



AGENDA
of the
ORDINARY MEETING OF COUNCIL
to be held on
TUESDAY 24 APRIL 2018
in the
ALEXANDRA COUNCIL CHAMBER
commencing at
6.00 pm

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1. PLEDGE AND RECONCILIATION STATEMENT**2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE****3. COMMUNITY RECOGNITION**

Suspension of orders to thank and acknowledge community achievements for the following:

- Alexandra Primary School – School Leaders
- St Mary’s Catholic Primary School – School Leaders
- winner of the competition for renaming the re-use shops at the Resource Recovery Centre’s.

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**5. CONFIRMATION OF MINUTES**

5.1 Minutes of the Ordinary Meeting of Council held on 28 March 2018.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 28 March 2018 be confirmed.

6. PUBLIC PARTICIPATION TIME**6.1 QUESTIONS OF COUNCIL****6.2 OPEN FORUM****6.3 PETITIONS****7. OUR PLACE****7.1 FUN MUDDER EVENT**

Attachment(s): *Application Details (refer Attachment 7.1)*

Land: 140 Granite Park Place Buxton

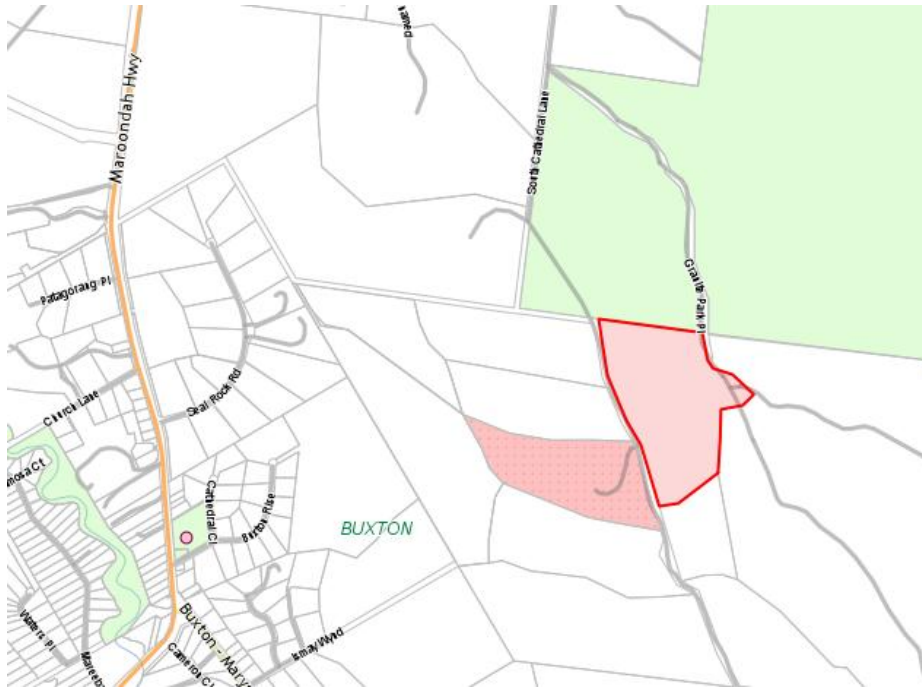
Proposal: Fun Mudder event to be held twice a year in 2018, 2019, 2020, and 2021 (once a year on Father’s Day in September and once a year in October)

Applicant: N Bolto

Zoning: Farming

Overlays: Significant Landscape – Schedule 1, Bushfire Management

Locality Plan



Purpose

This report recommends that a Notice of Decision to Grant a Permit be issued for the Fun Mudder event to be held twice a year in 2018, 2019, 2020, and 2021 (once a year on Fathers' Day in September and once a year in October) at 140 Granite Park Place Buxton. A planning permit is required for the use of the land for Place of Assembly in the Farming Zone.

Officer Recommendation

That Council issue a Notice of Decision to Grant a Permit for the Fun Mudder event to be held twice a year in 2018, 2019, 2020, and 2021 (once a year on Fathers' Day in September and once a year in October) at 140 Granite Park Place Buxton, subject to the following conditions:

- 1. This permit allows two events to be held each year in 2018, 2019, 2020, and 2021; once each year on Fathers' Day and once each year in October, between the hours of 10 am and 3.30 pm. The establishment of the site for the purpose of the event and re-instatement of the site after the event may occur outside the dates specified above, to the satisfaction of the Responsible Authority.**
- 2. The Responsible Authority and the neighbours must be notified, in writing, of the date of the October event, at least two weeks before the event each year.**
- 3. The consecutive events may only proceed upon satisfactory compliance with the conditions of the permit for the previous event to the satisfaction of the Responsible Authority.**
- 4. No more than 135 patrons and event staff may be permitted on the site at any one time to the satisfaction of the Responsible Authority.**
- 5. At least four weeks prior to the commencement of the first event each year hereby permitted, management plans shall be submitted to and approved by the Responsible Authority. Once approved, all relevant management plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application but must be updated to form the final version of the plans, to the satisfaction of the Responsible Authority. The plans must include:**
 - a. Event Management Plan**

- b. Event Site Plan**
- c. Emergency Management Plan**
- d. Waste Management Plan**
- e. Traffic Management Plan**

The event must be managed in accordance with the endorsed plans at all times to the satisfaction of the Responsible Authority.

- 6. Event fencing shown on the endorsed Event Site Plan must comprise of an orange plastic barrier mesh supported by star pickets or the like to a height of not less than 1 metre, to the satisfaction of the Responsible Authority.**
- 7. The excavation associated with the installation of challenge no. 5 'Climbing Wall' is limited to two foundations to a depth of 600 millimeters into the ground. Excavation must be undertaken manually using hand tools only.**
- 8. A final list of any food vendors must be submitted to the responsible authority at least four weeks prior to the event.**
- 9. A public address system must be installed throughout the site to advise patrons of any emergency on the site to the satisfaction of the Responsible Authority.**
- 10. 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.**
- 11. The owner / operator must ensure that litter is not deposited beyond the boundaries of the premises to the satisfaction of the Responsible Authority.**
- 12. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.**
- 13. The parking of all vehicles must be confined to designated parking areas within the site as set out on the endorsed plan and no vehicles associated with the event may be parked on any public land, including the road reserve, to the satisfaction of the Responsible Authority.**
- 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.**
- 15. The emission of noise from the property including the surrounding environment and carpark areas either during or immediately after the hours permitted must not cause annoyance to persons beyond the site.**
- 16. Two weeks prior to the first event taking place each year, photographic evidence of the existing conditions of the site must be provided to the Responsible Authority.**
- 17. Two weeks prior to each individual event taking place, a road condition report of Granite Park Place must be provided to the Responsible Authority.**
- 18. Post event responsibilities and reporting:**
 - a. within two weeks of the completion of the October event all temporary structures erected on the site, including all promotional or directional signage, and all waste must be removed to the satisfaction of the Responsible Authority**
 - b. within two weeks of the completion of the October event the site must be fully remediated and revegetated, including any areas of disturbed ground to the satisfaction of the Responsible**

- c. **within two weeks of the completion of the October event, a report must be submitted to Council for approval:**
 - i. **outlining any damage that has been done to the site during the event, with recommendations for remediation works to return the site to its original state**
 - ii. **demonstrating that all temporary structures erected on the site including all promotional or directional signage and all waste have been removed at the completion of the event to the satisfaction of the Responsible Authority**
 - d. **within four weeks of the October event being held, any environmental remediation works to return the site to its original state must be completed to the satisfaction of the Responsible Authority. Evidence of this remediation must be submitted to and approved by the Responsible Authority**
 - e. **within one week of each individual event being held, Granite Park Place access road must be reinstated to its pre event condition to the satisfaction of the Responsible Authority. Evidence of this remediation must be submitted to and approved by the Responsible Authority.**
19. **The event organisers must obtain an appropriate level of insurance cover for each event. Evidence of the insurance cover must be provided eight weeks prior to the event.**

Country Fire Authority (CFA)

20. **An amended Emergency Management Plan to the satisfaction of the CFA must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the plans submitted with the application but modified to include:**
- **a copy of the Watch Zone created for the use of the Vic Emergency Website / App for the monitoring of any bushfire incidents / activity**
 - **a detail relating to the triggers and actions to be undertaken by the Emergency Response Manager (ERM) when notification of a fire occurs within the designated watch zone established.**
- CFA recommends setting up a large threat zone given the time it is likely to take to evacuate patrons safely from the site.**
21. **A draft copy of the emergency management plan is to be submitted to the CFA District 12 Operations Manager, North East Region not less than three months prior to the first event each year to provide opportunity for comment to the Responsible Authority.**
22. **A finalised draft copy of the emergency management plan is to be submitted to the CFA District 12 Operations Manager, North East Region not less than six weeks prior to any proposed event (annually) to provide opportunity for comment to the Responsible Authority.**
23. **No fires are to be permitted without the written consent of CFA.**
24. **Access and egress routes are to be clearly marked to a width of not less than six metres and are to meet the following conditions:**
- **roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width**
 - **the average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres**
 - **dips must have no more than 1 in 8 (12%) (7.1 degrees) entry and exit angle.**

25. **Car parking areas, vehicular routes and emergency assembly areas are to maintain the vegetation to the following conditions to the satisfaction of the Responsible Authority:**
- **grass must be no more than 100 millimeters in height**
 - **leaf litter must be less than 10 millimeters deep**
 - **there must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be, at most, sparse, with very little dead material.**

NOTATIONS:

1. **Any marquees and stages over 100 square metres in size will require an Occupancy Permit from the Municipal Building Surveyor.**
2. **All food providers are to comply with relevant *Food Act* legislation requirements to the satisfaction of the Responsible Authority.**
3. **All mobile or temporary food providers must register online with Streatrader at <https://streatrader.health.vic.gov.au/>. A Statement of Trade (SOT) must be lodged with the Responsible Authority at least five days prior to the event. It is the responsibility of the food provider to ensure they have registered and submitted their SOT.**
4. **During the Fire Danger Period (as declared by the CFA), a Local Law Permit must be obtained from Council for any fires bigger than 1 metre high or wide.**
5. **Prior to the commencement of the event, insurance cover must be obtained.**

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

6. **All patrons must be advised by the event organisers that camping is only permitted within the adjoining Cathedral Range State Park by pre-booking and paying for a site online via www.parks.vic.gov.au or by calling 131963.**
7. **Removal of firewood from the Cathedral Range State Park is not permitted.**
8. **A Visitor Guide to the adjoining section of Cathedral Range State Park (Park) should be displayed on a public notice board at the event site, for the benefit of patrons. Visiting the Park is subject to various conditions outlined within the Visitor Guide.**
9. **The dates for the proposed events must be submitted to the Parks Victoria Ranger Team Leader Alexandra office well in advance of the events commencing.**

Background

An application was received to use the land at 140 Granite Park Place Buxton for a Fun Mudder event to be held twice a year (once on Fathers' Day and once in October) in 2018, 2019, 2020, and 2021. The property is in the Farming Zone (FZ) and a planning permit is required for the use of the land for Place of Assembly. The property has a Significant Landscape Overlay – Schedule 1 (SLO1) and a Bushfire Management Overlay (BMO). There is no trigger in the SLO1 or the BMO for the use of the land for Place of Assembly.

The Fun Mudder event is proposed to be held from 10 am to 3.30 pm once a year on Father's Day and once a year in October in 2018, 2019, 2020, and 2021. The total number of people attending the event will be capped at 250, with at least 20 of these people being adult supervisors. It is proposed that there will be two sessions at each event. The morning session will be held from 10 am to midday and an afternoon session will be held from 1 pm to 3 pm, with a maximum number of 115 participants for each session.

The Fun Mudder event is a walk/run challenge, including obstacles such as a mud pit, ground level tyre jumping course, climbing wall, ropes climb, bridge and a rope crossing. The event is

aimed at young people aged 10 to 18 and their parents who are members of the community and wish to participate in an outdoors event.

A planning permit was granted for a one-off 'Fun Mudder' event, which was held on Sunday 22 October 2017, between the hours of 10 am and 2.30 pm. The permit allowed a maximum of 120 patrons and staff on the site at any time. A post-event report was provided by the applicant, who confirmed that 58 people attended the event. All of the conditions of the planning permit were complied with. The current proposal is for two events to be held per year for the next four years. The application is for a maximum of 250 people, but it is proposed to split the event into two sessions so that there will be a maximum of 115 participants and 20 staff on the site at any one time. It is proposed that the event will run for one additional hour than last year's event. The area of the proposed events will generally cover the same area as the previous event, with an additional eight activities throughout the course.

During the advertising period, one submission was received. As this submission has not been withdrawn, Council must determine the outcome of the application.

The Land and Surroundings

The subject site is a 21.37 hectare parcel of land and is generally heavily vegetated. There is a cleared area in the eastern corner of the allotment, with a shed near the centre of the property, in the location of a destroyed dwelling.

The property is bounded by the Cathedral Range State Park to the north, and private, heavily vegetated properties in all other directions. The property is accessed by both South Cathedral Lane and Granite Park Place.

Discussion

The area can be characterised as a rural lifestyle area, with little or no farming undertaken on the land and the surrounding land. The properties are mostly heavily vegetated. The subject site is accessed via South Cathedral Lane in the first instance, then via Granite Park Place.

The proposal is for a one day event, to be held twice per year over the next four years, for a maximum of 250 people. It is proposed to split each event into two sessions, with a maximum number of 115 participants per session, and 20 adult supervisors. The site has the capacity to sustain the use for two days per year, and conditions can be placed on a permit that onsite impacts are managed and remediated if necessary. Conditions would also include requirements for onsite amenities, parking areas, hours of operation and the like to ensure that the event is run in accordance with the Event Management Plan.

The application was considered by the relevant authorities (Goulburn Broken Catchment Management Authority, DELWP and the CFA), and no objections were received subject to various conditions being included on any permit issued for the event. The event is being held outside of the high fire danger period and will be contained on private land.

The objectors raise concerns about the road access and trespassing. While trespassing is a matter for the police and is not a planning consideration, the permit issued for the previous one off Fun Mudder event required the installation of barrier fencing and it is appropriate that this condition be included on any permit issued for future events.

Access is an issue for consideration in this application. South Cathedral Lane has a 4.5 metre pavement width, and a 6.5 metre formed width. Granite Park Place is a narrow unsealed road, with steep sections and tight corners and a 4 metre formed width. There is a section of approximately 400 metres that does not have the capacity to allow vehicles to pass at any point. Council officers have inspected the road and with appropriate traffic management measures (e.g. stop/go controls) this issue can be managed.

The Murrindindi Shire Council Plan supports visitor experiences that promote our natural assets, and a vibrant range of events. The Murrindindi Planning Scheme also supports tourism activities. The Fun Mudder event last year demonstrated that this event is well run and brings visitors to the area and showcases the Cathedral Range State Park and our landscapes. The purpose of the Farming Zone includes ensuring that non-agricultural uses do not adversely affect the use of the land for agriculture. The proposed events are temporary uses that will not impact on the productivity or conservation value of the land. The issues that have been raised can be managed through permit conditions and it is recommended that a notice of decision to grant a permit be issued.

Referrals

The application was referred to the Country Fire Authority, the Goulburn Broken Catchment Management Authority and the Department of Environment, Land, Water and Planning. No objections were received, subject to various conditions (included in the conditions outlined above).

Council Plan/Strategies/Policies

The application has been assessed with reference to the following strategic objectives and strategies in the Murrindindi Shire Council Plan 2017-2021:

- Our Place – ‘through good land use planning enhance the liveability, prosperity and rural character of our Shire’
- Our Prosperity – ‘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 application is being assessed in accordance with the requirements of the *Planning and Environment Act 1987 (Victoria)*.

Financial Implications and Risk

There is no financial risk to Council in this report.

Conflict of Interest

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

Community and Stakeholder Consultation

Nearby and adjoining properties were notified of the application by mail. One submission was received that raised the following issues:

- barrier fencing to prevent trespassing
- deterioration of the pavement of Granite Park Place, due to increased traffic.

Permit conditions have been included to address both of these issues with the requirement for barrier fencing and also restoring the road to the pre event standard.

Planning Considerations

Legal/Policy Issues

State Planning Policy Framework

11.12-1 *A Diversified Economy*

Objective:

- to develop a more diverse regional economy while managing and enhancing key regional economic assets.

Strategies:

- support tourism activities, including nature based tourism, that take advantage of environmental and cultural heritage assets and the rural environment without compromising their future.

12.01 *Biodiversity*

Objective:

- to assist the protection and conservation of Victoria's biodiversity.

Strategies:

- ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity.

12.04-2 *Landscapes*

Objective:

- to protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

Strategies:

- recognise the natural landscape for its aesthetic value and as a fully functioning system
- ensure natural key features are protected and enhanced.

13.05-1 *Bushfire Planning Strategies and Principles*

Objective:

- to strengthen the resilience of communities to bushfire through planning that prioritises the protection of human life.

Strategies:

- prioritise the protection of human life over other policy considerations.

17.03-1 *Tourism*

Objective:

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

Local Planning Policy Framework21.03-3 *Tourism*

Objective 1 - enhance and promote tourism to increase the economic, social and cultural benefits to the municipality.

Strategies:

- Generate sustainable growth in tourism, leveraging Murrindindi Shire's natural assets, proximity to Melbourne and links with neighbouring regions.
- Support and grow tourism that builds upon the strengths of and is linked to the natural environment.
- Facilitate recreational and tourism activities that attract tourists year round.

21.05-1 *Environmental Values*

Objective 1 - develop and promote environmentally sustainable outcomes and protection of the natural environment in the use and development of land.

Strategies:

- Ensure land use and development protects and enhances the natural environment and environmental features and values.

21.05-3 *Landscape and Built Environment*

Objective 1 - protect significant landscapes in planning for the use and development of land.

Strategies:

- Protect the environmental and landscape values of the Lake Eildon and Cathedral Ranges environs.

Zoning35.07 *Farming*
Purpose:

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

Decision guidelines:

general Issues:

- whether the site is suitable for the use and whether the proposal is compatible with adjoining and nearby land uses
- how the use makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses:

- the potential for the use to limit the operation and expansion of adjoining and nearby agricultural land uses.

Environmental issues:

- the impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality
- the impact of the use on the flora and fauna on the site and its surrounds.

A planning permit is required for the use of land for Place of Assembly in the Farming Zone.

Overlays42.03 *Significant Landscape*
Purpose:

- to identify significant landscapes
- to protect and enhance the character of significant landscapes.

Decision guidelines:

- the conservation and enhancement of the landscape values of the area
- protect the nature of the Cathedral Range
- provide that the development of tourism oriented activities complements the special nature of the Cathedral Range

- maintain passive recreational development of the land for the enjoyment of all visitors.

44.06 *Bushfire Management*
Purpose:

- to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

7.2 AMENDMENT C63, CORRECTION OF ANOMALIES

Attachment(s): *Amendment C63 Explanatory Report (refer Attachment 7.2)*

Purpose

This report outlines a series of:

- minor planning scheme changes
- corrections to address various minor anomalies to zoning, overlays and controls.

This report also recommends that Council request authorisation from the Minister for Planning to prepare Amendment C63 and once authorised, exhibit the amendment.

Officer Recommendation

That Council:

1. **request under Section 8A (2) and (3) of the *Planning and Environment Act 1987* that the Minister for Planning authorise Murrindindi Shire Council to prepare Amendment C63 to the Murrindindi Planning Scheme**
2. **notify the Minister for Planning that when it exhibits Amendment C63, Murrindindi Shire Council intends to give full notification of the amendment under Section 19 of the *Planning and Environment Act 1987* for the minimum statutory exhibition period of one month**
3. **when authorised by the Minister for Planning, exhibit Amendment C63 to the Murrindindi Planning Scheme under Section 19 of the *Planning and Environment Act 1987*.**

Background

This amendment comprises a series of corrective changes to fix anomalies and minor, uncontroversial changes.

Most of these changes are corrections to mapping which are generally discovered during discussions with the public e.g. incorrect mapping of heritage overlays and road zonings. Other changes are due to zoning consistency with public uses e.g. school zonings and are supported by the relevant agency.

The additions to the heritage overlay were a request from the local historic society and the changes to the vegetation protection overlay from a member of the public with an interest in environmental issues and the removal of environmental weeds from the Marysville township.

The proposed changes are as follows:

- zoning mapping changes in Acheron, Alexandra, Cheviot, Flowerdale, Kanumbra, Kinglake Central, Kinglake West, Marysville, Taggerty and Yea to align zoning to accord with land ownership and management
- overlay mapping changes for the Heritage Overlay (Alexandra, Strath Creek and Yea), Development Plan Overlay (Yea) and Environmental Significance Overlay (Kinglake

Central and Kinglake West) to align overlay application to accord with land ownership and management

- heritage overlay schedule changes (Alexandra, Strath Creek and Yea) to correctly define existing and new places of heritage significance
- vegetation protection overlay schedule 1 changes (Marysville) to provide relevant and current exemptions from the need for planning permit
- clause 21.05, environment, changes to delete the outdated *Environment Strategy 2011 – 2015* as a reference (policy) document to the planning scheme
- Incorporated documents Schedule change to add the *Advisory List of Environmental Weeds of the Ranges Bioregions of Victoria, Department of Sustainability and Environment, 2009* (as amended) as an incorporated document to the Murrindindi Planning Scheme.

In summary, specific proposals under each type of change are:

Minor Changes

Overlay Maps:

Heritage Overlay maps:

- apply the Heritage Overlay 108 to part of the Yea Showgrounds and Recreation Reserve, Snodgrass Street
- apply the Heritage Overlay 109 to part of the Yea River Parkland, southern side of Goulburn Valley Highway.

Overlay Schedules:

Heritage Overlay Schedule:

- add new HO108 to part of the Yea Showgrounds & Recreation Reserve
- add new HO109 to part of the Yea River Parkland.

Vegetation Protection Overlay, Schedule 1:

- amend the schedule to include additional exemptions in relation to environmental weeds from the need for planning permit.

Local Planning Policy Framework:

- clause 21.05, Environment:
 - amend clause 21.05-1, Environmental Values, delete reference to the *Environment Strategy 2011 – 2015* under further strategic work and reference documents.

Incorporated Documents:

- schedule to clause 81.01:
 - amend the schedule to clause 81.01 to list the document providing exemptions in relation to environmental weeds from the need for planning permit under the Vegetation Protection Overlay 1.

Anomaly Corrections:

Zoning Maps:

Acheron:

- rezone part of 18 Connellys Creek Road, Acheron from Road 1 to Farming
- rezone part of the Maroondah Highway road reserve adjacent to 4415 Maroondah Highway from Farming to Road 1.

Alexandra:

- rezone 12 Cooper and 18 Wattle Street, Alexandra from General Residential 1 to Public Use 3 (Health & Community)
- rezone part of 2227 Goulburn Valley Highway, Alexandra from Public Conservation and Resource to Rural Living.

Flowerdale:

- rezone 3355 Whittlesea – Yea Road, Flowerdale from Public Conservation and Resource to Rural Living
- rezone Crown Land (CA's 4J and 7D, Section C, Parish of Flowerdale) in Whittlesea – Yea Road, Flowerdale from Farming to Public Conservation and Resource and rezone a section of Whittlesea – Yea Road reserve in this vicinity from Farming to Road 1.

Kanumbra:

- rezone sections of the Maroondah Highway from Farming to Road 1 and sections of private land adjacent to 7702 – 7887 Maroondah Highway, Kanumbra from Road 1 to Farming.

Kinglake Central:

- rezone the Middle Kinglake Primary School, 37 Extons Road, Kinglake Central from Public Use 7 (Other public use) to Public Use 2 (Education)
- rezone the Frank Thomson Reserve, 225 Whittlesea – Kinglake Road, Kinglake Central from Farming to Public Park and Recreation.

Kinglake West:

- rezone the Kinglake West Primary School, 1045 Whittlesea – Kinglake Road, Kinglake West from Farming to Public Use 2 (Education).

Marysville:

- rezone 23 & 23A Pack Road, Marysville from General Residential 1 to Public Use 7 (Other public use).

Taggerty:

- rezone part of 3365 Maroondah Highway, Taggerty from Public Conservation and Resource to Farming.

Yea:

- rezone part of 14 Killingworth Road, Yea from Public Conservation and Resource to Farming.

Overlay Maps:**Heritage Overlay:****Alexandra:**

- remove the application of the Heritage Overlay 39 from 35 – 49 Grant, Alexandra.

Cheviot:

- amend the application of the Heritage Overlay to delete HO7 from 242 Cheviot Road, Cheviot.

Strath Creek:

- HO 82, Strath Creek:
 - amend the application of the Heritage Overlay to delete HO82 from part of 7 Fitzgerald Street, Strath Creek.

Environmental Significance Overlay:**Kinglake Central:**

1. remove the application of Environmental Significance Overlay 1 from the Frank Thomson Reserve, 225 Whittlesea – Kinglake Road, Kinglake Central
2. remove the application of Environmental Significance Overlay 1 from the Kinglake Central Primary School, 37 Extons Road, Kinglake Central

Kinglake West:

- remove the application of Environmental Significance Overlay 1 from the Kinglake West Primary School, 1045 Whittlesea – Kinglake Road, Kinglake West.

Development Plan Overlay:**Yea:**

- remove reference to the Development Plan Overlay 2 from part of 85 Lawrances Road, Yea (to effectively only apply the Development Plan Overlay 1 to this section of the land).

Overlay Schedules:**Heritage Overlay Schedule:**

- amend HO32, 'Tree controls apply?' column, to replace reference to 'Yes. Canary island palm' with 'Yes. Mature oak'
- amend HO39, Alexandra Main Street Precinct, in the Schedule to replace reference to '60-100 and 35-97 Grant Street, Alexandra' with '35 Perkins Street and 55, 57 and 60 - 97 Grant Street, Alexandra'
- amend HO82, Uniting Church, in the Schedule to replace reference to '7 Fitzgerald Street, Strath Creek' with '5 Fitzgerald Street, Strath Creek'.

Discussion

An anomaly amendment of this nature is undertaken from time to time to make a series of minor corrections to zoning, overlays and planning controls. The proposed amendment only includes matters that are minor and corrective in nature and does not include any matter that is likely to be controversial.

The changes proposed in the amendment reflect the status quo through the recognition of current land ownership and management and current policy practice. Correct application of zoning and overlays will create certainty for future land use and development for landowners and agencies.

Authorisation to prepare an amendment is required from the Minister for Planning, prior to the exhibition of the amendment. Affected individuals and agencies have the opportunity to make submissions to the amendment.

Council Plan/Strategies/Policies

The amendment is consistent with the Murrindindi Shire Council Plan 2017-2021, in particular the strategic objectives:

- Our Place – 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and the strategy 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'
- Our Prosperity – 'in partnership with the community we will promote an environment in which business and community can thrive'.

Relevant Legislation

Amendment C63 will make changes to the Murrindindi Planning Scheme, which is administered under the *Planning and Environment Act 1987*.

Financial Implications and Risk

The proposed amendment will incur state prescribed amendment fees. There are no other financial or resource risks associated with the proposed amendment.

Conflict of Interest

There are no declared conflicts of interest by Council officers with this proposal or the preparation of this report.

Community and Stakeholder Consultation

Preliminary consultation for the amendment was undertaken regarding sites under public ownership or management with:

- Department of Environment, Land, Water and Planning.
- Department of Education and Training.
- Department of Health and Human Services.
- VicRoads.

All four authorities agreed to and requested changes affecting land under their ownership / management.

Once authorised by the Minister for Planning, the amendment will go on exhibition for a minimum of one month, with advertising in local papers and notice to affected landowners and occupiers where the zoning or overlay mapping changes are proposed or changes to the Heritage Overlay schedule. Notice of the amendment will also be given to all relevant referral authorities and to prescribed ministers.

8. OUR PEOPLE**9. OUR PROSPERITY****10 OUR PROMISE****10.1 QUARTERLY COUNCIL PLAN 2017-2021 PROGRESS SUMMARY – 31 MARCH 2018**

Attachment(s): *Council Plan 2017-2021 March 2018 (refer Attachment 10.1)*

Purpose

This report provides the second quarter summary of progress to date in delivering the actions in the Council's Priority Action Plan 2017/18.

Officer Recommendation

That Council receive the quarterly report ending 31 March 2018 on the status of actions from the Priority Action Plan 2017/18

Background

Council adopted its Council Plan 2017-2021 at the Special Meeting of 21 June 2017. The 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 September 2017 Ordinary Meeting Council adopted the Priority Action Plan 2017/18 which outlines the actions that Council will pursue during the 2017/18 year to implement the four year strategies in the Council Plan.

Both the Council Plan 2017-2021 and the Priority Action Plan 2017/18 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 10.1 provides a brief summary of activity undertaken to date under each of the four strategic objectives relating to Our People, Our Place, Our Prosperity and Our Promise. Reference is made to the action number from the Priority Action Plan 2017/18.

Highlights from the third quarter (January to March) include the following:

Our People

- we have changed the format of our Council Meetings to enable us to formally recognise and celebrate the significant achievements and contributions of people in our community
- we supported Firefoxes Australia through our Community Grants Program to develop and host a Murrindindi Women's Forum, bringing women across Murrindindi together to strengthen connections
- we held a Civic Reception to thank and acknowledge people aged 90 years and over for their ongoing contributions to communities in Murrindindi Shire, with over 140 people attending
- we supported the Steer youth leadership group in Kinglake to coordinate the music stage at the Jayco Herald Sun Tour and Country Fair, supported by Elimatta Youth Services.

Our Place

- we supported the Yea Bowling Club with a Community Grant to establish a new tournament encouraging greater community and visitor participation in the sport
- we completed the fit out and establishment of the Reuse Shops (Scrap Shacks) at the Yea and Alexandra Resource and Recovery Centres ready for their launch in July 2018
- we completed Council's annual road side weed management and slashing programs
- we commenced the building of Murrindindi Shire's bushfire memorials in six locations across the Shire.

Our Prosperity

- we developed and launched the new Murrindindi Business and Tourism Innovation Grants, with a large number of applications received
- we supported two stages of the Jayco Herald Sun Tour in Murrindindi Shire including the televised final stage in Kinglake

- we took part in a meeting with Regional Development Victoria (RDV), DEET and members of the Murrindindi Employers Training Board to investigate options now available to fund industry based training
- we worked with RDV, Goulburn Murray Water (GMW), Goulburn River Valley Tourism (GRVT) and Mansfield Shire Council to support investment to activate the Eildon township, with a particular focus on tourism and recreation.

Our Promise

- we completed the major upgrade of our corporate information management and operating systems
- we commenced our Customer First project to improve Council's customer service delivery, focusing initially on establishing improved management of requests from customers
- we participated in a community forum at Flowerdale with elected representatives from State and Federal Government to better understand local community priorities
- we completed negotiations for a new three-year Enterprise Agreement, with Council staff voting to accept the agreement.

Council Plan/Strategies/Policies

This report is consistent with Council's Our Promise strategic objective in the Council Plan 2017-2021 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 2017-2021 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 Priority Action Plan 2017/18 have been developed with reference to the priorities identified from the community following the 'Have Your Say' community consultation undertaken in February – April 2017.

10.2 CAPITAL WORKS QUARTERLY REPORT - MARCH 2018

Attachment(s): *Capital Works Quarterly Report – March 2018 (refer Attachment 10.2)*

Purpose

This report provides an update on the 2017/18 Capital Works Program (CWP) for the third quarter of the year ending 31 March 2018.

Officer Recommendation:

That Council:

- **note the March 2018 Quarterly Report – Capital Works Program 2017/18**
- **approve the allocation of savings as detailed in this report.**

Background

This report is the third quarter report of the CWP. The period of reporting is from 1 January 2018 to 31 March 2018. The CWP is comprised of those projects endorsed by Council as part of the 2017/18 Capital Works budget, projects identified for carry forward from the 2016/17 program and approved projects that have received grant funding during the financial year.

Discussion

Works undertaken during the third quarter include the procurement and construction phases of the 2017/18 capital works projects.

This report also includes an attachment (*Attachment 10.2*) which indicates the Council officers' level of confidence in projects being completed within the current financial year using a traffic light system. The colours shown highlight the following:

- green – 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
- brown – works completed.

Additional information on projects are presented below:

1. major areas of expenditure for the quarter:

- sealed roads program - \$494,627
- gravel road re-sheeting program - \$516,695
- roads major maintenance - \$106,691
- road safety - upgrade - \$15,000
- bushfire memorials construction - \$63,407
- Yea Regional Saleyards - truck parking - \$62,635
- Marysville and Triangle Arts and Culture - internal refurbishment - \$62,236
- footpath renewal - \$59,195
- path - upgrade - \$40,000
- kerb renewal - \$13,323
- Yea and District Children's Centre - \$26,898
- Kinglake Office and Library – carpet replacement - \$10,824
- Alexandra Visitor Information Centre – carpet replacement - \$8000
- Resource Recovery Centre – upgrade - \$49,000
- swimming pools - \$26,115
- Kinglake Memorial Reserve – drainage - \$15,587
- 13 Webster Street, Alexandra – demolition - \$20,695.

2. projects where physical works are anticipated to commence during the next reporting period (1 April to 30 June,2018):

- Yea Library – carpet replacement

- Alexandra Shire Hall – window furnishings
 - Alexandra Chambers meeting room – lights and window furnishing renewal
 - Yea Recreation Reserve toilet block – renewal
 - Extons Road, Kinglake – footpath, kerb and channel
 - shoulder re-sheeting program
 - Eildon Jamieson Road – Black Spot Program
 - Snodgrass Street, Yea – drainage/kerb and channel construction
 - Eildon Visitor Centre – renewal works
 - Marysville Caravan Park – upgrades and road/drainage
 - Wattle/Pendlebury Street, Alexandra – construction of sealed road
 - Kinglake-Glenburn Road – traffic control measures
 - Frees Bridge – guardrail
 - Acheron Road Bridge – painting
 - Cheviot Tunnel – investigation.
3. projects that are delayed or other significant issues that have arisen which affect the timing or budget for the project:

Yea and District Children's Centre (Stage 1)

The Yea and District Children's Centre (the Centre) is located in a Council owned building situated on Crown Land.

\$325,000 was allocated to the Centre from a successful grant application with an additional \$50,000 contributed by the Centre bringing the total budget for Stage 1 redevelopment to \$375,000. The estimated cost of this redevelopment (provided by a consultant Quantity Surveyor) was \$341,000. The remaining funds were to be used for consultant's fees and project management costs. The initial concept plan and Quantity Surveyor's estimate were funded and procured by the Centre's committee as part of the 2016 grant application.

It was later determined that insufficient allowance had been made for the development of the design and the preparation of tender and construction documents. In addition, the design development revealed the need for significant works to relocate existing services which had not been identified in the development of the initial concept. These factors along with cost escalations have resulted in project costs exceeding the available funding.

A competitive open tender process was undertaken in February 2018 with the lowest priced submission exceeding the required budget by \$116,127.66

It is proposed that Council approve the reallocation to this project of \$116,127 from the 2017/18 capital works budget, realised from savings and from projects no longer required as detailed below:

Project	Description	Savings \$
Kinglake Office and Library	Carpet replacement savings	19,176
Purchase of land - Road Reserve	Purchase of land no longer proceeding	30,000
13 Webster St Alexandra - Demolition	Savings in demolition	9,974
Alexandra Visitors Information Centre	Savings in carpet replacement	4,268
Kinglake Community Centre	Drainage works completed by others	21,823
Yea Pioneer Reserve - renewal	Savings in floor works	2,500
Yea Office & Library - capital renewal	Savings in carpet renewal	386
Eildon Boat Ramp	Fence repairs completed by others	28,000
Total		116,127

4. Projects completed in the March quarter:

- Kinglake Office and Library – carpet replacement
- Alexandra Visitor Information Centre – carpet replacement
- Kinglake Memorial Reserve – drainage
- Resource Recovery Centres - Scrap Shack Yea
- Resource Recovery Centres - Scrap Shack Alexandra
- 13 Webster Street, Alexandra – demolition
- Eildon Swimming Pool – replacement of pump and pipework
- Yea Swimming Pool – replacement of pump
- Marysville Swimming Pool – repairs to fibre glass
- Alexandra Swimming Pool – replacement of pool cleaner.

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. It is also consistent with the Council Plan 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.

10.3 QUARTERLY FINANCIAL REPORT TO 31 MARCH 2018

Attachment(s): 3rd Qtr Financial Report (refer Attachment 10.3)

Purpose

This report provides the quarterly financial report for the period ending 31 March 2018.

Officer Recommendation

That Council receives the Quarterly Financial Report to 31 March 2018.

Background

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

Council has overall accountability for the Council's finances. This comes in two ways. Firstly, the Council is required to prepare and periodically review its long term financial plan. This is called the Strategic Resource Plan and forms part of the Council Plan.

Secondly a Council must prepare and adopt the annual budget. The Council must also receive regular financial reporting. As a minimum a Council must receive a quarterly financial report which compares actual and budget revenues and expenses in each of the four prescribed Standard Statements (refer *Attachment 10.3 - Statements A – D*)

These four Standard Statements are:

- Comprehensive Income Statement
- Balance Sheet (incorporating Changes in Equity)
- Statement of Cash Flow
- Statement of Capital Works.

It is important to note that these Standard Statements are based upon public sector financial reporting, the key principle of which is that Council is required to account for the revenue in the year that it is received rather than when it is expended. As capital works projects and grant funded programs often extend over one financial year, another principle of public sector reporting is that carry forward adjustments need to be made.

Discussion**Annual Council Budget**

The draft quarterly financial statements attached to this report detail Council's financial position as of 31 March 2018 and provide a record of all financial activity that occurred in the past nine months of the 2017/18 financial year. It should be noted that the first quarter report (to September 2017) adjusted for the financial impact of all items carried forward from the 2016/17 financial year. This included items that were budgeted to occur in the 2016/17 financial year that were incomplete or not achieved prior to 30 June 2017.

The second quarter report (to December 2017) detailed additional new grant funded projects approved since the budget adoption and also identified works to be deferred in 2017/18 and carried forward into the 2018/19 Budget. Details of these adjustments were tabled at the 28 February 2018 Ordinary Meeting of Council.

Quarterly Financial Report to 31 March 2018

As previously reported the original budget operating deficit (refer Statement A – Income Statement) was impacted by carry forward adjustments as detailed in the September 2017 budget review, projecting a \$2.66 million operating deficit for 2017/18. With revised grant funding, increased income generation through user fees and operating grants, together with a revision of

all operating and capital expenditure expected by 30 June 2018, Council's revised budget for 2017/18 is now forecasting an operating deficit of \$2.09 million.

It should again be noted that the bulk of the operating deficit results from the advance payment of the 2017/18 Victorian Grants Commission (VGC) funding of \$2,224,000 that was unexpectedly received in the last week of June 2017 and not in the 2017/18 year. Several other grant funded projects not completed at year end improved the June 2017 end of year operating result and increased the levels of cash held by Council. These project budgets will be expended during 2017/18.

The annual revised budget for 30 June 2018 incorporates all adjustments detailed above and included in the attached financial statements.

Balance Sheet (Statement B)

As at 31 March 2018 shows a favourable variance in 'Cash and Cash Equivalents' of \$1,279,116 which is directly related to the year to date operating result variance as presented within the Income Statement. The unfavourable variance of (\$528,436) in 'Property Plant & Equipment' is detailed in Statement D -Capital Works.

'Trade and Other Receivables' year to date are on track with initial budget projections.

Council's debt position has been adjusted to reflect the decision not to borrow an additional \$500,000 in 2017/18, which gives a revised balance as at 30 June 2018 in interest bearing borrowings of \$986,865.

Cash Flow Statement (Statement C)

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

Net cash flow from operating activities in the Cash Flow Statement (a cash view of the operating statement) shows an increase of \$1 million when compared to the adopted budget. The bulk of this adjustment is in revised projections for payments to suppliers and employees, as well as an improved projection in revenue collected from user charges, fines and contributions. Net cash used in investing activities (capital works) shows an overall decrease of \$3.18 million related to carried forward and new grant funded projects. Net cash used in financing activities shows movement in Trust and Deposits, reflecting the high level of funds held for retention of contract works, together with the adjustment of (\$500,000) in proceeds from borrowings.

The overall result with the inclusion of the additional cash of \$5.17 million held at 30 June 2017 as detailed in the first quarter report is reflected in the Balance Sheet with the revised budget for 2017/18 projecting an increase in cash of \$2.11 million, when compared to the original adopted budget.

Non-Discretionary Cash and Council Reserves (Statement E)

Included as part of this report is an additional reconciliation detailing 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. The employee entitlement provision includes a nominal amount of 25% of Council's Annual Leave Liability and 25% of the Long Service Leave Liability as of 30 June 2017. An allowance of \$1.41 million has also been recognised as funding for the operational and capital carry forward adjustments. These funds have been included in the increase in projected cash held as at 30 June 2018.

Councillor Expenses (GST Exclusive):

As required in the Councillor Reimbursement Policy adopted by Council at the February 2017 Ordinary Meeting of Council, the following table details Councillor expenses for the nine month period ending 31 March 2018.

Table 1:

Councillor	Councillor Allowance	Mobile Phone	Training & Professional Development	Accomm. & Travel	Total
Cr C Bisset	\$55,403.83	\$981.81	\$760.22	\$55.45	\$57,201.31
Cr S McAulay	\$18,544.67	\$981.81	\$529.55	\$1,564.27	\$21,620.30
Cr J Ashe	\$18,544.67	\$981.81	\$479.55	\$0.00	\$20,006.03
Cr R Bowles	\$18,544.67	\$981.81	\$529.55	\$711.54	\$20,767.57
Cr L Dunscombe	\$18,544.67	\$981.81	\$529.55	\$5,254.42	\$25,310.45
Cr E Lording	\$18,544.67	\$981.81	\$579.55	\$5,797.37	\$25,903.40
Cr M Rae	\$18,544.67	\$981.81	\$529.55	\$0.00	\$20,056.03
Subtotal	\$166,671.85	\$6,872.67	\$3,937.52	\$13,383.05	\$190,865.09

It should be noted that accommodation and 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.

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 strategy under Our Promise to maintain Council's financial sustainability through sound financial and asset management practices.

Relevant Legislation

The *Local Government Act 1989* (the *Act*) 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

The *Act* requires that Councils give public notice of their annual review of the Council Plan (which includes the Strategic Resource Plan) and also its Annual Budget. All submissions received by Council must be considered, in accordance with section 223 of the *Act*.

10.4 DRAFT ANNUAL BUDGET 2018/19

Attachment(s): *Draft Annual Budget (refer Attachment 10.4)*

Purpose

The purpose of this report is to seek Council's endorsement of the draft Annual Budget 2017-2018 for the purposes of public exhibition in accordance with the *Local Government Act 1989*.

Officer Recommendation

1. **The draft Annual Budget 2018/19 annexed to this resolution and initialled by the Mayor for identification, is the Budget prepared by Council for the purposes of Section 127 (1) of the *Local Government Act 1989***
2. **The Chief Executive Officer be authorised to:**
 - (i) **give Public Notice in the newspapers detailed below of the proposed Budget in accordance with section 129 of the *Local Government Act 1989* and the *Local Government (Finance and Reporting) Regulations 2014***
 - (ii) **make available for public inspection the information required to be made available by the Sections 125, 126 and 129 of the *Local Government Act 1989***
 - (iii) **that pursuant to Section 129(3) (b) of the *Local Government Act 1989*, Council prescribes the following places for display of prescribed information required under Regulation 16:**
 - **Alexandra Council Office, Perkins Street, Alexandra 3714**
 - **Kinglake Council Office, 19 Whittlesea-Kinglake Road, Kinglake 3763**
 - **Yea Council Office, Civic Centre, Semi Circle, Yea 3717**
 - **Eildon Resources Centre Main Street Eildon 3779**
 - **Marysville Visitor Information Centre, 5 Murchison Street Marysville 3779**
3. **Council consider submissions on a proposal (or proposals) contained in the Budget made in accordance with section 223 of the *Local Government Act 1989* at a Special Meeting of Council on Wednesday 13 June 2018 commencing at 6 pm at the Council Chambers in Alexandra**
4. **that following the consideration of all written and verbal submissions, the 2018/19 Budget be presented to a Special Meeting of Council to be held on Wednesday 27 June 2018 commencing at 6 pm at the Council Chambers in Alexandra**

Background

The preparation of the financial budget is part of a cyclical process that begins with the development of the Council Plan, the four-year blueprint for Council activities. Council developed the Council Plan 2017-2021 following consultation with the community. Council has also developed the Strategic Resource Plan (SRP), which ensures resource allocation is able to service Council's long term activities and initiatives. The SRP and its underpinning strategies inform the budget development process. The Annual Budget is a one-year financial plan that considers SRP activities, current influences and any new initiatives.

The Draft Murrindindi Shire Council Budget 2018/19 (the Draft Budget) presented in this report outlines the financial implications of the strategic objectives and initiatives planned by Council, focusing on the coming financial year.

The Draft Budget balances the need to deliver infrastructure and services while also providing the best possible value for residents and recognising the need for careful ongoing financial management.

The Introduction and Executive Summary of the Draft Budget detail the key features of the budget.

Discussion

The Draft Budget ultimately details the resource requirements and project priorities that are in accordance with the key strategic objectives that have been set in the Draft Council Plan 2017-2021.

The Draft Budget has been developed based on the following principles:

- to increase average rates by no more than 2.15%. This is below the average rate increase allowable under the State Government's Fair Go Rates System (which is 2.25% for the 2018/19 financial year)
- to deliver a balanced budget – i.e., a budget where forecast revenue matches forecast expenditure
- to take on no new debt – this will reduce existing debt levels to under \$700,000 by 30 June 2019. This represents the lowest level of absolute debt Council has held in more than a decade
- to not reduce service levels and to improve service levels in some areas where they will have a great impact on the community – e.g. Customer Services and Community Safety (formerly known as local laws)
- to limit increases to all fees and charges (those within Council's control) and to cap any increases to no more than 2.25%, in line with the rate cap.

For 2018/19, the Draft Budget has identified total operating expenditure of \$34.4 million against forecast revenue of \$34.4 million, which will generate a breakeven result – a balanced budget. Council's cash flows will remain very strong with a projected cash increase of \$1.57 million over the year.

For 2018/19, service levels have been maintained in most areas, though additional resources are proposed to be added to the areas of customer service, community safety and community planning to increase service levels. These proposed additional budget features have been made possible through the delivery of greater operational efficiencies internally in our service provision.

It is also proposed to make green waste free to drop off at any of Council's Resource Recovery Centres (RRC) from 1 July 2018 following strong feedback from the community about the popular green waste amnesty program that has previously been in place.

The Draft Budget also provides another allocation of \$280,000 to fund the Business and Tourism Innovation Grants Program that was successfully launched in the current financial year. These grants will help businesses to prosper, and provide opportunities for growth and expansion. The grants will also support staging of events within the Shire which help encourage people to visit and to showcase all the Shire has to offer.

Highlights of the \$7.8 million capital works program that are included in this year's Draft Budget include:

- Yea High Street irrigation upgrade - \$103,000
- Yea Recreation Reserve change room renewal and upgrade - \$65,000
- Kinglake Range Neighbourhood House renewal - \$45,000
- Kinglake Community Centre renewal and upgrade - \$60,000
- Toolangi CJ Dennis Memorial Hall renewal - \$40,000
- Strath Creek Playground shade structure - \$47,000
- Bollygum Park toilets renewal - \$30,000
- Yarck public toilets renewal - \$59,000
- Flagpole installations at all Council offices - \$27,000
- Library book stock renewal - \$100,000
- Roads and bridges renewal & upgrade program - \$3.43 million

It should be noted that the current Draft Budget does not include the final position that Council will need to adopt to manage the local impacts of changes in the international recycling market. Negotiations are currently ongoing with Council's recycling service provider which are anticipated to be finalised before the budget is adopted in June 2018. Any increase in costs associated with recycling services will need to be passed on to rate payers through an increase in the waste service charge that is currently detailed in the Draft Budget.

Local Government agencies across Victoria are advocating for the Victorian Government to be part of a long term solution. The State Government needs to invest the waste levy all councils collect from ratepayers on its behalf to address this complex problem.

Council Plan/Strategies/Policies

The Draft Budget is the financial output of funding annual operations and initiatives detailed in the development Council Plan for 2017-2021.

Relevant Legislation

Council is required under the *Local Government Act 1989* (the *Act*), to prepare and adopt an annual budget. The structure and contents of the budget are legislated under Section 127 of the *Act*.

Financial Implications and Risk

The proposed Draft Budget is fiscally responsible in its scope of discretionary spending. The Draft Budget details how Council can manage its requirement to keep average rate increases below the rate cap of 2.25% legislated by the State Government for 2018/19, whilst providing a responsible and viable financial plan for the ensuing year.

Conflict of Interest

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

Community and Stakeholder Consultation

In accordance with the requirement of the *Act*, Council is required to give public notice that it intends to adopt the Budget and Council Plan. Both documents must be made available for inspection at its offices and on its website for a period of at least 28 days, and submissions invited from members of the public. The Draft Budget and Council Plan will be formally advertised in a range of publications from 1 May 2018, with written submissions called for by 12 pm on 1 June 2018.

The advertising program for the Draft Budget and Council Plan is outlined below:

Newspaper / Other	Publishing Date(s)
<i>Newspaper:</i>	
Alexandra Standard	2 May 2018
Yea Chronicle	2 May 2018
Marysville Triangle	4 May 2018
The Local Paper	2 May 2018
Website	1 May 2018
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre and Marysville Visitor Information Centre	1 May 2018

11. NOTICES OF MOTIONS

12. MATTERS DEFERRED FROM PREVIOUS MEETING**13. URGENT BUSINESS****14. COUNCILLOR AND PORTFOLIO REPORTS****14.1 CR MARGARET RAE - LAND USE PLANNING PORTFOLIO****14.2 CR JACKIE ASHE - ECONOMIC DEVELOPMENT PORTFOLIO****14.3 CR ERIC LORDING - INFRASTRUCTURE AND WASTE PORTFOLIO****14.4 CR LEIGH DUNSCOMBE - CORPORATE AND CUSTOMER SERVICES PORTFOLIO****14.5 CR REBECCA BOWLES - NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO****14.6 CR SANDICE MCAULAY - COMMUNITY SERVICES PORTFOLIO****14.7 CR CHARLOTTE BISSET – MAYORAL REPORT****15. CHIEF EXECUTIVE OFFICER REPORT****16. ASSEMBLIES OF COUNCILLORS****Purpose**

This report presents the records of assemblies of Councillors for 28 March 2018 to 18 April 2018, 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 28 March 2018 to 18 April 2018.

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 assemblies 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 28 March 2018 to 18 April 2018:

Meeting Name/Type		Council Meeting Pre-Brief		
Meeting Date:		28 March 2018		
Matters Discussed:		<ol style="list-style-type: none"> 1. Proposed Dwelling 2. Community Grants Program – October 2017 to February 2018 3. Proposed Road Discontinuance of Part of Smith Street, Yea – Goulburn Valley Water, Yea Water Treatment Plant 4. Council Officer Authorisations Review 5. Tree and Weed Services Panel 		
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 McConnell, M Leitinger, A Bond, J Canny, N McNamara		
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
2	Cr L Dunscombe	No	Yes	Before

Meeting Name/Type		Briefing		
Meeting Date:		4 April 2018		
Matters Discussed:		<ol style="list-style-type: none"> 6. Shire Property Revaluation Presentation 7. Reuse Shop Naming Competition 8. Budget Briefing (incorporating fees & charges) 		
Councillor Attendees:		Cr S McAulay, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording		
Council Officer Attendees:		C Lloyd, S McConnell, M Chesworth, A Kyval, A Bond, S Mortensen, J Reddie, M Leitinger		
Conflict of Interest Disclosures: Nil				

Meeting Name/Type		Briefing		
Meeting Date:		10 April 2018		
Matters Discussed:		<ol style="list-style-type: none"> 1. Fun Mudder Event 2. Amendment C63, Correction of Anomalies 3. Budget Follow-up 		
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, M Chesworth, S McConnell, K Girvan, N McGuire, S Brown, A Bond, S Mortensen, J Reddie		
Conflict of Interest Disclosures: Nil				

Meeting Name/Type		Workshop Wednesday		
Meeting Date:		18 April 20178		
Matters Discussed:		<ol style="list-style-type: none"> 1. Tourism and Business Innovation Grants Program – Overview of Round 1 2. Events/Tourism & Communications Approach Workshop 3. Priority Action Plan 2018/19 Workshop 		
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, M Chesworth (declared an interest in item 1), S McConnell, S Brown, J Rabel, L Wallace		

Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
1	Cr C Bisset	No	No	N/A
1	Cr J Ashe	No	No	N/A
1	Cr S McCauley	No	No	N/A

Council Plan/Strategies/Policies

This matter is consistent with the Council Plan 2017-2017 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 assemblies of Councillors tables listed above.

17. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT 17/4	27 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and The Australian Grinding Company Pty Ltd for Civil Works Panel Contract	Craig Lloyd Cr Charlotte Bisset
CONT 17/33	27 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Currie & Brown (Australia) Pty Ltd for Planning Services Panel	Craig Lloyd Cr Charlotte Bisset
CONT 17/33	28 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Cathkin Vale Pty Ltd for Planning Services Panel	Craig Lloyd Cr Charlotte Bisset
CONT 17/33	29 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and PLC Consulting for Planning Services Panel	Craig Lloyd Cr Charlotte Bisset
CONT17/4	9 April 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Hird Constructions Pty Ltd for Civil Works Panel	Craig Lloyd Cr Charlotte Bisset
SF/123	12 April 2018	S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)	Craig Lloyd Cr Charlotte Bisset
CONT 17/4	12 April 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Quality Roads for Civil Works Panel Contract	Craig Lloyd Cr Charlotte Bisset
SF/2724	16 April 2018	Deed of Variation of Lease, Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Murray Leadbetter t/a ML Accounting Solutions	Craig Lloyd Cr Sandice McAulay

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/2390	16 April 2018	Deed of Variation of Lease, Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Lara Mandeno	Craig Lloyd Cr Sandice McAulay
SF/779	16 April 2018	Deed of Variation of Lease, Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Parks Victoria	Craig Lloyd Cr Sandice McAulay
CONT17/4	16 April 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Plumbtrax Infrastructure Services for Civil Works Panel	Craig Lloyd Cr Sandice McAulay

Officer Recommendation

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

18. 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 report on the Yea and District Children's Centre – Stage One Redevelopment is being considered in the closed part of this meeting because it is considered under S89(2)(d) contractual matter.

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:

- **Yea and District Children's Centre – Stage One Redevelopment**