be a strong focus on linking young people to arts and cultural activities with over 25 activities and programs delivered to well over a 1,000 young people across Murrindindi Shire. A range of other art, cultural and community workshops and activities were delivered, particularly through community and neighbourhood houses.

Relationships with local Aboriginal communities were strengthened through joint initiatives between Council, partner agencies and the Taungurung Land and Water Council. Council introduced a revised Acknowledgement of Country introduction to all Council events.

Library services ran a large number of programs to engage people of all ages in history, culture, literature and science.

#### Our People Strategy 1.2

This strategy is to 'work with community and groups to connect, collaborate and plan for our future'.

A range of initiatives have been undertaken by Council and partners to support communities to connect, collaborate and plan for our future including finalising the Community Planning Framework and implementing the trial in Toolangi, Yea and Marysville.

Community Groups, organisations and Council to commemorate the 10-year anniversary of the 2009 bushfires including memorial events, community dinners and community development projects, delivered a large number of projects. Council worked with key partners to support additional mental health services, mental health first aid training and media training and support.

Activities to support and strengthen community, sport and recreation groups were delivered including the completion of the Recreation and Open Space Strategy, infrastructure and operational support and health promotion and training activities.

### Our People Strategy 1.3

This strategy is to 'work with partner agencies to ensure people of all ages can access the health and community services they need'.

Services worked collaboratively to deliver and promote professional development opportunities and community information sessions on key issues including inclusion in early years and youth mental health. Services have continued to advocate for and deliver flexible services to ensure our communities have equitable access to medical and specialist services including mental health services.

The Murrindindi Aged and Disability Service providers Network collaborated on the Workforce recruitment and training project and secured a significant grant to progress the project.

A range of programs were delivered focusing on active living and healthy eating including school holiday program activities, the RESPOND project, Smiles for Miles, healthy eating and food swap programs and Walk to School programs.

Health and wellbeing service partners and Council collaboratively delivered the 16 days of Activism to prevent violence against women campaign, sharing ideas and resources to increase the reach and alignment of key messages.

### Our People Strategy 1.4

This strategy is to 'create a positive environment that supports our young people to grow, participate and be happy'.

There has been a strong focus on collaboration with young people to develop new programs and initiatives including the Everyday Leadership program, Resilient Relationships and the Kindness Project, youth drop in sessions, pop up recording studio sessions, school holiday programs and employment pathway support.

### Our People Strategy 1.5

This strategy is to 'promote opportunities for people of all ages to connect with and be involved in their community'.

Murrindindi Shire Council library services delivered 1518 programs to engage, inform and inspire people and bring the community together. Outreach programs were also conducted to engage people in smaller communities.

All partners worked on initiatives to inspire people to be engaged and active including Get Fit Get Active All Abilities Athletics Day, All Abilities school incursions and story time sessions catering for children with disabilities. Murrindindi Shire Council Access and Inclusion Committee Council's Access and Inclusion Committee worked with Council to identify and address key access issues across the Shire as part of Capital Works planning.

The Moving Murrindindi Community transport project was announced and planning progressed to have the program operational in partnership with Community Accessibility by September 2019.

### Our Place Strategy 2.1

This strategy is to 'support recreation opportunities for our residents and visitors that encourage participation and community connections'.

The Murrindindi Shire Council undertook community consultation to develop the Recreation and Open Space Strategy 2018-2028 which was adopted by Council.

Council successfully supported the community to access over \$320,000 State Government funding to enhance recreation facilities in 2019/20 and successfully delivered capital works

projects valued at over \$530,000 to support participation and wellbeing outcomes for our communities.

Valley Sport facilitated and provided specific grant funding opportunities with all clubs providing letters of support and grant writing assistance to applicable projects.

Work has continued with local sporting clubs and groups to improve female friendly change room facilities in Yea and Flowerdale recreation reserves, playing surface renewal works at Alexandra Tennis Club, and the completion of the redevelopment of the Yea Railway Reserve Play Space.

The full progress report can be found in Attachment 9.1a Health and Wellbeing Plan 2017-2021 Year 2 Implementation Plan progress report.

The Year 3 Implementation Plan (Attachment 9.1b) has been developed in collaboration with all reporting partners and builds on the work that has been undertaken to date.

### **Council Plan/Strategies/Policies**

This matter is consistent with the *Council Plan 2017–2021* strategic objective Our People 'together we will celebrate and encourage diverse, caring and connected communities'.

### **Relevant Legislation**

The requirement to develop a Health and Wellbeing Plan is prescribed under the *Public Health and Wellbeing Act 2008* – N. 46 of 2008, version incorporating amendments as at 31 March 2013.

### **Financial Implications and Risk**

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

### **Conflict of Interest**

There are no declared conflicts of interests by Council officers in relation to this report.

### **Community and Stakeholder Consultation**

The Health and Wellbeing Plan 2017 – 2021 has been shaped by a number of consultations, which took place during 2017 including the 'Have Your Say' community survey and community workshops, community conversations with sport and recreation groups and workshops with partner agencies.

A Health and Wellbeing Consortium has been established to support the implementation of the Plan. The Consortium consists of representatives from Council, external service partners and a range of networks and advisory groups.

The Health and Wellbeing Consortium meets annually to review the progress made each year and to develop the following year's implementation plan. All reporting partners participated in progress reporting against key actions and made amendments and additions required to the implementation plan.

**10. OUR PROSPERITY****10.1 GRANTS AND CONTRIBUTIONS PROGRAM**

Attachment(s): Grants and Contributions - Assessment Summary - September 2019 (refer Attachment 10.1)

**Purpose**

The purpose of this report is to address the applications made to the September round of the 2019/20 Grants and Contributions Program, specifically:

- recommendations of the Community Grants Assessment Panel
- allocations made by Council officers under delegation for Fee Reduction, Events and Skills and Capacity Building grant streams.

**Officer Recommendation**

**That Council:**

**1. award the recommendations of the Community Grants Assessment Panel:**

Application	Reference	Funding Sought	Recommendation
<b>Community Grants</b>			
Life Saving Victoria	CPE1819020	\$5,000	Supported in full
<b>Sponsorships</b>			
Triangle Arts Group Inc.	CS1819013	\$2000	Supported in full
Foggy Mountain Inc.	CS1819015	\$5,000	Supported with a fee waiver of \$750 and sponsorship of \$4,250

**2. note the grants awarded by Council officers under delegation:**

Application	Reference	Funding Sought	Outcome
<b>Fee Reductions</b>			
Rotary Club of Kinglake Ranges	FR1818021	\$256.00	Supported in full

**Background**

The Grants and Contributions Program provides the opportunity for community groups, not for profit organisations, and businesses to seek funding from Council to support a range of activities and initiatives happening in Murrindindi Shire. There are a range of funding streams under the program including:

- fee reductions (and waivers by exception)
- quick response grants
- sponsorships (including eligible individuals)
- governance and capacity building
- community projects and events
- small and new tourism events
- events of state significance
- business growth or establishment
- industry or economy growth.

Each stream has its own objectives and eligibility criteria. Application assessment is undertaken across three key assessment processes:

- Community Grants Assessment Panel
- Council officer recommendation to Council
- Council officer decision under delegation.

Assessment occurs monthly to meet timeframes described in the Grants and Contributions Policy.

## **Discussion**

### Community Projects and Events

One application from Life Saving Victoria has been assessed as part of the current round of Community Projects and Events grants. Life Saving Victoria is seeking support of \$5,000 to run an Open Water Safety Education program for five Primary Schools across Murrindindi Shire. The Assessment Panel (Panel) has recommended supporting this application in full.

### Community Sponsorship

Three applications for the Community Sponsorship stream were received in this round. The Panel recommends they be supported.

1. Triangle Arts Group Inc. has requested a \$2,000 sponsorship to support the Marysville Arts Show. Funds will be used to support prizes for winning entries.
2. Foggy Mountain Inc. has requested a \$5,000 sponsorship to support the Ten Years On – Foggy Mountain Primary School Project Launch Concert. This event will showcase children and the songs they have written and produced as part of the Ten Years On – Foggy Mountain Primary School Recording project. Foggy Mountain Inc. has requested a sponsorship of \$5,000 and a full fee waiver for three days use of the Kinglake Community Centre. The Panel has recommended that a full fee waiver of \$750 be granted and a sponsorship of \$4,250 be provided, totalling \$5,000.

### Fee Reductions

An application was received and granted under delegation, from Rotary Club Kinglake Ranges for the current round of Fee Reductions.

1. The Rotary Club of Kinglake Ranges is a not for profit group active within the local community across the Kinglake Ranges. They requested a Council venue hire fee reduction for a single night hire of the Kinglake Community Centre to support the running of a Movie Trivia Night. This is a fundraising event aiming to raise funds for mental health with all proceeds being given to this essential service. Fee reduction granted was a total waiver to the amount of \$256.00.

These applications are summarised in the attached summary.

## **Council Plan/Strategies/Policies**

The Community Grants and Contributions Program delivers operational outcomes of the *Council Plan 2017-2021* Our People strategic objective 'to provide a seed funding pool to support community initiated projects' and Our Prosperity strategic objective 'in partnership with the community we will promote an environment in which business and community can thrive'.

The Community Grants and Contributions Program is guided by the Community Grants and Contributions Policy.

## **Relevant Legislation**

There are no legislative considerations to this report.

**Financial Implications and Risk**

The Council Grants and Contributions Program budget for the 2019/20 financial year is \$230,000. A total of \$15,540 funds have been allocated to the previous rounds in the 2019/20 financial year to date.

It is recommended that a total of \$12,256 grant funds be awarded in this round, leaving \$202,204 in the budget for the remainder of the year.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

**Community and Stakeholder Consultation**

There has been no formal community consultation with respect to the assessment of this round of Grants and Contributions Program applications.

**11. OUR PROMISE****11.1 ANNUAL REPORT 2018/19**

Attachment(s): Annual Report 2018/19 (refer Attachment 11.1)

**Purpose**

The presentation of the Annual Report is an important milestone in recognising the significant achievements of Council in 2018/19, including the objectives and activities of the *Council Plan 2017–2021* and the *2018/19 Annual Budget*.

This report presents the Annual Report for the period 1 July 2018 to 30 June 2019 for Council's endorsement.

**Officer Recommendation**

**That Council formally considers and endorses the *Annual Report 2018/19* as attached to this report.**

**Background**

The Annual Report 2018/19 details Council's performance over the past 12 months in achieving the objectives and activities of the *Council Plan 2017-2021* and the *2018/19 Annual Budget*.

A copy of the Annual Report 2018/19 is contained in Attachment 11.1.

Council has previously endorsed the financial statements which forms part of the Annual Report 2018/19 at its 25 September 2019 Ordinary Meeting.

In accordance with Section 133 of the *Local Government Act 1989* the Annual Report 2018/19 was submitted to the Minister for Local Government by 30 September and following this submission Council made the report publicly available.

**Discussion**

Whilst the Annual Report 2018/19 lists many achievements for the year, some highlights include:

**Our People**

- We supported community groups and schools across the Shire with 62 projects to mark the 10th Anniversary of the 2009 Bushfires.
- We officially opened the Marysville Information and Regional Artspace (MiRA).

- We completed and officially opened the Yea and District Children's Centre redevelopment.
- We developed and finalised the Community Planning Framework and began community planning trials in Yea, Toolangi and Marysville.
- We secured temporary access for residents of the Kinglake Ranges to mental health services in the northern suburbs of Melbourne.
- We completed the review of Aged and Disability Services following extensive consultation and made the decision to transition direct service delivery of these services to other providers by the end of 2019.
- We secured funding to develop a volunteer-based community transport program – Moving Murrindindi – to increase transport options for vulnerable residents in the Shire.
- We officially re-launched the refurbished Mobile and Customer Service Van bringing Council services directly to more communities across the Shire.
- We resolved to remove overdue library fines to encourage increased participation by the community in our library services.

### Our Place

- We completed the construction of the six 2009 Bushfire Memorials following extensive consultation with community groups.
- We successfully supported our community to access over \$320,000 State Government funding to enhance recreation facilities in 2019/20.
- We successfully delivered over \$530,000 of recreation related capital works projects to support participation and wellbeing outcomes for our communities.
- We adopted our Recreation and Open Space Strategy 2018-2028 following community consultation.
- We developed a concept design and consulted the community in relation to the Kinglake Streetscape Project and secured grant funding for the works.
- We completed the delivery of the Dindi Solar Bulk Buy Scheme across the Shire
- We installed additional flagpoles at all of our Council Offices to enable the Aboriginal and Torres Strait Islander flags to be flown.
- We were the first Council in Victoria to update our Planning Scheme to better integrate and streamline State and Local Planning Policy.

### Our Prosperity

- We launched a new grants and contributions program including funding streams to support local business and tourism development and innovation.
- In partnership with Regional Development Victoria, Mansfield Shire Council, and Goulburn Murray Water we secured State Government funding of \$150,000 to progress development opportunities in Eildon.
- Our Discover Dindi social media presence grew by 10,000 over the year with content reaching over 2.5 million people.
- We created eight regional tourism videos to promote Murrindindi Shire.
- We supported over 40 tourism events in Murrindindi Shire.
- We produced 33 What's On Murrindindi e-newsletters, growing our audience by 18%.
- We continued to advocate in relation to mobile phone coverage in the Shire resulting in seven new towers commencing operation or being announced.



### Our Promise

- We successfully advocated to relevant Federal and State Ministers, local members of parliament and agencies to promote priority issues for Murrindindi Shire including:
  - preparation for the 10-year anniversary of the 2009 Bushfires, with \$344,250 funding support for community commemorative events and community development activities
  - funding totalling \$1.5 million to support the redevelopment of the Kinglake Streetscape
  - funding support of \$395,000 from State Government for infrastructure improvements to upgrade public recreational facilities at Lake Eildon and assist the Eildon Houseboat Industry
  - securing a State Government election commitment for \$1.7 million to build new clubroom facilities at the Alexandra Recreation Reserve.
- We launched our new Customer Contact Centre within Council to enable a more responsive and efficient response to customer phone enquiries and requests.
- We implemented a new Customer Service Charter for the organisation, including staff training to support our 'Customer First' approach.
- Our positive customer service ratings increased from 59% to 74% during the year.
- We made Council meetings more accessible by making audio recordings of meetings available on Council's website.
- We realigned our organisational structure to achieve a greater focus on customer service, community engagement, shared services and systems improvement and innovation.

### **Council Plan/Strategies/Policies**

The achievements in the Annual Report are consistent with the *Council Plan 2017-2021* strategy under Our Promise to 'ensure the range of services we provide and the way we provide them are best aligned with community priorities and Council Resources' and to 'expand our communication and two-way engagement with the community'.

### **Relevant Legislation**

Sections 131 to 134 of the *Local Government Act 1989* set out the requirements for the preparation, public exhibition and consideration by Council of the Annual Report 2018/19.

Subject to Council's consideration and endorsement of the Council's Annual Report 2018/19 at this meeting and giving public notice of its endorsement, all statutory requirements associated with the Annual Report 2018/19 will have been met.

### **Financial Implications and Risk**

The Annual Report 2018/19 includes the audited Financial Report and Standard Statements for the 2018/19 financial year which were approved by Council at its 25 September 2019 Ordinary meeting.

### **Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

### **Community and Stakeholder Consultation**

The Annual Report 2018/19 was forwarded to the Minister for Local Government in accordance with statutory requirements by 30 September 2019 and has been confirmed as received.

This report has been made publicly available in line with the requirements under Section 133 of the *Local Government Act 1989*.

## **11.2 QUARTERLY COUNCIL PLAN 2017-2021 PROGRESS SUMMARY – 30 SEPTEMBER 2019**

Attachment(s): Quarterly Council Plan Report July-September 2019 (refer Attachment 11.2)

### **Purpose**

This report provides the first quarter summary of progress to date in delivering the actions in the Council's *Priority Action Plan 2019/20 (Action Plan)*.

### **Officer Recommendation**

**That Council receive the quarterly report ending 30 September 2019 on the status of actions from the Priority Action Plan 2019/20.**

### **Background**

Council adopted its *Council Plan 2017-2021 (Council Plan)* at the Special Meeting of 21 June 2017. The *Council Plan* sets out the overall strategic direction of Council over its four-year term based on an extensive community consultation program conducted across the Shire.

At the July 2019 Ordinary Meeting Council adopted the *Action Plan* which outlines the actions that Council will pursue during the 2019/20 year to continue to implement the four year strategies in the *Council Plan*.

Both the *Council Plan* and the *Action Plan* are published on Council's website.

A report on progress in implementing the priority actions is provided to Council at the end of each quarter.

### **Discussion**

Attachment 11.2 provides a summary of activity undertaken in the first quarter of the *Action Plan* for each of the four strategic objectives relating to Our People, Our Place, Our Prosperity and Our Promise.

Highlights from the quarter (July to September 2019) include the following:

#### Our People

- We launched the Moving Murrindindi Community Transport program in September to provide a flexible, low cost transport option to older adults, people with a disability and those experiencing financial disadvantage across the Shire.
- We signed a new Service Level Agreement with Yarra Plenty Regional Library to ensure ongoing community access to a wide ranging collection.
- We removed overdue fines from library items to encourage use of the library by all.
- We delivered youth activities across Murrindindi Shire promoting performing arts, music, creativity, recreation and leadership.

#### Our Place

- We adopted the Alexandra Youth Precinct Master Plan and the initial planning phase for the works has commenced.
- We commenced energy efficiency upgrades on Council buildings under the Local Government Energy Savers Program.

- We commenced electronic waste (e-waste) collection services at our Alexandra, Yea and Kinglake Resource Recovery Centres.
- We commenced a review of the Community Local Law, including consultation with partner agencies.

#### Our Prosperity

- We employed a Business Partnerships Officer to provide greater awareness of and engagement in Council's grants and contributions program by local businesses.
- We provided feedback and input to the State Government's Regional Tourism Review, reflecting the needs of the tourism industry in Murrindindi Shire.
- We worked with Holmesglen @ Eildon to deliver the 2019 Vic Tourism Industry Council Visitor Information Services Summit.

#### Our Promise

- We successfully advocated for increased access to mental health services for the communities of the Kinglake Ranges.
- We refreshed and modernised Council's website.
- We achieved our highest community satisfaction rating of 73 points for our customer service performance, which was above the average for councils across the State.
- We commenced community consultation for the 2020/21 budget process to ensure the community's priorities are considered at the outset of planning process.

#### **Council Plan/Strategies/Policies**

This report is consistent with the *Council Plan 2017-2021* Our Promise strategic objective to work in collaboration with our communities to deliver the best possible outcomes in all that we do.

#### **Relevant Legislation**

Council has a statutory obligation to prepare and approve a Council Plan in accordance with Section 125 of the *Local Government Act 1989*.

#### **Financial Implications and Risk**

The delivery of the *Council Plan* is supported by the four-year *Strategic Resource Plan* and the Annual Budget.

#### **Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

#### **Community and Stakeholder Consultation**

The actions in the *Action Plan* have been developed with reference to the priorities identified from the community following the 'Have Your Say' community consultation undertaken in February – April 2017.

### **11.3 SEPTEMBER QUARTERLY CAPITAL WORKS REPORT**

Attachment(s): Capital Works Quarterly Report – September (refer Attachment 11.3)

#### **Purpose**

This report provides an update on the 2019/20 Capital Works Program (CWP) for the first quarter of the year ending 30 September 2019.

**Officer Recommendation  
That Council:**

1. **note the September Quarterly Capital Works Report**
2. **approve the reallocation of savings (\$56,177) from cycling road safety signage program to:**
  - **Eildon-Jamieson Road - \$19,557**
  - **Kerami Crescent, Marysville Drainage - \$18,000**
  - **Kinglake Memorial Reserve Fencing Renewal - \$8,000**
  - **Pioneer Reserve Sealing - \$2,620**
  - **Emergency Services – Access to Helipad, Alexandra - \$8,000.**
3. **approve the reallocation of \$50,000 funding for Yea Recreation Reserve – ground water pipe renewal to Yea Recreation Reserve – connect irrigation to main water supply project.**

**Background**

This report is the first quarter report for the 2019/20 CWP. The period of reporting is from 1 July 2019 to 30 September 2019. The CWP is comprised of those projects endorsed by Council as part of the 2019/20 Capital Works budget, projects identified for carry forward from the 2018/19 program and approved projects that have received grant funding during the financial year.

**Discussion**

Works undertaken during the first quarter generally consist of the completion of carry forwards from the 2018/19 CWP and the initiation of the scoping, planning, design and tender phases of the 2019/20 CWP.

This report also includes an attachment (Attachment 11.3) which indicates the Council officer's level of confidence in projects being completed within the current financial year using a traffic light system. The colours shown highlight the following:

- green – Council officers are confident that the project will be delivered within the current financial year
- yellow – there is a medium risk that there may be a delay in delivery due to issues outside of Council officer's control
- red – there is a high risk that delivery will not occur within the current financial year for reasons as outlined
- blue - the project has been assessed and is no longer required
- black – the project has been completed.

A number of significant new and grant funded projects have been added to this year's program. These include:

- Skyline Road Blackspot project (\$48,533) – works will include signage and line-marking works from Taylor Bay Road to UT Creek Road, Eildon
- Local Government Energy Saver Program (LGESP) (\$186,829) – works will include the supply and installation of solar panels to various Council buildings, as well as upgrading of lighting fitting and fixtures to reduce energy consumption
- Kinglake Memorial Netball Courts (\$300,000) – renewal - in accordance with Council's resolution from the end of year capital report
- Yea Caravan Park – fire system improvements (\$175,000) – in accordance with Council's resolution from the end of year capital report

- The following special charge schemes are being investigated based on a combination of public requests and internal feedback. Some of these may take multiple years to complete due to the process required. These are listed in priority order:
  - Pendlebury Street, Alexandra - kerb and channel (Coster Street to Rose Street) – Council contribution in budget
  - Snodgrass Street, Yea - sealing, kerb and channel, drainage and formalising of long vehicle parking (Hood Street to Recreation Avenue) – Council Contribution in budget
  - Tooheys Road, Kinglake – upgrade roadway to 7 metres (m) pavement 6.2m seal to reduce dust
  - Myrtle Street, Alexandra – sealed parking lane, kerb and channel and drainage
  - Falls Road, Marysville – new pathway single side – 975m.
  - Melbourne Road, Yea – new pathways both sides – 1500m.

Additional information on projects are presented below:

1. Major areas of expenditure for the quarter include:

- engineering equipment purchase - \$71,989. Surveying equipment and a design package has been purchased. This will enable Council's engineers to undertake small in-house civil designs. This purchase will be paid back over two to three years from savings resulting in the ability for in-house staff to undertake design work rather than this being outsourced to consultants. This year, staff will complete Pheasant Creek streetscape design (\$30,000), the design component of Bayley Street, Alexandra - drainage/kerb and channel works (\$8,000) and the design component of the Kinglake West Memorial carpark works (\$5,000) enabling the corresponding budget to offset this cost.
- Yea Shire Hall – external refurbishment \$17,931
- Swimming Pools – equipment purchase \$23,738
- Drainage upgrade – trouble spots - Williams Street, Alexandra (\$103,826) and Kerami Crescent, Marysville (\$5,500) - (carry forward) \$109,326
- Landfill Cell Design (carry forward) \$13,200
- Closed Landfill Capping Design (carry forward) \$11,278
- Road Resealing Program – Mt Pleasant Road, Alexandra (carry forward) \$17,350
- Roads Major Maintenance – Ruffy Road, Ruffy \$12,736
- High Street , Yea Safety Upgrade Works – Design \$8,135
- Racecourse Road, Yea - pathway renewal (carry forward) \$22,174
- cycling road safety signage (carry forward) \$29,638
- Kinglake Ranges Neighbourhood House – roof and kitchen works (carry forward) \$50,128
- Alexandra Depot – fire service (carry forward) \$35,403
- Alexandra Depot Development (carry forward) \$17,456
- electromagnet for waste operations excavator (carry forward) \$42,348
- Alexandra – E waste shed (carry forward) \$5,709
- Kinglake – E waste shed (carry forward) \$31,270
- Eildon-Jamison Road, Eildon (carry forward) \$19,557

2. Projects that are delayed or where other significant issues that have arisen which affect the budget for the project:
  - Kinglake Community Centre – Roof and Lighting. This project was placed on hold last financial year due to insufficient budget to complete the project scope. The roof component currently remains on hold. The lighting was completed last financial year. No additional funding has been provided in this year's program but currently investigating options to source funding or re-scope the works with the aim to progress the project
  - Alexander Shire Office – external cladding. Currently on hold as the assigned budget is not large enough to deliver the proposed scope. Further funding required to achieve the desired outcomes have not been included in this year's program but currently investigating options to source funding or re-scope the works with the aim to progress the project
  - estimates based on the detailed design indicate that Rubicon Road – Route Improvement, may exceed the current budget. This estimate indicate there is currently \$110,000 shortfall. A specification is currently being prepared and works will be tendered with options to reduce the scope if required.
3. Projects where physical works have commenced or are anticipated to commence during the next reporting period (1 October to 31 December 2019):
  - Yea Shire Hall restoration works - works are currently underway and are due for completion late October
  - Terip Terip Clubrooms – supply and installation of bifold stacker doors
  - Alexandra Timber Tramway Museum – external refurbishment works
  - Reseal Program
  - Pioneer Reserve, Yea - carpark works
  - Yea Shire Office carpark safety works
  - Murchison Street, Marysville - carpark development
  - Kerami Crescent, Marysville - drainage upgrade/expansion
  - Alexandra Shire Hall - external column repair.
  - Alexandra Swimming Pool – installation of irrigation and landscaping
  - epoxy flooring to public toilets
  - Eildon speed limit review works
  - Yea Saleyards - auctioneer walkway
  - Kinglake Memorial Reserve - fence renewal
  - Yea Saleyards – Water supply and sprinkler upgrade
4. Projects completed in the September quarter:
  - engineering equipment purchase
  - Racecourse Road - pathway renewal (carry forward)
  - cycling road safety signage (carry forward)
  - Kinglake Ranges Neighbourhood House – kitchen renewal works (carry forward)
  - Alexandra Depot – fire service (carry forward)
  - electromagnet for waste operations excavator (carry forward)

- Alexandra – E waste shed (carry forward)
- Kinglake – E waste shed (carry forward)
- Eildon-Jamison Road (carry forward)
- Swimming pool occupational health and safety requirements – Yea Swimming Pool – supply and installation of auto vacuum cleaner, supply and install of a large and wing thermal blanket, Eildon Swimming Pool – supply and installation of an automated system to place and retract pool blankets.

5. Project savings and reallocations:

Project name	Savings	Projects requiring additional funds	Proposed reallocation
Cycling road safety signage program	\$58,726	Eildon-Jamison Road as per the end of year report	\$19,557
		Kerami Crescent, Marysville -drainage	\$18,000 (this includes a 7% contingency)
		Kinglake Memorial Reserve - fence renewal	\$8000
		Pioneer reserve sealing.	\$2,620
		Emergency Services Access to Helipad, Alexandra	8,000
Kinglake Ranges Neighbourhood House – kitchen upgrade	\$10,174		
Alexandra Depot - fire service upgrades	\$39,800		
Alexandra E-waste shed (This is external funding so will be returned to the funding source)	\$12,365		
Yea Recreation Reserve – ground water pipe renewal	\$50,000	Original scope completed late last financial year as emergency works. Proposal made to reallocate to connect irrigation to mains supply.	\$50,000
<b>Total</b>	<b>\$171,065</b>	<b>Total</b>	<b>\$106,177</b>

**Council Plan/Strategies/Policies**

The CWP is consistent with the *Council Plan 2017-2021 Our Promise* strategic objectives ‘to work in collaboration with our communities to deliver the best possible outcomes in all that we do’ and the strategy ‘to maintain Council’s financial sustainability through sound financial and asset management.’

**Financial Implications and Risk**

Timely reporting of financial issues assists in early identification of the need for corrective action or reallocation of budget where required. Reporting of project progress also provides Council and the community with an understanding of when projects will commence and communicates delays if they occur.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

**Community and Stakeholder Consultation**

No external consultation has been undertaken in the preparation of this report.

**11.4 QUARTERLY FINANCIAL REPORT TO 30 SEPTEMBER 2019**

Attachment(s): 1<sup>st</sup> Quarter Financial Report (refer Attachment 11.4)

**Purpose**

The report provides the quarterly financial report for the period ending 30 September 2019.

**Officer Recommendation****That Council receives the Quarterly Financial Report to 30 September 2019****Background**

The Quarterly Financial Report for the period ended 30 September 2019, is presented for consideration by Council, in accordance with the *Local Government Act 1989*.

The report includes the following statements:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Cash Flow
- Reconciliation of Non-Discretionary Cash & Reserves.

**Discussion**

The statements for the first quarter to 30 September 2019 are included in Attachment 11.4.

**Carry Forward Adjustments to 30 September 2019**

One of the first priorities in preparing the statements for the first quarter of each financial year is to appropriately recognise and adjust for the financial impact of all items carried forward from the 2018/19 financial year. This includes items that were budgeted to occur in the 2018/19 financial year that were incomplete or not achieved prior to 30 June 2019, as well as the impact of items that were budgeted to occur from 1 July 2019 onwards, that were in fact recognised in last year's financial statements.

**Other Budget Adjustments to 30 September 2019**

During the September quarter a number of budget adjustments were identified, these adjustments are listed in the table below. The changes relate to new grants and budget corrections based on the latest available information.

The table below is a reconciliation between Council's adopted budget 2019/20 and these carry forward and other budget adjustments.



Table 1

<b>September Budget Review - Reconciliation of 2019/20 Revised Budget Adjustments</b>	<b>2019/2020</b>	<b>2019/2020</b>
	<b>Operating Result</b>	<b>Capital Works</b>
	<b>Surplus / (Deficit)</b>	<b>Budget</b>
<b>Adopted Budget 2019/2020</b>	<b>1,162,950</b>	<b>10,697,078</b>
<b>Capital Works Program 2017-18 End of Year Report - 28 Aug 2018</b>		
Carry Forwards and reserve allocations - Tables CF1, CF2 & CF3 as per reports presented 22 Aug 2019		4,858,698
<b>Operational Carry forward adjustments - Executive Group - 8 Aug 2019</b>		
Community Wellbeing Funded Programs	(187,475)	
Special Charge Schemes - Pendlebury & Snodgrass	87,000	
Community Development - IAG Community planning Initiative	(22,174)	
Grant Funds Fire Services Levy Admin Support	(54,978)	
Sale of Land - 25 Murchison St Marysville Income	195,000	
Sale of Land - 25 Murchison St Marysville Carrying Asset Value	(217,047)	
Income Plant & Fleet - sales & trades	271,687	
Value of Plant to be sold	(271,687)	
Grant Funding received 2018/19 - and to be spent 2019/20	(1,131,438)	
Grant Funding budgeted 2018/19 but to be received 2019/20	376,986	
<b>September Revised Budget 2019/2020 - with carry forwards</b>	<b>208,824</b>	<b>15,555,776</b>
<b>Other Budget Adjustments</b>		
<b>Income</b>		
Murrindindi Library Service Overdue Charges - removal	(2,435)	
Motor Vehicle - Employee recoupment	(4,473)	
Grants Commission - Final Allocation - reduction	(71,841)	
Environmental Projects - grant funded	1,408	
Eildon Boat Ramp Fee Abolishment grant	25,000	
Lake Eildon Boating & Fishing Show grant	50,000	
Local Gov Energy Saver Program - Funding adjustment	(6,586)	
MAV 16 Days Activism Against Gender Violence grant	1,500	
Roadside Weeds & Pests Program grant	32,774	
Skyine Road Blackspot grant	48,533	
Social Seniors Program grant	1,500	
<b>Expense</b>		
Marysville Caravan Park - Camp Kitchen replacement		27,920
Local Gov Energy Saver Program - Funding adjustment		(13,171)
Skyine Road Blackspot grant		48,533
Eildon Boat Ramp Fee Abolishment grant	(25,000)	
Rubicon Waste Water	(225,000)	
Lake Eildon Boating & Fishing Show grant	(50,000)	
MAV 16 Days Activism Against Gender Violence grant	(1,500)	
Roadside Weeds & Pests Program grant	(32,774)	
Social Seniors Program grant	(1,500)	
<b>September Revised Budget 2019/2020 - (Deficit)</b>	<b>(51,570)</b>	<b>15,619,058</b>

Budget Comparison September Year to Date.

The adjustments identified in Table 1 have been incorporated into a revised set of financial statements as attached in Attachment 11.4.

Income Statement (Statement A)

The Income Statement for the period 1 July 2019 to 30 September 2019 is presented below (and in Attachment 11.4):

**Murrindindi Shire Council**  
**Income Statement**  
For the period ended 30th September 2019

	<b>Original Budget 2019/20 \$</b>	<b>Annual Revised Budget 2019/20 \$</b>	<b>YTD Budgets 30/09/2019 \$</b>	<b>YTD Actual 30/09/2019 \$</b>	<b>Budget/ Actual Variance (unfav) \$</b>	<b>%</b>
<b>Revenue</b>						
Rates & Charges	21,381,684	21,381,684	21,257,411	21,335,825	78,414	0%
Special Charge	-	87,000	-	-	-	
Statutory fees and fines	1,082,669	1,080,234	193,521	221,245	27,724	14%
User fees	2,393,305	2,393,305	534,886	453,823	(81,063)	-15%
Grants - Operating	7,992,170	8,263,040	1,575,751	1,616,502	40,751	3%
Grants -Capital	2,034,235	2,085,682	173,948	173,592	(356)	0%
Contributions - Cash	49,105	124,105	6,718	2,125	(4,593)	-68%
Contributions - Non Cash	400,000	400,000	-	-	-	
Reimbursements	385,062	385,062	50,722	54,234	3,512	7%
Other revenue	1,134,182	1,134,182	197,464	182,904	(14,560)	-7%
<b>Total Revenue</b>	<b>36,852,412</b>	<b>37,334,294</b>	<b>23,990,421</b>	<b>24,040,250</b>	<b>49,829</b>	<b>0%</b>
<b>Expenses</b>						
Employee Benefits	15,474,271	15,548,853	3,547,304	3,406,794	140,510	4%
Materials and Services	10,550,050	12,149,323	2,834,029	2,808,903	25,126	1%
Depreciation and amortisation	9,281,520	9,281,520	5,802	-	5,802	100%
Bad and Doubtful Debts	-	500	124	909	(785)	-633%
Other Expense	313,805	313,805	72,397	49,146	23,251	32%
Finance Costs (Interest)	36,809	36,809	(7,764)	(7,764)	(0)	0%
<b>Total Expenses</b>	<b>35,656,455</b>	<b>37,330,810</b>	<b>6,451,892</b>	<b>6,257,988</b>	<b>193,904</b>	<b>3%</b>
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(33,007)	(55,054)	2,867	-	(2,867)	-100%
Increase/(Decrease) Landfill Provison	-	-	-	-	-	-100%
<b>Surplus (deficit) for the period</b>	<b>1,162,950</b>	<b>(51,570)</b>	<b>17,541,396</b>	<b>17,782,261</b>	<b>240,865</b>	<b>1%</b>

The \$17.54 million operating result for the September 2019 quarter is \$240,000 or 1% favourable compared to the year to date budget. This variance is explained below.

The major year to date variances for the quarter include:

Line item	Variance	Main contributing factors
Rates and charges	\$78,414	Due to supplementary rates and hydro agreement. This will be monitored over the next quarter.
User fees	(\$81,063)	Variances in saleyard and aged care fees below year to date expectations.
Other revenue	(\$14,560)	This is an early indication of the lower interest rates and the impact on interest income. As investments mature, the reinvestment rates are typically 0.5% to 0.75% lower than the previous investment rate. The full impact of lower interest earnings will be determined as part of the December quarterly review.
Employee benefits	\$140,510	Due to staff vacancies primarily in Community Assets and Governance and Risk Departments

### Balance Sheet (Statement B)

#### Assets

As at 30 September 2019 this statement shows a variance Cash and Cash Equivalents and Other Financial Assets of \$34 million. These variances are offsetting as an investment can fall into either category depending on the term of the investment. All investments terms are less than one year so for practical purposes all investments should be considered as cash.

Prepayments show a variance of \$172,000, this variance will reduce throughout the year as more prepayments are made.

#### Liabilities

Provision Other shows a variance of \$667,000 which is in relation to the rehabilitation at the Alexandra Landfill. Based on budget costings to complete the capping works at the Landfill it may be that the budgeted provision is overstated. The Landfill provision requirement is reviewed annually. A more detailed analysis of the required provision will be completed as part of the December quarterly review.

#### Equity

The favourable variance of \$240,000 is an outcome of the improved operating result position. This is explained in Statement A.

### Cash Flow Statement (Statement C)

This statement provides a holistic picture and reports the important information on Council's cash inflows and outflows.

#### Cash Flow from Operating Activities

Cash flow from operations shows the amount of cash being generated from the operating statement. This is a critical figure as it indicates the funds that are being generated to fund capital works, debt reduction of cash balance increases.

The year to date budget variance is unfavourable \$167,000. While cash from rate collection is \$168,000 better than expected, this is offset by \$486,000 variance in payments to suppliers. This is more about the budget timing of works and the payment to suppliers than a deterioration in cash flow.

#### Cash flow from Investing Activities

The variance of \$110,000 indicates that the capital works in terms of cash spend is ahead of budget expectations.

#### Cash Flow from Financing Activities

At a variance of \$4,000 this is in line with budget expectations.

### Non-Discretionary Cash and Council Reserves (Statement D)

Included as part of this report is a statement of Council's Non-Discretionary Cash Flow requirements. This reconciliation lists all Council reserves together with funds held as Deposits or Trust which are required to be refunded, and an allowance for the provision of employee entitlements. This latter provision being a nominal amount of 25% of Council's Annual Leave Liability and 25% of the current Long Service Leave Liability. This is then offset against the level of projected cash at year end.

The critical figure is the bottom line being the Surplus/Deficit cash. The original budget figure was \$13.9 million, the revised budget figure is now \$13.8 million. This indicates that while the operating result reported in the income statement can move widely depending on timing of grants and other variables, the cash figure has remained stable.

Year to date analysis of this table is not particularly useful as transfers to and from reserves occur on an annual basis at year end.

**Councillor Expenses (GST Exclusive)**

The *Local Government (Planning and Reporting) Regulations 2014 Part 4 - Annual Report, Division 1* requires Council to report annually regarding Councillor expenses under prescribed categories.

As agreed in the Councillor Reimbursement Policy that was adopted by Council at its February 2017 Ordinary Meeting, Council reports quarterly on the Councillor related expenses. The following table details Councillor expenses for the first quarter period ending 30 September 2019.

Councillor Expenses for 3 months ended 30 September 2019:

	Allowances	Travel Expenses	Milage	Childcare Expenses	Information & Communication Expenses	Conference & Training Expenses	Cr Specific Other Expenses
Cr S McAulay	\$22,502.60	\$5.59	\$0.00	\$0.00	\$243.64	\$547.28	\$63.64
Cr C Bissett	\$7,532.16	\$0.00	\$153.96	\$0.00	\$243.64	\$92.73	\$147.73
Cr J Ashe	\$7,532.16	\$0.00	\$0.00	\$0.00	\$203.64	\$401.82	\$147.73
Cr R Bowles	\$7,532.16	\$0.00	\$0.00	\$0.00	\$203.64	\$92.73	\$182.73
Cr L Dunscombe	\$7,532.16	\$480.00	\$2,033.34	\$0.00	\$243.64	\$92.73	\$182.73
Cr E Lording	\$7,532.16	\$80.00	\$1,109.44	\$0.00	\$243.64	\$92.73	\$182.73
Cr M Rae	\$7,532.16	\$0.00	\$0.00	\$0.00	\$243.64	\$92.73	\$147.73

It should be noted that travel costs include the reimbursement of the claims which a Councillor may choose to submit for travelling to Council meetings, briefings and other functions which they attend in their capacity as a Councillor. Where a Councillor's residence is greater than 50 kilometres from the location of a Council meeting they may also claim the statutory remote area allowance.

It should also be noted that Councillors can elect for part of their allowance to be deducted for superannuation purposes.

**Council Plan/Strategies/Policies**

This report, in relation to the Annual Budget and quarterly financial reporting, is consistent with the *Council Plan 2017-2021 Our Promise* strategy 'to maintain Council's financial sustainability through sound financial and asset management practices'.

**Relevant Legislation**

The *Local Government Act 1989* (the *Act*) requires, under Section 126, that a Council must prepare a Strategic Resource Plan for a period of four years.

The *Act* also sets out in Section 127 that the Council must prepare a budget for each financial year. Then, in Section 138, the *Act* requires that quarterly financial reports must be presented to Council.

**Financial Implications and Risk**

The financial governance of a council is an important role for Councillors. The risk of poor financial management can have a significant impact upon the governance of the Council. The financial implications flowing from this quarterly financial review are outlined in this report.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in the preparation of this report.

**Community and Stakeholder Consultation**

There was no community consultation required for the preparation of this quarterly budget report.

## 11.5 CUSTOMER FEEDBACK AND COMPLAINTS POLICY

Attachment(s): Customer Feedback and Complaints Policy (refer Attachment 11.5)

### **Purpose**

The purpose of this report is to present the revised Customer Feedback and Complaints Policy (Policy) for proposed adoption by Council at its October 2019 Ordinary Meeting. The Policy is a statement of Council's commitment to seeking and acting on customer feedback to ensure we continue to improve our service.

This report highlights the key features of the draft Policy and the ways it advances Council's 'Customer First' principles.

### **Officer Recommendation**

**That Council adopt the revised Customer Feedback and Complaint Policy as attached.**

### **Background**

The Policy replaces an existing policy. The Policy aims to improve our receptiveness and responsiveness to feedback and complaints to deliver Council's commitment to improve the services we provide to customers made in the *Council Plan 2017-2021*.

### **Discussion**

The Policy aims to:

- provide clarity around the different kinds of feedback and complaints, and advice about how these are to be handled by officers
- make it simple for customers to provide feedback, including complaints, to Council
- make it clear to staff that we acknowledge, encourage and welcome feedback for its value in helping us to improve our services for our customers and community
- provide clarity to staff about the connection between feedback and provision of great customer service
- the importance of ongoing communication with customers, including in the event a resolution to a complaint is delayed for any reason
- provide clarity around processes for escalation of complaints.

Council's Customer First principles are aimed at ensuring Council's systems, processes and culture are aligned with best customer service practice. These principles guided the development of the Policy.

### **Council Plan/Strategies/Policies**

The Policy is consistent with the *Council Plan 2017-2021* Our Promise strategy 'to commit to developing a stronger customer-focussed culture that makes us easier to deal with' and 'ensure our culture, systems and technologies encourage and enable innovation in our business practices and service delivery'.

### **Relevant Legislation**

The *Local Government Act 1989*.

### **Financial Implications and Risk**

While there are no financial implications arising from this Policy, future activities and enhancements to management of feedback and complaints would be subject to the usual project and budget planning processes.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in relation to this report.

**Community and Stakeholder Consultation**

Consultation took place with private sector organisations, other councils and with a customer service bench-marking company.

**11.6 ENTERPRISE RISK MANAGEMENT POLICY REVIEW**

Attachment(s): Policy – Draft Enterprise Risk Management – Review August 2019 (refer Attachment 11.6)

**Purpose**

This report seeks Council's endorsement of the revised Enterprise Risk Management Policy.

**Officer Recommendation**

**That Council endorses the revised Enterprise Risk Management Policy as contained in Attachment 11.6.**

**Background**

A comprehensive internal audit of Council's approach to enterprise risk management was undertaken by Council's internal auditor in March 2019 and reported to Council's Audit and Risk Advisory Committee Meeting in May 2019.

Whilst the audit revealed evidence of positive business practices in regard to Council's approach to risk management, the audit also identified several areas to further strengthen Council's risk management framework.

This report considers a recent review of Council's Enterprise Risk Management Policy (Policy) which is the primary document governing Council's approach to risk management. The Policy was last reviewed in 2017. This review was informed by the recommendations from the internal audit. The Policy was also independently reviewed by Council's primary insurer as part of Council's existing insurance arrangements.

The revised Policy was considered and endorsed by Council's Audit and Risk Advisory Committee at its September 2019 meeting. The revised Policy is contained in Attachment 11.6.

**Discussion**

The advice from the internal auditor and Council's insurer indicated that the current Policy was quite sound however several improvements were suggested to simplify and strengthen the Policy which have been incorporated into the revised document. These include:

- removal of policy principles from the 'rationale' section of the Policy due to duplication later in the document, with the rationale simply stating the reason why the Policy is required
- simplifying the policy principles to remove duplication and unnecessary wording
- additional wording to make it clearer that the risk owner is responsible for managing the risk, and not just the administrator for documenting the risk
- simplifying the roles and responsibilities for risk management and removing duplication from the document
- clearly emphasising the role of the Chief Executive Officer (CEO) and Executive in leading Council's risk management approach 'from the top'
- incorporating into the risk appetite section the level of risk Council is willing to tolerate (and not just a list of unacceptable risks)

- extending the period for review of the Policy from annually, which was considered too onerous and unnecessary, to every three years.

The external advice also questioned the difference between the role of the Executive Team and the role of an internal Executive Risk Management Committee (ERMC) which had been established to monitor Council's risk exposure and the implementation of Council's risk management framework. To ensure the accountability for managing strategic risks and implementing the risk management framework rests with the CEO and Executive, the CEO has determined that the Executive Team will undertake the functions of the ERMC, with the inclusion of the Manager Governance and Risk. The revised Policy therefore attributes the functions of the ERMC under the role of the Executive.

### **Council Plan/Strategies/Policies**

This report relates to *Council Plan 2017-2021 Our Promise* strategic objective to ensure we deliver the best possible outcomes in all that we do.

### **Relevant Legislation**

The *Local Government Act 1989* has a general requirement that the audit committee will provide advice on financial management and broader aspects of the council's operations, particularly where compliance issues and risks are involved.

### **Financial Implications and Risk**

This report directly relates to the management of risk by Council that it is best able to realise its strategic objectives and opportunities.

### **Conflict of Interest**

There were no conflicts of interest declared by Council officers in relation to this report.

### **Community and Stakeholder Consultation**

External community consultation was not required in relation to the review of this Policy.

## **12. NOTICES OF MOTIONS**

## **13. MATTERS DEFERRED FROM PREVIOUS MEETING**

## **14. URGENT BUSINESS**

## **15. COUNCILLOR REPORTS**

15.1 CR MARGARET RAE

15.2 CR JACKIE ASHE

15.3 CR ERIC LORDING

15.4 CR CHARLOTTE BISSET

15.5 CR REBECCA BOWLES

15.6 CR LEIGH DUNSCOMBE

**15.7 CR SANDICE MCAULAY – MAYORAL REPORT****16. CHIEF EXECUTIVE OFFICER REPORT****17. ASSEMBLIES OF COUNCILLORS****Purpose**

This report presents the records of assemblies of Councillors for 25 September 2019 to 15 October 2019, for Council to note in accordance with Section 80A of the *Local Government Act 1989* (the *Act*).

**Officer Recommendation**

**That Council receives and notes the record of assemblies of Councillors for 25 September 2019 to 15 October 2019.**

**Background**

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

**Discussion**

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.

The following summary details are for 25 September 2019 to 15 October 2019:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	25 September 2019
Matters Discussed:	<ol style="list-style-type: none"> <li>1. Proposed Dwelling – 115 Dyes Lane, Buxton</li> <li>2. Proposed Re-Subdivision and Use of Land for a Dwelling on Each Lot – 95 Deviation Road, Kinglake Central</li> <li>3. Two Lot Subdivision, 852 Whittlesea – Kinglake Road, Pheasant Creek</li> <li>4. Proposed 2 Lot Subdivision and Second Dwelling, 33 Sedgwick Street, Marysville</li> <li>5. Proposed Farm Shed, 20 Bald Spur Road, Kinglake Central</li> <li>6. Proposed 16 Lot Residential Subdivision, 15 Halls Flat Road Alexandra</li> <li>7. Response to Petition – Sealing of Saleyards Street, Yea</li> <li>8. Grants and Contributions Program August 2019</li> <li>9. Audit and Risk Advisory Committee Minutes</li> <li>10. Audit and Risk Advisory Committee Annual Report</li> <li>11. Approval of Annual Financial Statements 2018/19</li> <li>12. MAV Panel Contracts for Human Resources Services</li> <li>13. Tender 19/8 – Yea Saleyards – Scanning and Weighing Services</li> <li>14. Sealed Roads – Resealing Program – 2019/20 - Tender</li> </ol>
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording



Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, N Grey, C Gartland, N Stewart, K Girvan, N McNamara, C Lintott, G Haylock, T Carter, L Elward, B Scott
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing
Meeting Date:	2 October 2019
Matters Discussed:	<ol style="list-style-type: none"> <li>1. 707 Murrindindi Rd, Planning Permit application</li> <li>2. Bushfire Accommodation Provision</li> <li>3. Great Victorian Rail Trail - draft Strategic Plan</li> <li>4. Mobile Library and Customer Service - one year on - update</li> <li>5. Feedback and Complaints Policy</li> <li>6. Enterprise Risk Management Policy</li> </ol>
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae
Council Officer Attendees	C Lloyd, S Brown, V Albicini, M Thomas, J Rabel, L Kotschet, T Lucas, T Carter, K Girvan
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing
Meeting Date:	9 October 2019
Matters Discussed:	<ol style="list-style-type: none"> <li>1. Draft Community Local Law – Council Briefing</li> <li>2. Yea Saleyards – Chairman’s Annual Report</li> <li>3. Kinglake RAC - Arts and Heritage Group</li> <li>4. Municipal Public Health and Wellbeing Plan Year 2 Progress Report</li> <li>5. Community Planning Update</li> <li>6. September Quarterly Capital Works Report</li> <li>7. Southern Goulburn Regional Waste and Resource Recover Education Strategy 2019-2021</li> <li>8. Use and Development of Land for an Outdoor Recreation Facility (High Ropes Adventure Park - 248 Spraggs Road, Toolangi</li> <li>9. Dwelling, 1274 Yarck Road, Gobur</li> <li>10. Variation – CONT16/19 Fire Prevention Slashing Program (Confidential)</li> </ol>
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, C Price, N Stewart, T Carter, C Lintott, N McNamara, A Paix, J Kirkwood, B Scott, J Russell, N Grey
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Council Workshop
Meeting Date:	14 and 15 October 2019
Matters Discussed:	<ol style="list-style-type: none"> <li>1. Tourism and Events Strategy</li> <li>2. Business Support Services</li> <li>3. Grants and Contributions Program</li> <li>4. Youth Service Provision</li> <li>5. Future of Kinglake Rebuilding and Advisory Centre</li> <li>6. Council's Advocacy plan</li> <li>7. Subdivision of Land at 174 Grant Street Alexandra</li> <li>8. Land Sales in Marysville</li> </ol>
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, S Brown, M Chesworth, V Albicini
Conflict of Interest Disclosures:	Nil

**Council Plan/Strategies/Policies**

This matter is consistent with the Council Plan 2017-2021 Our Promise strategy to 'expand our communication'.

**Relevant Legislation**

For full details of Council's requirement for assemblies of Councillors, refer to Section 80A of the *Local Government Act 1989*.

**Financial Implications and Risk**

There are no financial or risk implications.

**Conflict of Interest**

Any conflicts of interest are noted in the assembly of Councillors tables listed above.

**18. SEALING REGISTER**

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT19/8	2 October 2019	Formal Instrument of Agreement between Murrindindi Shire Council and Outcross Pty Ltd for Yea Saleyards - Scanning and Weighing Services	Craig Lloyd Cr Rebecca Bowles

**Officer Recommendation**

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

**19. CONFIDENTIAL ITEMS**

*The Local Government Act 1989* section 89(2) allows Council to resolve to close a meeting to the public to consider confidential information relating to any of the following matters:

- (a) personnel matters
- (b) the personal hardship of any resident or ratepayer
- (c) industrial matters
- (d) contractual matters
- (e) proposed developments
- (f) legal advice
- (g) matters affecting the security of Council property
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person
- (i) a resolution to close the meeting to members of the public.

Where possible Council will resolve to make public any decision it makes in a closed meeting where the resolution does not disclose confidential information. There may be occasions where Council cannot make its decision public.

The reports on the Tender CONT19/16 – Murchison Street Marysville – Carpark Development – Stage 2 Construction, Variation – CONT16/19 Fire Prevention Slashing Program and Road and Pathway Line Marking Services are being considered in the closed part of this meeting because it is considered under S89(2)(d) contractual matters.

**Recommendation**

**That Council, in accordance with the *Local Government Act 1989* section 89(2)(d), resolve to close the meeting to the members of the public:**

- **Tender CONT19/16 – Murchison Street Marysville – Carpark Development – Stage 2 Construction**
- **Variation – CONT16/19 Fire Prevention Slashing Program**
- **Road and Pathway Line Marking Services**