



AGENDA
of the
ORDINARY MEETING OF COUNCIL
To be held on
WEDNESDAY 23 SEPTEMBER 2015
in the
ALEXANDRA COUNCIL CHAMBERS
commencing at
6.00 pm

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

REF: SF/306

Cr J Walsh is unable to attend this meeting and conveyed his apologies.

Officer Recommendation:**That Cr Walsh's apology be accepted.****3. CONFIRMATION OF MINUTES**

➤ Minutes of the Ordinary meeting of Council held on 26 August 2015

Officer Recommendation:**That the Minutes of the Ordinary meeting of Council held on 26 August 2015 be confirmed.**

➤ Minutes of the Special meeting of Council held on 2 September 2015

Officer Recommendation:**That the Minutes of the Special meeting of Council held on 2 September 2015 be confirmed.****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

REF: SF/783

5. PUBLIC PARTICIPATION TIME**5.1 QUESTIONS OF COUNCIL****5.2 OPEN FORUM**

REF: SF/130

5.3 PETITIONERS SPEAKING TO PETITIONS

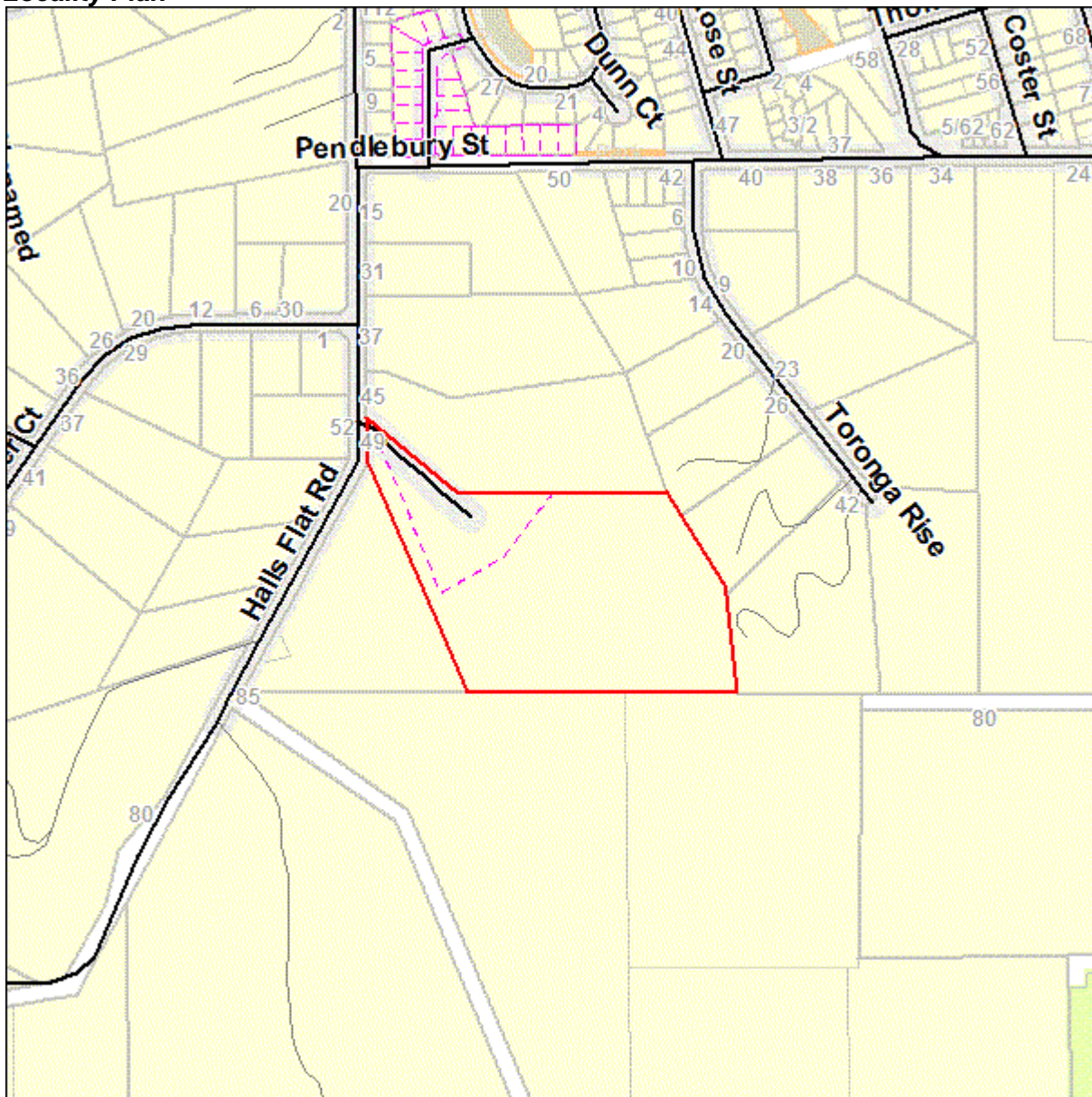
REF: SF/132

6. OFFICER REPORTS

6.1 2015/46 – HALLS FLAT ROAD SUBDIVISION

Ref: 2015/65
 Land: 49 Halls Flat Road Alexandra
 Proposal: Two (2) lot subdivision
 Applicant: M S & C F Tucker
 Zoning: General Residential (Part) and Low Density Residential (Part)
 Overlays: Development Plan
 Attachments: Application details (aerial photograph and submissions distributed separately)

Locality Plan



Purpose:

This report recommends that a notice of decision to grant a permit be issued for a two (2) lot subdivision at 49 Halls Flat Road, Alexandra.

Officer Recommendation:

That Council issue a notice of decision to grant a permit for a two (2) lot subdivision at 49 Halls Flat Road Alexandra (Lot 4 LP: 145055, Parish of Alexandra), subject to the following conditions:

- (1) The subdivision must be in accordance with the endorsed plan. This endorsed plan can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.
- (2) This permit shall expire if the plan of subdivision hereby permitted is not certified within two (2) years of the date hereof or any extension of such period, the Responsible Authority may allow in writing on an application made before or within six months after such expiry.
- (3) Prior to the issue of a statement of compliance, a ground drain must be installed adjacent to the new fence on the driveway boundary on proposed lot 1 to direct all ground water runoff to Halls Flat Road.
- (4) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- (5) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- (6) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
- (7) The owner of the land must enter into an agreement with:
 - A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- (8) Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

- (9) **Prior to the issue of a statement of compliance for the plan of subdivision, any new or otherwise vehicular entrances to the subject land from the road must be constructed at applicant's expense to provide ingress and egress to the site at a location and of a size and standard satisfactory to the Responsible Authority. Refer to Council's Infrastructure Design Manual Section 12.9.2 - Rural Vehicle Crossings and standard drawing SD 255. The developer must place appropriate rural road number plaque at the access point to each lot to the satisfaction of the Responsible Authority.**
- (10) **Pursuant to Section 18 of the Subdivision Act 1988, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space. This payment shall be made prior to the issue of a Statement of Compliance and may be adjusted in accordance with Section 19 of the Subdivision Act 1988.**

Proposal:

An application was received for the two lot subdivision of an 8.153 hectare allotment that contains a single dwelling and associated shedding. The existing buildings are proposed to be located on the smaller 1.498 hectare allotment, with the balance lot of 6.655 hectares remaining vacant. The vacant lot will have the capacity for further subdivision and will be accessed by a 20 metre wide driveway, located along the south western boundary of the property.

The Land & Surroundings:

The subject land currently contains a dwelling and associated shedding. The land rises to the rear from Halls Flat Road, with a natural drainage line running along a depression from the top of the hill to the dam on the property. The water then continues from this dam across the land to the dam on the adjacent property at 59 Halls Flat Road. The property rises over 60 metres from Halls Flat Road to the top of the hill at the rear.

Referrals:

The application was referred internally to Council's Environmental Programs and Assets and Infrastructure units and was not required to be referred to external authorities. While two lot subdivisions do not have to be referred, standard conditions are mandatory on these permits. In this instance they are proposed conditions 4 to 8.

Consultation:

The application was notified by way of letter to nearby and adjoining owners, by way of a sign on site and with a notice in the Alexandra and Eildon Standard. One submission was received from the neighbour to the west, and the grounds of objection can be summarised as follows:

- Concerns with drainage and stormwater draining into the adjacent property at 59 Halls Flat Road.
- All drainage should be directed to Halls Flat Road and not cross property boundaries.

The objection was forwarded to the applicant who provided a response that advised the following:

- We plan to re-fence along the new boundary once permission has been granted.
- A ground drain will be installed parallel to the new fence, on the 20 metre line as shown on survey drawings prepared by Rodney Aujard. This will ensure any ground run off will be carried to the front of 49 Halls Flat Rd.
- An existing ground drain along the boundary between our current property and 59 Halls Flat Rd in fact already carries water to the front of 49 Halls Flat Rd.

The submitter maintains their objection, based on the following:

- There is a problem with the roof water from the existing dwelling.
- Roof water (stormwater from the dwelling) exits the property across the boundary and not to the front of the block.

Newspaper / Other	Publishing/Consultation Date(s)
Newspaper: Alexandra and Eildon Standard	3 June 2015
Consultation: Sign on site	27 May 2015
Mail out: Nearby and adjoining owners	27 May 2015

Planning Considerations:

The land is currently located partly within the Low Density Residential Zone and partly within the General Residential Zone. Amendment C46, which if it is adopted at this Council meeting, rezones this land so that all of the land would be contained within the Low Density Residential Zone. This subdivision meets the criteria of the Low Density Residential Zone and both lots are large enough that they could be considered for further subdivision into the future.

The existing dwelling on the site was constructed in 1988. The purpose of the Low Density Residential Zone is to provide for residential development on lots that can treat and retain wastewater. The vacant lot, being 6.655 hectares in size, and the 1.498 hectare 'house lot' are both capable of treating and retaining wastewater on site. The zone also requires consideration of the natural environment and the driveway has been located to minimise any impact on existing vegetation. Further to this a lot of the vegetation on the site, while it is mostly native, has been planted by the current and previous owners of the property.

All future development on this allotment will have a requirement for the stormwater from new buildings to be directed to Halls Flat Road. Further, the applicant has agreed to install an additional cut off drain along the proposed driveway to further help with stormwater flow from the site. There is a natural drainage flow path from No 49 west through No 59 and the objector has advised that he will not be satisfied until the owner of the property has redirected the overflow from the house stormwater to the front of the property. As this house already exists there is no capacity within the decision guidelines of the zone itself for Council officers to consider placing a condition on the permit for this work to be done.

The zone does not have a provision that allows Council to retrospectively redirect stormwater from an existing dwelling. Discharge of stormwater for a dwelling would normally be handled at the building stage and the dwelling on this lot was constructed in 1988. The stormwater from the dwelling has been directed through the natural drainage line for a long period, with the current owner only changing the location at which it enters the drainage line after attaching rain water tanks to the dwelling. When a dwelling is constructed, stormwater is directed to a legal point of discharge. These points are determined by Council's Infrastructure Assets department. In this case, the legal point of discharge is to the natural drainage line on the property. Changing how water was collected prior to discharge on the property would not require a redirection of the flow to Halls Flat Road, as the natural drainage line continues to be the legal point of discharge for this dwelling.

The owner also has demonstrated to an inspecting officer that there is in place a pumping system to reuse tank water on site. It is proposed to be formalised with a permanent pump installation at the main house tank location.

Further to this, the residential subdivision clause 56.07-4 *Urban run-off management objectives*, only requires for works to be undertaken with the provision of road networks as part of a subdivision and does not address existing developments. Should the proposed lot 2, being in the Low Density Residential Zone, be further subdivided, this will provide the possibility of road construction and run-off management from that part of the site to be considered. It is the opinion of Council officers that this future development, in conjunction with the requirement of this permit for an additional cut-off drain, will decrease the impacts of stormwater for the adjacent property in the long term.

Conclusion:

The proposed subdivision is in accordance with the provisions of the zone and future development of the allotments will result in a better management of stormwater for the whole of the property.

Legal/Policy Issues:

State Planning Policy Framework

14.02 Water

Objective: To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater and the marine environment.

Strategies:

- Undertake measures to minimise the quantity and retard the flow of stormwater runoff from developed areas.
- Encourage measures to filter sediment and wastes from stormwater prior to its discharge into waterways.

15.01-3 Neighbourhood and subdivision design

Objective: To ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

Strategy:

- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

19.03-2 Water supply, sewerage and drainage

Objective: To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

Strategies:

- Provide for sewerage at the time of subdivision or ensure lots created by subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Local Planning Policy Framework

21.07 Serviced townships strategies

Issues:

- The need to provide Low Density Residential zone opportunities nearby townships with reticulated water supply.

Strategies and objectives:

- Consolidate residential growth within the major townships that can be serviced by reticulated water and sewerage infrastructure.

22.03 Townships

Objectives:

- Ensure that all new use and development has regard to the existing townscape, to design, siting and landscaping issues.

Policy:

- Development located on the edge of township area should be landscaped to assist in absorbing the development within the surrounding landscape and provide a delineated edge to the town.

22.03-2 Effluent disposal and water quality

Objectives:

- Soil tests for each allotment under 4000 square metres in area should be provided with a report certifying that the proposed density of septic tanks within the area should not overload the natural environment with effluent and lead to pollution of watercourses or other properties.

Zoning

32.08 General Residential Zone

Purpose:

- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Decision guidelines:

- The pattern of subdivision and its effect on the spacing of buildings.

A planning permit is required for subdivision in the General Residential Zone.

32.03 Low Density Residential Zone

Purpose:

- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Decision Guidelines:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain wastewater.

A planning permit is required for subdivision in the Low Density Residential Zone.

Overlays

43.04 Development Plan Overlay

Purpose: To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

The development plan overlay as it applies to this parcel of land is being deleted under Amendment C46.

6.2 2015/106 – DWELLING AND DINGO BREEDING, HIGHLANDS

Ref: 2015/106

Land: 349 Spaniak's Road HIGHLANDS 3660

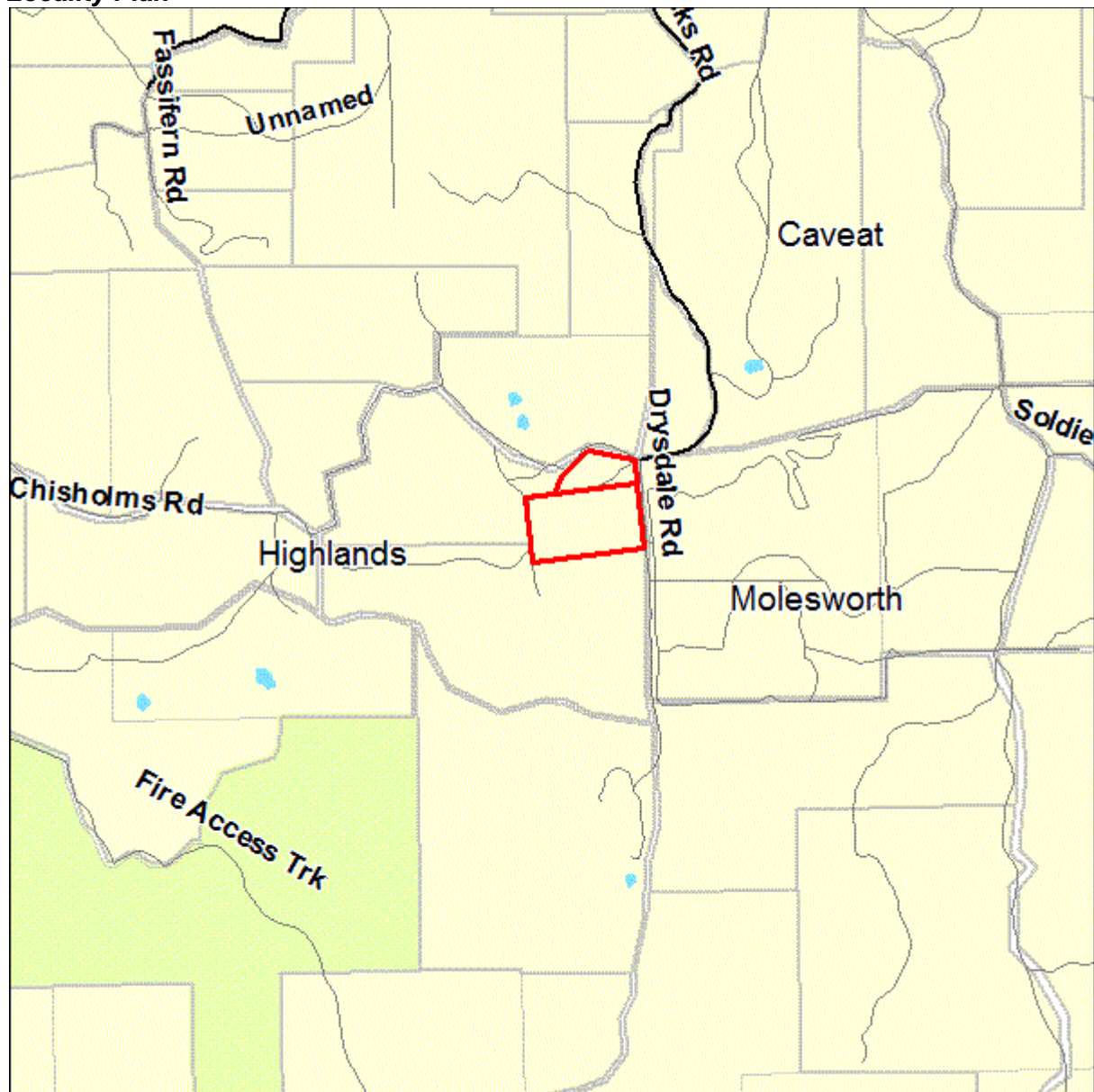
Proposal: Construction and use of one (1) dwelling, construction and use of compounds to house and breed Dingos

Applicant: M Williams

Zoning: Farming

Overlays: None

Attachments: Application details (aerial photograph and submissions distributed separately)

Locality Plan**Purpose:**

This report recommends that a notice of decision to grant a permit be issued for the construction and use of one (1) dwelling, construction and use of compounds to house and breed Dingos at 349 Spaniak Road, Highlands.

Officer Recommendation:

That Council issue a notice of decision to grant a permit for the construction and use of one (1) dwelling and the construction and use of compounds to house and breed Dingos at 349 Spaniak Road, Highlands (PCA: 20, Parish of Switzerland), subject to the following conditions:

- (1) Prior to the commencement of any buildings or works three (3) copies of a plan or plans shall be submitted and approved by the Responsible Authority. Such plans must show the nature of all external materials and finishes, siting and dimensions of all buildings, details of water storage tanks and any proposed excavations. When approved these plans shall be endorsed and form part of this permit.

- (2) This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before three months after such expiry.
- (3) All external cladding including the roof and trims of the building allowed must be coloured or painted in muted shades of green, brown or charcoal, or in a colour approved in writing by the Responsible Authority.
- (4) All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Authority and the Council. All effluent shall be disposed of and contained within the curtilage of the land and shall not discharge directly or indirectly to an adjoining property, street or any water course, water storage or dam. Sufficient land shall be set aside and kept available for the purpose of effluent disposal.
- (5) Prior to the commencement of any works, including site works, the applicant shall obtain a septic tank permit from Council.
- (6) On the construction of the dwelling a combined water system shall be provided to accommodate a total minimum of 55,000 litres of which 45,000 litres shall be for domestic purposes and 10,000 litres for fire fighting purposes, the latter being in the lower portion of the tank. All outlets from the lower tank shall be fitted with 63 mm 3 thread, 25 mm CFA round thread male coupling.
- (7) Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.
- (8) Before the building is occupied all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
The internal access road to the building shall be constructed to a size and standard satisfactory to the Responsible Authority to provide all weather access for emergency service vehicles.
The works must include the provision of suitable pavement material of at least 3.5 metres in width with 0.5m side clearances and 4 m vertical clearance and designed to carry a vehicle weighing at least 15 tonnes.
- (9) Before the building is occupied, any new or otherwise vehicular entrances to the subject land from the road must be constructed at the applicant's expense to provide ingress and egress to the site at a location and of a size and standard satisfactory to the Responsible Authority. Refer to Council's Infrastructure Design Manual Section 12.9.2 - Rural Vehicle Crossings and standard drawing SD 255.
The developer must place appropriate rural road number plaque at the access point to the satisfaction of the Responsible Authority.
- (10) 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 and associated Regulations.
- (11) No more than three (3) adult dingoes can be held at the property at any one time.
- (12) Keeping of the dingoes must be in accordance with both the requirements of the Department of Environment, Land, Water and Planning and the Dingo licence issued for the animals.

- (13) **Prior to the commencement of use, Lot 1 TP 344564 and PCA 20, Parish of Switzerland (Vol: 2925, Fol: 822) must be consolidated into one allotment.**
- (14) **The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.**

NOTATIONS:

- (1) **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.**
- (2) **The section of Spaniaiks Rd west of Drysdale Road intersection is not a public road as defined by the Road Management Act 2004 and therefore will not be maintained or inspected in accordance with Council's Road Management Plan.**

Proposal:

An application was received for the construction and use of a dwelling, and for the construction and use of a compound to house and breed dingoes as well as the use of the property to breed dingoes. The property is made up of two parcels of land, one being 21.05 hectares, which is proposed to contain the buildings, and one of approximately 4.7 hectares in size. The land is vegetated in parts and has a small waterway running through it. The house and compound are proposed to be constructed in a currently cleared section clear of the waterway. The land will be managed with extensive grazing of horses.

The applicant has two dingoes, one male and one female, and has the appropriate licences from the Department of Environment, Land, Water and Planning. The intention for breeding is once every 5 to 8 years for the applicants own personal use, being a replacement for the older of his current two dingoes, with the intent that the pup would learn from the elder animal while it is still alive.

The Land & Surroundings:

The subject land is currently vacant, with some cleared areas and remnant vegetation scattered over the property. There is a waterway that runs along the northern boundary and then in a southerly direction on the property. To the east is a pine plantation, paddocks to the west and north, with a more heavily vegetated property to the south. The property is bounded by Spaniaiks Road to the north, and Drysdale Road to the east.

Referrals:

The application was referred internally to Council's Local Laws and Environmental Health unit, and to Council's Assets and Infrastructure unit. No objections were received subject to conditions.

Consultation:

The application was notified to nearby and adjoining owners and four submissions were received. The submissions can be summarised as follows:

- Surrounding land is used for grazing and silviculture (3 submitters)
- Dingo breeding is not in character (1 submitter)
- Concerned that the dingoes will escape their compound and may damage livestock and native animals (3 submitters)
- Dingoes are wild and unpredictable animals and could be dangerous (3 submitters)

- Dingoes may not bark but they do howl, and this will have an adverse amenity impact (1 submitter)
- Effluent from the dingoes could be an issue (1 submitter)
- The expected cost is low and raises concern with the standard of the construction (1 submitter)
- Concerned about what would happen in an emergency (1 submitter)

The submissions were forwarded to the applicant, who advised the following:

- It is not a dingo farm, but will house 2-3 dingoes at most.
- Breeding facility is only for personal use, not commercial.
- Breeding will only be attempted every 5-8 years, as needed.
- Has had dingoes for over 15 years and is licenced.
- Have never had complaints from neighbours about noise from the animals in the past.
- Main enclosure will have a concrete pad and will be fully enclosed.
- Exercise yard will have an electric fence as well as CCTV.
- Any time outside of compound the animals will be on a lead or a harness.
- Wastes will be disposed of into the septic tank.

The response was forwarded to the submitters, and none were withdrawn.

Newspaper / Other	Publishing/Consultation Date(s)
<i>Mail out: Letter to nearby and adjoining owners</i>	23 July 2015

Planning Considerations:

As the property is less than 40 hectares in size, a planning permit is required for a dwelling. As dingoes are native they cannot be defined as a domestic animal, therefore in the Farming Zone, this is an undefined use and does require a planning permit. The bulk of the land will be used for agricultural purposes similar to the surrounding land which is for grazing of livestock. In this case, the applicant wants to graze horses on the property. When considering the use of the land for agriculture, the general area is used for a mix of grazing and farm forestry. The natural vegetative buffering, both within the property and on surrounding properties, will ensure that the use of the land for a dwelling will not impact on the adjoining properties agricultural uses. Further to this, the dwelling is located with sufficient setbacks from the boundaries to have no impacts on the adjoining pine plantation. As the application includes the dog breeding, the licencing arrangements for dingoes will require that the applicant be on site, which further supports the application for a dwelling.

The smaller of the two lots, being the northern parcel, provides the whole of the site with good access to water, shade and pasture for the grazing animals. However, with the waterway that runs through the property and the level of native vegetation this smaller lot would not be ideal for a dwelling, where it to be considered separately. These blocks complement each other and a condition requiring the consolidation of the lots, also reducing the number of small lots in the farming area, will achieve a positive outcome for the property, particularly given the location of this land and the size and topography of the smaller lot.

The main concerns have been raised around the keeping and breeding of dingoes on the site. The Department of Environment, Land, Water and Planning issue licences for dingoes under the *Wildlife Act 1975*. A Dingo Licence authorises the holder to:

- Possess, keep, breed, buy, sell and dispose of dingoes for private purposes, and
- Possess any dingo at other sites for the non-commercial purposes of exercising, obedience training, education, or display at shows conducted by a canine association.

As a dingo licence holder, the Department of Environment, Land, Water and Planning require the applicant to keep a *Protected Wildlife Record Book* and to submit an annual Return Form.

A dingo licence has the following conditions:

1. It is a condition of any Dingo Licence that the licence holder must not—
 - (a) sell or dispose of any dingo from a shop or business premises; or
 - (b) sell or dispose of any dingo for commercial purposes from the premises specified on the licence; or
 - (c) buy, acquire, sell or dispose of any dingo from a person unless that person—
 - i. is the holder of a Dingo Licence that authorises that person to buy, acquire, sell or dispose of that dingo; or
 - ii. is the holder of a Wildlife Displayer Licence; or
 - iii. has obtained the prior written approval of the Secretary; or
 - (d) sell, lend, trade, consign or dispose of any dingo pups less than seven weeks of age.
2. It is a condition of any Dingo Licence that the licence holder must—not keep dingoes at an address not specified in the licence, other than—
 - (a) for the purposes of exercising or obedience training; or
 - i. for educational purposes; or
 - ii. for the purposes of displaying dingoes at a show conducted by a canine association; or
 - iii. for any other purpose as approved by the Secretary in writing;
 - (b) only keep dingoes in permanent and fixed enclosures that are—
 - i. child-proof; and
 - ii. of sufficiently secure design and construction to prevent escape of dingoes and prevent unauthorised access to dingoes;
 - (c) ensure the dingo enclosures are constructed prior to application for the Dingo Licence and the acquiring of dingoes under the licence;
 - (d) if a person other than the licence holder interacts with a dingo, ensure the interaction is done in a manner which minimises the risk of injury to any person or the dingo;
 - (e) ensure that all dingoes 7 weeks of age or older are durably marked for identification purposes with a microchip or any other permanent identification device by an authorised implanter in accordance with the *Domestic Animals Act 1994*;
 - (f) ensure that, when outside the premises specified in the licence, any dingo must wear a collar around its neck with an identification disc attached to the collar which clearly states the name and phone number of the licence holder and the licence number;
 - (g) ensure that dingoes are effectively confined to an enclosure, or when outside an enclosure, are effectively controlled at all times by a physical means of restraint including through use of a chain, cord, leash or harness, even within a designated "off-lead" area;
 - (h) ensure that persons under 16 years of age are not allowed unsupervised access to dingoes at any time;
 - (i) in the event of the escape of any dingoes, make all reasonable efforts to recapture, humanely destroy or otherwise determine the fate of the escaped dingo.
3. If a dingo is being displayed for educational purposes or at a show conducted by a canine organisation, it is a condition of any Dingo Licence that the licence holder must—
 - (a) ensure that the licence holder, or a person permitted by the licence holder, is always in attendance to protect the dingo from abuse or harassment by any person;
 - (b) ensure that the licence holder, or a person permitted by the licence holder, has direct control of the dingo at all times,
 - (c) ensure that every precaution is taken to prevent the risk of injury to any person and to ensure the health and well-being of the dingo;
 - (d) ensure that only dingoes that are fully conditioned to handling are used for these purposes.

It is the opinion of Council officers that with the above licencing conditions supported by recommended planning permit conditions limiting the number of adult dingoes allowed on site, the issues in relation to the dingoes can be ameliorated and the combined use of the land for grazing and dog breeding support the use of the land for a dwelling.

Conclusion:

The construction and use of a dwelling on the site at 349 Spaniaks Road, Highlands, is a reasonable use, addresses the purposes of the Farming Zone and is required for the management of the land and the dingoes.

Legal/Policy Issues:

State Planning Policy Framework

13.04-1 Noise Abatement

Objective: To assist the control of noise effects on sensitive land uses.

Strategy: Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

14.01-1 Protection of agricultural land

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

Strategies:

In considering a proposal to develop agricultural land, the following factors must be considered:

- The desirability and impacts of removing land from primary production, given its agricultural productivity.
- The impacts of the proposed development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- The compatibility between the proposed development and the existing uses of the surrounding land.
- Assessment of the land capability.

Local Planning Policy Framework

21.04 Agriculture and rural land strategies

Strategies and objectives:

- Ensure that the use and development of agricultural land is both compatible with and complementary to agricultural activities and protect agricultural potential.
- Ensure that agricultural land is not developed for primarily residential purposes.
- Encourage agricultural diversity and promote opportunities for new farming enterprises.

22.01-2 Rural siting and design guidelines

It is policy that the following matters should be considered in siting and design:

- Orientation to ensure that the main axis lies east-west when possible.
- Protection from winds
- Relationship to landscape and avoidance of visually prominent sites.
- Screening with regard to privacy and noise

Zoning

35.07 Farming Zone

Purpose:

- To provide for the use of land for agriculture
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

Decision Guidelines:

General Issues

- The capability of the land to accommodate the proposed use or development
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of nearby and adjoining agricultural uses.
- The capacity of the site to sustain the agricultural use.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

A planning permit is required for a dwelling on this site.

A planning permit is required for dingo breeding on this site.

6.3 AMENDMENT C46, MURRINDINDI PLANNING SCHEME IMPLEMENTATION OF A REVIEW OF THE DEVELOPMENT PLAN OVERLAY

File No: SF/2040

(Encl. 6.3a - C46 – Exhibition – Submissions summary 15/30669)

(Encl. 6.3b - C46 – Adoption – DPO schedules 15/47372)

(Encl. 6.3c - C46 – Adoption – Proposed maps 15/47373)

(Encl. 6.3d - Murrindindi C46 Explanatory Report – Adopted 15/44095).

(Encl. 6.3e - Murrindindi C46 Instruction Sheet – Adopted 15/44090).

Purpose:

The purpose of this report is to:

1. Advise Council of the process and exhibition of Amendment C46 to implement a review of the Development Plan Overlay (DPO).
2. Recommend that Council adopt Amendment C46, with changes.

Officer Recommendation:

That having prepared and exhibited Amendment C46 to the Murrindindi Planning Scheme under section 19 of the *Planning and Environment Act 1987*;

Having considered all submissions to Amendment C46 to the Murrindindi Planning Scheme under Section 22 of the *Planning and Environment Act 1987*;

Murrindindi Shire Council resolves to:

1. Adopt Amendment C46 to the Murrindindi Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, adopting the amendment with changes outlined and recommended in the attached 'Summary of submissions to Amendment C46';
2. Submit Amendment C46 to the Murrindindi Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.

Background:

The Development Plan Overlay (DPO) applies in various locations in Alexandra, Buxton, Eildon, Kinglake West, Marysville, Narbethong, Pheasant Creek and Yea to guide the future use, development, subdivision and servicing of larger, undeveloped areas of residential, low density residential, rural living, industrial and commercial land. The DPO requires that a development plan be prepared and approved to guide the future development of an area prior to any planning permit being issued for individual parcels of land.

In 2013 Council undertook a review (funded under the DELWP Flying Squad program) of the Development Plan Overlay (DPO) to assess the relevance of the application of the DPO to guide future development and prepare new development plans when required. The review made recommendations to:

- Retain applicable areas of the DPO where guidance for future development is required.
- Remove other redundant areas of DPO where development has been completed or where the DPO is no longer required.
- Revise the schedules (controls and performance measures) for each DPO (1-5) to make them more relevant and applicable.
- Prepare new development plans for areas where previous plans had expired and new plans were required (Lawrances Road, Yea and Wattle Street, Alexandra).

This amendment has been prepared after the resolution of three outstanding development plans considered in the 2013 review, that is:

- Lawrances Road, Yea: Revised / approved August 2014
- Wattle Street, Alexandra: Revised / approved August 2014
- Toronga Rise / Halls Flat / Plantation Lane, Alexandra: Earlier plan not revised due to there being no need for a development plan. Under Amendment C46, some of this area is proposed to be rezoned to Low Density Residential, with the DPO being removed from the whole area.

Council Plan/Strategies:

The proposed amendment is consistent with the Our Environment goal in the Murrindindi Shire Council Plan 2013-2017, specifically in relation to the strategic objectives and directions relating to Planning for Urban Growth and implementing ongoing changes to the Murrindindi Planning Scheme.

Legal/Policy Issues:

There are no legal or policy issues associated with the proposal. Amendment C46 does not propose any changes to the Murrindindi Planning Scheme Local Planning Policy Framework

(LPPF) and has no policy implications. All proposed changes meet the current planning scheme and revised LPPF proposed under the adopted Amendment C54.

Financial/Resources/Risk

The initial DPO review was entirely funded under the DELWP Flying Squad program.

There are no particular financial or resources risks associated with the amendment. The amendment will save resources by removing the need for the preparation of a development plan over some areas. A fee of \$798 will be incurred when forwarding the adopted amendment to the Minister for Planning for approval, a fee that will be funded from the existing planning operating budget.

Discussion:

On 25 February 2015, Council resolved to seek authorisation to prepare Amendment C46 to implement the DPO review by:

- Removing the DPO from land where development has been completed or where the DPO is no longer required. This removal includes the proposed deletion of the DPO4 from land in North Street, Yea being rezoned from Industrial 1 to General Residential 1 (under proposed Amendment C55 – Yea Structure Plan) as the individual parcels of land are either small in size or are in single ownership where future development may be considered on its merits through applications for planning permit.
- Rezoning land on the eastern side of Halls Flat Road, eastern side of Toronga Rise and southern side of Pendlebury Street, Alexandra from General Residential to Low Density, also removing the DPO from these areas, to reflect that these areas cannot be readily fully serviced and are not suitable for full residential subdivision and development.
- Revising all DPO schedules (1, General Residential; 2, Low Density Residential Zone; 3, Rural Living Zone; 4, Industrial 1 and 2 Zones; 5, Commercial 1 Zone).
- Correcting DPO schedule numbers applying to some sites on DPO maps.

As a result of the consultation and submission process the following additions were made.

- Two DPO's are being removed at the request of owners. These are from Kinglake West (northern side of Whittlesea- Kinglake Road, east of Whittlesea – Yea Road) and Yea (a subdivision on the north side of Racecourse Road, opposite Lawrances Road)
- One additional DPO area is to be removed at the instigation of the planning unit as the subdivision of this area of land is now completed. This is an additional area of existing DPO in Kinglake West, north of Monarch Close and south of Nichols Road.
- Change to the schedules to include a requirement for a Transport Impact Assessment Report when it is considered likely that there will be an effect on any declared arterial road.

It is considered appropriate to remove these areas of DPO at amendment adoption stage (ie after exhibition) without further notification, as this action will remove an unnecessary planning control that is no longer required and will not have any adverse impact on affected landowners.

The revision of the DPO schedules will streamline requirements and performance measures for the preparation of development plans, when required, in the five zones that they will apply to. A key feature of the proposed new schedules will be an exemption from the need for a development plan when a two lot subdivision or a single dwelling / building are proposed.

Consultation:

An informal exhibition took place for the 2013 review of development plans / DPO, with meetings held with agencies and landowners of affected development plan areas being reviewed or proposed for change.

Council exhibited Amendment C46 between 7 May and 8 June 2015, with eleven (11) submissions being received, five (5) from agencies and six (6) from private landowners.

A full summary of submissions to Amendment C46, including officer recommendations, is included as Encl. 6.3a. These submissions range from support for the amendment to requests for minor changes to both the wording and mapping as follows:

- VicRoads submission has resulted in a change to the DPO schedules, to require a Transport Impact Assessment Report when it is considered likely that there will be an effect on any declared arterial road.
- GBCMA, GMW, DELWP and GVW all generally support the amendment.
- Private landowner supporting rezoning of land from General Residential 1 Zone to Low Density Residential Zone in Halls Flat Road, Alexandra.
- Private landowner requesting removal of DPO from land that has been developed at Kinglake West.
- Private landowner supporting removal of DPO from land to the north of the industrial estate in Melbourne Road, Yea. Land is proposed to be rezoned from Industrial 1 to General Residential Zone under Amendment C55.
- Private landowner supporting proposal to amend the DPO from DPO3 to DPO2 on land zoned Low Density Residential on the corner of Lawrances Road and Racecourse Road, Yea.
- Private landowner requesting removal of the DPO from the subdivided land in 'The Habitat' which is the subdivision on the north side of Racecourse Road, opposite Lawrances Road in Yea.
- Private landowner supports the removal of the DPO from land at 103 Lawrances Road as the land had previously been rezoned from General Residential to Low Density and the DPO is now unnecessary and should be removed.

Conclusion:

Amendment C46 has been prepared to implement a 2013 review of the Development Plan Overlay. The amendment will rationalise the application of the DPO, rezone several parcels of land not suitable for full residential development, remove unnecessary requirements for a development plan and streamline DPO schedules to guide the preparation of future development plans.

6.4 LAND ACQUISITION – HEALESVILLE – KINGLAKE ROAD, KINGLAKE

REF: SF/2312

(Encl. 6.4 - Plan of Subdivision)

Purpose:

The purpose of this report is to recommend to Council that it authorise the acquisition of land from JC & KM Stewart as part of the walking track construction works on Healesville-Kinglake Road, Kinglake.

Officer Recommendation:**That Council resolves:**

1. To acquire the road shown as R-1 on the attached copy of PS 743275 P ("Road") (Encl. 6.4)
2. To pay to the registered proprietor of the Road total compensation of \$1,325.00 (incl GST)
3. That Council's Chief Executive Officer be authorised to sign all documents in relation to Council's acquisition of the Road, including documents under the provisions of the *Land and Compensation Act 1986*.
4. To affix its common seal to the transfer of the Road from the registered proprietor of the Road and to any other documents to which the Council's seal is required to be affixed with its acquisition of the Road.

Background:

As part of the 2014 Kinglake East walking track construction works the alignment of the track involved the avoidance of native vegetation and federally protected plants along approx 160m of the Healesville-Kinglake Road.

A subsequent survey by the construction group revealed that the walking track encroached on 139m² of private property owned by JC & KM Stewart.

Council successfully negotiated with the landowner to voluntarily acquire the portion of land under the *Land Acquisition and Compensation Act 1986* for an amount of \$1,325.00 (incl GST).

Council Plan/Strategies:

This report is consistent with the following strategic objective of the Council Plan – 2013/17:

Our Environment – Protection of the Natural Environment

Legal/Policy Issues:

Council is required to comply with the *Land Acquisition and Compensation Act 1986* before it commences to acquire any interest in land.

Formal resolution by Council is required to enable the execution of a transfer of road so that the plan of subdivision can be lodged for registration, followed by the transfer. A Release and Indemnity Agreement will follow along with the compensation.

Financial/Resources/Risk

Compensation and legal costs associated with the acquisition have been budgeted for within the project budget.

Discussion:

The acquisition of 139m² of land is necessary to formally place the walking track within the Healesville- Kinglake road reserve.

Consultation:

Council successfully negotiated with the landowner a voluntary acquisition of land process under the *Land Acquisition and Compensation Act 1986*.

Conclusion:

The acquisition of land will facilitate the formal completion of the walking path construction works.

6.5 CONFIRMATION OF AUDIT ADVISORY COMMITTEE CHAIRPERSON

REF: 15/47403

Purpose:

The purpose of this report is to seek Council's endorsement of the election of the Chairperson of Council's Audit Advisory Committee for the next twelve months. This appointment will cover the next four quarterly meetings of the Audit Advisory Committee that are scheduled to occur.

Officer Recommendation:

That Council endorse the election of Mr Ian McKaskill as Chairperson of Council's Audit Advisory Committee for the next four quarterly Committee meetings commencing with the December 2015 Committee Meeting.

Background:

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's good governance.

The Audit Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

The Charter of the Audit Committee is the primary instrument outlining the roles and responsibilities of the Audit Committee and Audit Committee members.

Mr Ian McKaskill was appointed as an independent member of Council's Audit Advisory Committee at the Ordinary Meeting of Council of 27 February 2013. He has served as Chairperson of the Audit Committee for the last two years.

Council Plan/Strategies:

This report ensures that in accordance with the Council Plan 2013-2017 goal – 'Our Council' – to provide effective governance that supports the aspirations of our community, that Council's Audit Advisory Committee is properly constituted.

Legal/Policy Issues:

Council is required under S139 of the *Local Government Act 1989* to have an appropriately endorsed Audit Advisory Committee that meets regularly to provide oversight on Council's financial and governance requirements.

Further, as per Section 2c of the Audit Committee Charter, the Audit Committee is to "elect the Chair of the committee in the first quarter of each financial year." "The term of the Chair is to be 12 months, with a maximum of three (3) consecutive years with a break of at least one (1) year."

As per Section 2g of the Audit Committee Charter, "The Chairperson shall be appointed from the external members of the Committee by the Audit Committee subject to Council's approval."

Financial/Resources/Risk

Council is required to endorse the election of the Chair so that Council's Audit Advisory Committee is appropriately constituted in accordance with legislation and with its charter. The honorarium paid to the independent members of the Audit Committee is \$2,000.00 per annum.

Discussion:

At the 10 September 2015 Audit Advisory Committee meeting, nominations were sought for the Chairperson of the Committee for the next twelve months. Cr John Kennedy nominated the incumbent, Mr Ian McKaskill, with this nomination being seconded by Michele Sheward. The Committee resolved to endorse Mr McKaskill as Chairperson subject to the ratification of Council at the September 2015 Ordinary Meeting of Council.

Consultation:

As per the Audit Advisory Committee minutes of 10 September 2015, it was resolved to seek Council endorsement for the continuation Mr McKaskill to serve as Chairperson for a further twelve months.

Conclusion:

It is important from a fiduciary and statutory perspective that Council endorses the election of the Chairperson of its Audit Advisory Committee.

6.6 APPROVAL OF ANNUAL FINANCIAL STATEMENTS 2014-15

REF: 15/47408

(Encl. 6.6a - Murrindindi Shire Council Financial Statements 2014/15 - 15/48777)

(Encl. 6.6b - Murrindindi Shire Council Performance Statement 2014/15 - 15/48776)

Purpose:

The purpose of this report is to consider the recommendation of Council's Audit Committee that Council approves in principle the draft Financial Report and Performance Statement.

Officer Recommendation:

That Council:

- 1. Approves in principle the Murrindindi Shire Council Financial Report for the year ended 30 June 2015.**
- 2. Approves in principle the Murrindindi Shire Council Performance Statement for the year ended 30 June 2015.**
- 3. Authorises the Mayor, Cr Margaret Rae, Cr John Kennedy and the Chief Executive Officer to certify the Financial Report in its final form after any changes recommended, or agreed to, by the auditor have been made.**
- 4. Authorises the Mayor, Cr Margaret Rae, Cr John Kennedy and the Chief Executive Officer to certify the Performance Statement in its final form after any changes recommended, or agreed to, by the auditor have been made.**

Background:

As part of the requirements of Section 131 of the *Local Government Act 1989* and Local Regulations 2004, Council must pass a resolution giving its approval in principle to the Annual Financial Statements, which must comprise the Financial Statements and Performance Statement, prior to submitting the report to the Auditor General.

Preliminary audit work has been completed by Council's external auditors and officers have prepared a draft of the 2014/15 Financial Statements and Performance Statement ('the draft statements') for submission to the Victorian Auditor General Office (VAGO). A copy of these statements, forming the 'in principle' statements, is attached.

The following process is required to ensure that Council's Financial Statements and Performance Statement are submitted to the Auditor General in a timely manner, enabling the Auditor General to officially express his opinion prior to the statutory deadline of 30 September 2015.

The initial step in the approval process is for Council's Audit Committee to review the draft statements and to recommend in principle approval to Council.

It is a requirement for Council to formally review the draft statements and to authorise two Councillors and the Chief Executive Officer to sign the final statements on behalf of, and with the full authority of Council. The 'in principle' approved statements and the Council resolution are provided to the external auditor.

The external auditor checks the 'in principle' approved statements. The statements, Council's resolution, and the external auditor's recommended Audit Report will then be forwarded to the Auditor General for review.

The Auditor General reviews the statements and requests changes where appropriate.

Council's Principal Accounting Officer, Manager Business Services, then considers the Auditor General's requested changes and incorporates them into the 'in principle' approved statements, where appropriate.

Following signoff by the two designated Councillors and the CEO, statements can be forwarded to the Auditor General.

The Auditor General's Audit Reports will be issued to Council once the formally signed statements have been received and checked by VAGO.

Council's 2014-15 Annual Report, including the audited Financial Statements and Performance Statement, must be forwarded to the Minister for Local Government by 30 September 2015.

Council Plan/Strategies:

The presentation of the information contained within the draft financial statements is consistent with the Council Plan 2013-2017 Our Council Goal "to administer sound financial management practices".

Legal/Policy Issues:

Council is required to produce audited Annual Financial Report and Performance Statement pursuant to the requirements and process outlined in the *Local Government Act 1989* and the *Local Government (Finance and Reporting) Regulations 2014*.

Financial/Resources/Risk

The review by the Audit Committee and the audit by the Auditor General's agent reduces the risk to the Council of inaccurate accounts.

The preparation of the annual financial statements is a statutory procedural matter and all associated costs are contained within Council's adopted budget.

Discussion:

The Annual Financial Report, Standard Statements and Performance Statement were presented to the Audit Committee on 10 September 2015. The recommendations from the Audit Committee were:

That Council:

1. Record its approval 'in principle' to the Annual Financial Statements and Performance Statement (the statements), subject to the review of VAGO for the year ended 30 June 2015; and
2. Authorises two Councillors to certify the Financial Statements and Performance Statement, subject to the review of VAGO, in the final form after any changes recommended, or agreed to by the Auditor have been made.

A summary of annual financial results is provided for the year ending 30 June 2015 as follows:

1. Operating Performance – comparison results against budget

Table 1 – Summary of Income Statement

	2014-15 Budget \$M	2014-15 Actual \$M	Variance \$M
Revenue	30.65	35.29	4.64
Expenses	30.93	30.33	(0.59)
Surplus / (Deficit)	(0.28)	4.96	5.24

The income statement accounts for all Council revenue including grants and contributions associated with capital works.

The operating surplus posted for the financial year of \$4.96m and the variance to budget of \$5.24m is primarily attributed to savings made in expenditure, particularly relating to materials and services (\$1.48m), as well as the brought forward payment of the 2015-16 Financial Assistance Grant from the Commonwealth government of \$2.16m which is required to be recognised in the 2014-15 accounts. Council also received positive movements against budget for non-monetary contributions (\$1.39m), and for other income (\$1.1m).

Non-monetary contributions represent the recognition of assets gifted to Council by either new subdivisions or assets created by Community Projects on Council land. Council does not budget for these contributions due to the difficulty in estimating an item which is largely outside of Council control. The significant values for 2014-15 included \$514k for

Roads, \$233k for Drainage, \$278k for bridge projects at the Yea Wetlands and \$321k for the recognition of the Eildon Wall Museum.

Other income levels were increased in 2014-15 primarily due to higher levels of cash held related to incomplete capitals works, carried forward grants funding and increased reserve funds held. This contributed to additional interest revenue on invested funds of \$399k above the original budget estimate. In addition in 2014-15 Council sold the Topsy Gully Quarry operations (business not asset) for \$300,000 which also released liability funds of \$250,000 no longer required for the rehabilitation of the quarry.

The savings achieved in materials and services expenditure primarily relate to budgeted expenditure relating to the New & Gifted Assets operating and maintenance allocation of \$1.2m which was not fully required with \$911k transferred to Reserve in accordance with Council's policy. With the sale of the Topsy Gully Quarry, no crushing of materials was undertaken which generated a further saving of \$150k. Further significant savings were achieved in facilities maintenance underspending by \$81k, insurance savings on premium & claims totalled \$68k, and valuation costs were deferred until 2015-16 totalling \$74k.

These savings offset the processing of a write off of debt from Department of Treasury & Finance of \$502k which related to disapproved works claimed for the Natural Disaster Storm Damage Event 27 February 2012.

A net loss on disposal of assets of \$0.32M can be attributed to the plant replacement program being delayed, with several items ordered but not received prior to 30 June. Council receipts from sales of assets are also under budget due to two parcels of land in Marysville not being sold prior to 30 June 2015.

2. Financial Position – Balance Sheet at year end 30 June 2015

Table 2 – Summary of Balance Sheet components

	2013-14 Actual \$M	2014-15 Actual \$M	Change \$M
Assets			
Current	26.1	30.1	4.0
Non Current	296.0	303.5	7.5
Total Assets	322.1	333.6	11.5
Liabilities			
Current	9.5	7.6	(1.9)
Non Current	4.3	3.7	(0.6)
Total Liabilities	13.8	11.3	(2.5)
Equity	308.3	322.3	14.0

Council's asset base (Non Current Assets) has seen a net increase of \$7.5m. This was due to capital works expenditure on new and existing assets, covering Property, Plant and Equipment and Infrastructure. Fair value assessments have also been performed at 30 June 2015 for land and buildings and drainage assets.

The actual cash at the start of the year was \$5.2m higher than the adopted budget due to grants received in advance and delayed capital works from 2013-14. A more detailed

overview of the cash variance can be obtained from reviewing the Standard Statement Cash Flow Statement.

Trade and other receivables reduced substantially, reflecting Council's continued approach to recovering outstanding debts owed to Council. A resolution of the Natural Disaster Funding that was outstanding at 30 June 2014 was achieved during 2014-15 which now allows Council's trade receivables balance to be more reflective of a "normal position".

The decrease in current liabilities is primarily due to the \$2m payment of the Fire Services Property Levy that was received by Council on 30 June 2014, which was required to be recorded as a liability owed at the end of the previous financial year. Again, the figures reported this year are now more reflective of a "normal position".

The overall movement in the balance sheet equates to an increase in equity of \$14.0m. Critically, the measure of Council's ability to meet its obligation to pay its bills is favourable, where Current Assets (\$30.1m) exceed Current Liabilities (\$7.6m) at a more than acceptable level (See Working Capital Ratio in Table 3).

There has been minimal movement in the overall balance sheet position between the past two financial years.

3. Key Financial Ratios

	2014-15	2013-14	2012-13	2011-12	Comment
Working Capital Ratio					
Current Assets / Current Liabilities	3.98	2.75	3.29	2.28	Assesses Council's ability to meet current commitments. A ratio > 1-1.5 times is favourable.
Revenue Ratio					
Rates revenue / Total revenue	53.67%	50.47%	36.84%	22.68%	Indicates Council's dependence on rates income. The higher the percentage, the higher the dependence.
Debt Servicing Ratio					
Debt servicing costs / Total revenue	0.62%	1.06%	0.89%	0.56%	Expresses the amount of interest paid as a percentage of Council's total revenue.
Debt Exposure Ratio					
Total Indebtedness / Total realisable assets	17.36%	17.53%	11.20%	13.47%	Indicates the level of realisable assets required to be sold to extinguish Council's total debt.

An analysis of the key financial ratios reviewed by Council's auditors is provided above. This is a subset of all of the indicators which Council is now required to report on as a part of its obligations under the new Local Government Performance Reporting Framework ("LGPRF") which came into effect for the first time as a part of the 2014/15 financial year reporting requirements. These are included in Enclosure 6.6b - "Murrindindi Shire Council Performance Statements 2014/15".

Of particular note, the Rate Revenue Ratio has trended upwards again in 2014/15 to 53.67% which is well within the standard parameters for a small rural Council. In recent years this ratio has been quite abnormal due to the influx in grant funding following the 2009 bushfires.

Council's working capital ratio has also increased substantially in 2014-15 to 3.98, which is reflective not only of Council's increased cash levels, but also of Council's debt reduction which continued throughout 2014-15.

All other key financial ratios remain well within acceptable limits for a small rural Council.

The performance statement presented for the 2014-15 financial year represents a significant expansion of key ratios and metrics utilised to measure Council's performance across a range of areas when compared with the 2013-14 financial statements. 2014-15 is the first year of the new State Government Local Government Performance Reporting Framework which requires Council to provide a broader array of data and performance measurements. In coming years these results will be compared to prior performance to allow trend analysis to be undertaken to detail how Council's performance changes on a relative basis across these new indicators.

Consultation:

The development of the draft Financial Statements and Performance Statement have been undertaken in consultation with Council's external auditors (Johnsons MME) and the Audit Committee.

Conclusion:

The submission of the financial statements and performance statement conclude Council's financial reporting requirements for the 2014/15 financial year and provide the community with an understanding of the allocation of financial resources across this period.

6.7 APPOINTMENT OF PORTFOLIO COUNCILLORS

REF: SF/139

Purpose:

With the election of two new Councillors it is appropriate for Council to appoint Cr Healy and Cr Lording to the vacant portfolio positions.

Officer Recommendation:

That Cr Healy be appointed as the Corporate and Customer Services Portfolio Councillor and Cr Lording be appointed as the Infrastructure and Waste Portfolio Councillor.

Background:

Murrindindi Shire Council has established the Portfolio Councillor system. An objective of establishing a Portfolio Councillor system is to provide the opportunity for Councillors to have a greater understanding of particular strategic and policy issues. In addition, it enables Councillors to advocate and champion these issues on behalf of Council and the community.

The role of the Portfolio Councillor recognises that the day to day management and direction of staff in implementing Council policy and strategy remains the responsibility of the Council administration.

Council Plan/Strategies:

The implementation of the Portfolio Councillor Policy is consistent with the Strategic Objective of the Council Plan 2013-2017 under the Our Council theme – We will deliver visible leadership and advocacy and the strategy to – Communicate key Councils decisions and strategies to the community in a variety of ways.

Legal/Policy Issues:

The Local Government Act requires that adequate resources must be provided to enable Councillors to fulfil their duties as outlined under the Act. Portfolio Councillors are provided with support from officers, as articulated in the Portfolio Councillor Policy. In addition, training is available to support Councillors in undertaking their duties.

Financial/Resources/Risk

Support to Portfolio Councillors is undertaken by officers as part of their normal duties. In addition, Council provides the capacity for Councillors to undertake training and attend conferences as part of their professional development.

Discussion:

With the election of two new Councillors it is appropriate that they be appointed to Portfolio functions. Cr Lording has indicated an interest in the Infrastructure and Waste Portfolio and Cr Healy has an interest in the Corporate and Customer Service Portfolio.

As Portfolio Councillors are appointed at the Special Meeting held each year, these appointments will remain in effect until the October 2015 Special Meeting of Council.

Conclusion:

The implementation of a Portfolio Councillor system in accordance with Council Policy supports the good governance of the Council.

6.8 MEAC MINUTES

REF: SF/1078

(Encl. 6.8 – MEAC Minutes 2015-09-08 – 15/47292)

The minutes of the Murrindindi Environment Advisory Committee Meeting held on 8 September 2015 are attached for receiving.

Officer Recommendation:

That the Minutes of the Murrindindi Environment Advisory Committee meeting held on 8 September 2015 be received.

7. SEALING REGISTER

REF: 13/6325

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT 15/14	21 July 2015	Formal Instrument of Agreement between Murrindindi Shire Council and Geografia Pty Ltd for Alexandra	Margaret Abbey Margaret Rae

<i>File Reference</i>	<i>Date Seal Affixed</i>	<i>Description of Documents</i>	<i>Signatures of Persons Sealing</i>
		Railway Precinct Master Plan Development Project Consultant Brief	
CONT 14/11	4 August 2015	Landfill Waste and Recyclables collection Contract between Murrindindi shire Council and Transpacific Cleanaway Pty Ltd	Margaret Abbey Margaret Rae

Officer Recommendation:

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

8. COUNCILLOR PORTFOLIO REPORTS**8.1 LAND USE PLANNING PORTFOLIO****8.2 ECONOMIC DEVELOPMENT PORTFOLIO****8.3 INFRASTRUCTURE AND WASTE PORTFOLIO****8.4 COMMUNITY SERVICES PORTFOLIO****8.5 CORPORATE SERVICES PORTFOLIO****8.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO****8.7 MAYOR AND DELEGATED COMMITTEE REPORTS****8.8 GENERAL BUSINESS****9. MATTERS DEFERRED FROM PREVIOUS MEETING**

10. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**11. ASSEMBLIES OF COUNCILLORS**

REF: CY15/110

Purpose:

This report presents the records of assemblies of Councillors for 19 August 2015 to 9 September 2015, 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 19 August 2015 to 9 September 2015.

Background:

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

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

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

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

Summary:

Meeting Name / Type	Councillor Briefing Session
Meeting Date	19 August 2015
Matters discussed	<ol style="list-style-type: none"> 1. Eildon Structure Plan 2. Development and Environmental Services Quarterly Activity Report 3. Capital Works Program 2014-15 4. Essential Services Commission 5. Standpipes 6. Draft Forests Policy
Attendees: Councillors - Cr Rae, Cr Kennedy, Cr Challen, Cr Derwent, Cr Walsh	Staff – M Abbey, E Wyatt, G Scale, J Canny, K Girvan, M Crane, N Maguire, M Leitinger
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Economic Development Advisory Committee
Meeting Date	24 August 2015
Matters discussed	<ol style="list-style-type: none"> 1. Eildon Boat Club 2. Lake Eildon Houseboat Industry Association 3. GRVT

	4. Toolangi Zipline
Attendees: Councillors - Cr Challen, Cr Rae	Staff – M Abbey, B Elkington, S Webb
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Council Pre-Meeting
Meeting Date	26 August 2015
Matters discussed	1. Murray Darling Basin Constraints Management Plan 2. Permit Amendment Strath Creek
Attendees: Councillors - Cr Rae, Cr Kennedy, Cr Challen, Cr Walsh, Cr Derwent, Cr Magner	Staff – M Abbey, M Chesworth, J Canny, K Girvan, J Rabel
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	2 September 2015
Matters discussed	1. Timber Forestry Advocacy Plan 2. Road Works on Goulburn Valley Highway
Attendees: Councillors - Cr Rae, Cr Kennedy, Cr Challen, Cr Walsh	Staff – M Abbey, M Chesworth, E Wyatt, M Leitinger, H Bradbury
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Murrindindi Environment Advisory Committee
Meeting Date	8 September 2015
Matters discussed	1. Environment Policy Review 2. Yea Wetlands Draft Fire Management Plan 3. Blackmore Intensive Animal Husbandry 4. UT Creek 5. Ribbons of Remnant Roadsides Project 6. Green Army 7. Environment Strategy Review 8. Pre 2006 Native Vegetation Historic Offsets 9. Council & GBGA Projects 10. Watts Working Better – Street Lighting Project 11. Climate Smart Agricultural Development 12. Leadbeater’s Possum Campaign 13. Great Forest National Park 14. Resource Recovery Centres (material recovery)
Attendees: Councillors - Cr Kennedy	Staff – M Leitinger, H Bradbury
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	9 September 2015
Matters discussed	1. Proposed Gaming Policy 2. Revision Drysdale’s Quarry Operation 3. Kellock Lodge Future Plans 4. Dwelling & Dingo Breeding Highlands 5. Hall Flat Road Subdivision 6. Castella Quarry – Temporary Hours 7. Amendment C46

8. Draft Financial Statements				
Attendees: Councillors - Cr Rae, Cr Kennedy, Cr Derwent, Cr Challen, Cr Healy, Cr Lording		Staff – M Abbey, M Chesworth, N McNamara, G Scale, E Wyatt, M Leitinger, K Girvan, A Bond		
Conflict of Interest disclosures - Yes				
<i>Matter No.</i>	<i>Councillor making disclosure</i>	<i>Was a vote taken?</i>	<i>Did Councillor leave the room?</i>	<i>When? Before / after discussion / vote?</i>
7	Cr Rae	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Before Discussion
7	Officer M Abbey	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Before discussion

12. URGENT BUSINESS

13. CONFIDENTIAL ITEMS

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

- Dangerous Dog Declaration

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