



AGENDA  
of the  
ORDINARY MEETING OF COUNCIL  
to be held on  
WEDNESDAY 24 JULY 2013  
in the  
ALEXANDRA COUNCIL CHAMBERS  
commencing at  
6.00 pm

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

File: 12/02/19

**3. CONFIRMATION OF MINUTES**

➤ Minutes of the Ordinary meeting of Council held on 26 June 2013.

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

File No: 12/01/06-1

**5. OPEN FORUM****6. PETITIONS RECEIVED BY COUNCIL****7. REPORTS BY ADVISORY COMMITTEES OR SPECIAL COMMITTEES****7.1 ECONOMIC DEVELOPMENT ADVISORY COMMITTEE***(Refer Encl 7.1 – Economic Development Advisory Committee minutes).****Recommendation:*****That the Economic Development Advisory Committee minutes dated 22 April 2013 be received.****8. OFFICER REPORTS****8.1 DEVELOPMENT & ENVIRONMENT****8.1.1 *Kinglake Ranges, Flowerdale and Toolangi Draft Plan Status and Implementation***

File No: 52/02/53

**Purpose:**

The purpose of this report is to update Council with respect to the status and proposed implementation of the Kinglake Ranges, Flowerdale and Toolangi Draft Plan and Design Framework (KFT Draft Plan).

**Recommendation:****That Council:**

- 1) **Continues to seek clarification from the State Government with respect to its direction on the settlement, growth and development directions contained in the KFT Draft Plan,**
- 2) **Endorses the implementation of actions within the KFT Draft Plan concerning the development of Streetscape Design Frameworks for the townships included in the Plan, subject to available external funding.**

**Background:**

The Kinglake Ranges, Flowerdale and Toolangi Draft Plan and Design Framework (KFT Draft Plan) is a vision for a sustainable future for the local communities of Kinglake, Kinglake West-Pheasant Creek, Flowerdale (including Hazeldene) and Toolangi (including Castella). The Draft Plan has been in development since June 2010 and is a key bushfire recovery project for these communities. The Plan is intended to guide population growth, land use and development, infrastructure and service provision, community safety and the character and identity of local communities into the future

The development of the KFT Draft Plan was initially managed by the Victorian Bushfire Reconstruction and Recovery Authority (VBRRA). With the discontinuation of VBRRA in 2011, project management responsibility was transferred to the former Department of Planning and Community Development (DPCD) and Council.

At the Special Meeting of 9 February 2011, Council adopted the KFT Draft Plan for the purposes a public exhibition and submission process. The Draft Plan was placed on public exhibition from 14 February 2011 to 29 April 2011 and 98 submissions were received.

At the Ordinary Meeting of 27 July 2011, the Council resolved to release an Interim Consultation Report which summarised the submissions received and outlined initial responses to those submissions, including proposed changes to the Draft Plan.

The release of the Interim Consultation Report coincided with work being undertaken by the State Government to respond to recommendations of the Victorian Bushfires Royal Commission relating to State Planning Provisions. This included developing bushfire related planning policy and risk mapping work to introduce the new Bushfire Management Overlay (BMO). The Consultation Report was therefore considered "Interim" recognising that a final response to the submissions would be developed and changes made to the KFT Draft Plan once the Council had been advised of the implications on the Plan of the government's new bushfire policy and mapping work.

In November 2011 the State Government released amendments to the State Planning Policy Framework to incorporate new bushfire policy provisions in Victorian Planning Schemes. This included the replacement of the former Wildlife Management Overlay with the new BMO and the elevation of the role of the CFA as a referral authority in assessing development applications.

The KFT Draft Plan remained 'on hold' during this time pending advice from the State Government with respect to the implications of its new state planning policy on bushfire risk on the strategic land use and growth directions contained in the Plan.

In April 2012 the Council and DPCD received a subsequent response to the KFT Draft Plan from the CFA, which acknowledged the Plan was drafted prior to the release of the new state planning policy and that the Plan needed to be revised to ensure consistency. The submission further questioned the justification for any increases in population or development in areas identified as high bushfire risk.

As the Council had not received any advice from the State Government with respect to its response to the KFT Draft Plan or the CFA submission, a letter was sent to the Minister for Bushfire Response, Minister Peter Ryan MP in August 2012 seeking the Government's direction on the future of the Plan. A response received in September 2012 indicated that it had taken longer than expected to confirm the Government's advice with respect to the future development of townships in the area covered by the Plan, however no time frame was provided for resolving the matter.

Following a further eight months without formal advice with respect to the Government's response to the KFT Draft Plan, at the suggestion of Minister Ryan a subsequent letter was sent by Council to Local Member Cindy McLeish MP in June 2013 seeking her assistance in following up the matter on Council's behalf. Council is yet to receive a response to the letter.

At a Peri Urban Group of Council's meeting in June 2013 the Mayor and Chief Executive Officer met with the Minister for Planning Matthew Guy MP and sought advice on the status of the KFT Draft Plan. It was indicated that further information would be provided to Council following the meeting, but this is yet to occur.

In recognition of the long delay in finalising the KFT Draft Plan officers of Council and DPCD met in late 2012 to consider the potential to commence implementation of aspects of the Plan that were not dependent on the Government's response to the settlement or township development (growth) directions in the Plan.

A review of the implementation actions contained in the KFT Draft plan indicated that several had been fully or partially addressed by initiatives that had commenced since the drafting of the Plan. A summary of the status of these actions is contained in Enclosure 1.

One of the Strategic Directions in the Plan (Direction 4) yet to be addressed focuses on the creation of attractive, distinctive and vibrant towns through the following strategies:

- 4.1 *Provide compact and distinct town centres and community hubs that reinforce township identity*
- 4.2 *Enhance landscape character of towns and local settlements through much better integration of landscape and built form and streetscape improvements in town centres*
- 4.4 *Create boundaries around towns and settlements with environmental buffers that help to define the character of townships, improve safety and limit dispersed development that detracts from the rural character of the area.*

Direction 4 provides for the development of detailed Streetscape Design Concepts for the purposes of assisting the Council in delivering appropriately designed streetscape infrastructure.

The applicable actions under direction 4 of the implementation strategy are as follows:

- A4.2 *Implement design frameworks prepared as part of this study to improve the attractiveness and functionality of settlements within the study area. This should also include protection of significant views, vistas and the establishment of landscape buffers*

*A4.4 Improve identity through a comprehensive way finding strategy which includes urban design elements such as community nodes, civic hubs, pathways, gateways and entry features and varied public open spaces.*

Given the anticipated broad appeal amongst the local communities across the Kinglake Ranges to be involved in the development of streetscape design concepts for their townships it is proposed by Council and DPCD that these actions be target for initial implementation.

**Council Plan/Strategies:**

The Council Plan 2013 – 2017 has a Strategy under the Our Environment Goal to review and progress Council's implementation of its Urban Design Frameworks for settlements within the Shire and a year one action to commence implementation of the Kinglake Ranges, Flowerdale and Toolangi Plan and Design Framework.

**Legal/Policy Issues:**

Nil.

**Financial/Resources/Risk**

Grant funds, including funds remaining from the development of the KFT Draft Plan totalling approximately \$130K, are available to allocate to the development of Streetscape Design Frameworks for the five townships included in the Plan. There is requirement for the use of Council funds to undertake this work.

**Discussion:**

In addition to the directions already established in the KFT Draft Plan, there has been strong community interest expressed, particularly within Kinglake and Kinglake West / Pheasant Creek, for works and projects to be undertaken by the community and Council to improve the functioning and appeal of the main township centres and streetscapes.

This has included requests to identify sites for short term and longer term community arts and place-making projects, the clean-up and beautification of the main commercial areas and requests to establish design principles to ensure attractive and appropriate development that preserves local character and identity within the townships.

In order to progress the KFT Draft Plan and respond to the interest within the community, it is proposed to undertake a project to prepare streetscape design frameworks that will guide future design and localised development within the civic precincts of Kinglake, Kinglake West / Pheasant Creek, Flowerdale and Toolangi.

Such a project would consider the following issues for each township:

- the future design, style and type of development and use of land within each township precinct.
- ways to preserve and strengthen the role, identity, character and amenity of the town centres and community hubs / civic precincts.
- the design of streetscape furniture/infrastructure including but not limited to, benches, rubbish bins, lighting, cycle racks and bollards.
- use of illustrative concepts for the business and civic areas of each locality.
- pedestrian and vehicle connectivity between and within settlements and the civic areas
- potential sites to enable temporary and permanent community arts and beautification projects, including guidance for the design, development and use of these sites.

- locational and design guidance for the 'arts – history walk' between Kinglake and Kinglake West.
- road treatments including traffic calming to enhance amenity, safety and access
- welcoming community spaces and quality gateways into / out of civic precincts including signage and wayfinding.
- priorities for future works to be undertaken by the community, Council and state government agencies.
- future implementation program for development and works in civic precincts.

Such a project is yet to be fully scoped and the community is yet to be engaged in the development of the project in any co-ordinated way. Nevertheless it is considered necessary, given the uncertainty of the status of the KFT Draft Plan, that Council formally provides its in-principle support to develop a project concerning the development of Streetscape Design Frameworks for the townships covered in the Plan.

It is also recommended the Council continue to advocate for formal confirmation from the State Government with respect to its position on the future of the strategic directions contained within the KFT Draft Plan.

***Consultation:***

Whilst considerable community consultation was undertaken during the development of the KFT Draft Plan, there has been very little consultation on the Plan since the release of the Interim Consultation Report in 2011.

Officers and Councillors Ruhr and Derwent recently met with several Kinglake and Kinglake West community members representing several community groups including KANDO, Kinglake Rotary, Kinglake Ranges Business Network, Kinglake Arts History Walk Reference Group, Kinglake Visual and Performing Arts Alliance and Kinglake Historical Society to discuss the needs and aspirations of the community for projects to improve the amenity and appeal of streetscapes and public spaces across the Kinglake Ranges. There was strong agreement for the need to co-ordinate the range of initiatives proposed and underway through the development of appropriate planning frameworks.

***Conclusion:***

The provision of a range of high quality streetscape infrastructure and welcoming spaces for the communities of Kinglake, Kinglake West / Pheasant Creek, Flowerdale and Toolangi is part of the vision in the Plan for preserving and strengthening the sustainability of the townships in the Plan.

## **8.2 INFRASTRUCTURE SERVICES**

No new reports.

## **8.3 CORPORATE SERVICES**

### **8.3.1 2013-14 Fees & Charges Amendments**

File No: 24/03/1213A

**Purpose:**

The purpose of this report is to provide Council with information on statutory updates to various Fees and Charges adopted in the 2013-14 Budget on 26 June 2013.

**Recommendation:**

**That Council endorses the amendment to the adopted 2013-14 Fees and Charges Schedule as detailed at Table 1 in this report.**

**Background:**

Generally, Fees and Charges are reviewed annually as part of Council's Budget development process.

Council formally considers Fees and Charges during the adoption of the Annual Budget.

Fees and Charges fall into two distinct categories:

1. Statutory Fees set by other levels of Government; and
2. Fees within Council's jurisdiction to change.

During the development of the Fees and Charges schedule, a number of statutory charges were not known and best estimates were provided and subsequently adopted by Council (26 June 2013). This applied particularly with statutory building charges, which have only been recently set by other levels of Government, post Council's budget process.

In addition Saleyards fees were last reviewed in October 2012. In February 2013 the Yea Saleyards Committee Of Management (COM) recommended fees for use of the sale yards. These were subsequently adopted by Council as part of the 2013-2014 Council Budget. In May 2013 the committee further reviewed their schedule of fees and resolved to amend charge for Agents Fees per head.

**Council Plan/Strategies:**

This report is consistent with the 2013-17 Council Plan Goal 'Our Council' strategic objective to 'administer sound financial management practices.'

**Legal/Policy Issues:**

The development and adoption of an annual budget is a statutory requirement of the *Local Government Act 1989* (the Act).

Section 113 (1)(a) of the Act provides for local laws to determine, via Council resolution, permits, licences, fees and charges or rent in relation to any property, undertaking, goods, service or other act, matter or thing.

**Financial/Resources/Risk**

An overall increase of Fees and Charges was factored into Council's adopted 2013-14 Budget and Strategic Resource Plan.

Formalisation of the 2013-14 annual budget was an essential element of good corporate governance.

**Discussion:**

The amendment required to the Fees and Charges schedule pertain to Building applications and affects the increase in threshold of permits and confirmation of the increase in costs associated with Building Information Certificates, Solicitors enquiries and Building Control Lodgement Fees. Amendment has also been included for a Yea Saleyards charge, as reviewed by the Yea Saleyards COM.



The Fees and Charges proposed for amendment, as detailed below in Table 1.

**Table 1 – Fees and Charges amendments**

Adopted Fees & Charges - 2013-14	Ref	2012-13	2013-14	2013-14 Amendment
<b>Building</b>				
<b>Domestic Building Applications:</b>				
<b>Dwellings additions / alterations</b>				
Up to \$40,000	Per permit	419.00	430.00	
Up to \$120,000 in value ( 4 inspections )	Per permit	-	-	
Up to \$136,000 in value (4 inspections)	Per permit	748.00	766.70	Up to \$154,000 in value (4 inspections)
Over \$120,000 in value (4 inspections )	Per permit	-	-	
Over \$136,000 in value (4 inspections)	Per permit	\$cost / 200 + gst	\$cost / 200 + gst	Over \$154,000 in value (4 inspections)
<b>New Dwellings</b>				
Up to \$200,000	Per permit	-	-	
Up to \$226,000	Per permit	1246.00	1274.00	Up to \$255,000
Over \$200,000	Per permit	-	-	
Over \$226,000	Per permit	\$cost/200 + gst	\$cost/200 + gst	Over \$255,000
e.g. cost of works new dwelling \$250,000 / 200 = \$1,250 + gst + \$30 Lodgement fee + government levy				
<b>Building Commission's Operations Levy</b>				
Modification to siting requirements	Per application	230.00	235.00	
Application to build over easement	Per application	187.00	190.00	
Building Information Certificate	Per certificate	46.45	47.50	47.60
Solicitor's Inquiries	Per inquiry	46.45	47.50	47.60
Complex Property Inquiry - Commercial/Industrial	Per inquiry	74.80	76.50	
Building Control Lodgement Fees (Domestic & Commercial)	Per lodgement	46.45	47.50	35.70

<b>Saleyards</b>				
Yea Saleyard Agent Fees	Per head	0.35	0.45	0.40
Yea Saleyard Fees - Cow & Calf	Per head	7.70	8.20	
Yea Saleyard Fees - Cattle	Per head	6.60	7.40	
Yea Saleyard Fees - Bulls	Per head	8.30	9.00	
Yea Saleyard Fees - Scanning	Per head	2.00	2.00	
Yea Post Breeder Tags	Per head	11.00	30.00	
Yea Non-Sale Day Fee (Private)	Per head	1.00	1.00	
Yea Non-Sale Day Fee (Agent)	Per annum	150.00	250.00	

**Consultation:**

The confirmation of the increase in fees was as advised by the Victorian Building Authority.

**Conclusion:**

It is appropriate to effect an amendment to the Fees and Charges schedule to properly reflect the Fees and Charges set on a statutory basis.

**8.3.2 Presentation of Primary and Ordinary returns**

File No: 12/02/06

**Purpose:**

The purpose of this report is to provide information to Council on special committees (including Section 86) for the purposes of considering exempting members of special committees, who are not Councillors from needing to submit primary and ordinary returns.

**Recommendation:****That Council resolves:**

1. To exempt members (other than Councillors and officers) of the tabled Committees from lodging primary or secondary returns.

<b>Alexandra Tennis Club Committee of Management</b>
<b>Bollygum Park Reserve Committee of Management</b>
<b>Buxton Recreation Reserve Committee of Management</b>
<b>CJ Dennis &amp; Castella Public Hall Reserve Committee of Management</b>
<b>Eildon Alliance Boat Ramp Committee of Management</b>
<b>Eildon Community Resource Centre Committee of Management</b>
<b>Friends of Yea Railway Committee of Management</b>
<b>Gallipoli Park Precinct Committee of Management</b>
<b>Glenburn Community Centre Committee of Management</b>
<b>Kinglake Community Centre Committee of Management</b>
<b>Kinglake Memorial Reserve Committee of Management</b>
<b>Marysville Retirement Village Committee of Management</b>
<b>Mount Pleasant Reserve Committee of Management</b>
<b>Murrindindi Environment Advisory Committee</b>
<b>Strath Creek Pioneer Reserve and Hall Committee of Management</b>
<b>Thornton Recreation Reserve and Hall Committee of Management</b>
<b>Yea Pioneer Reserve Committee of Management</b>
<b>Yea Saleyards Committee of Management</b>
<b>Yea Shire Hall Committee of Management</b>
<b>Yea Showgrounds &amp; Recreation Reserve Committee of Management</b>
<b>Yea Wetlands Committee of Management (part of Yea Wetlands) (John Cummins Reserve – Killingworth) (Park on Yea River)</b>

2. To notify the Special and Section 86 Committees of Management of Council's resolution.

**Background:**

Section 81 of the *Local Government Act 1989* (the Act) requires Councillors, nominated members of Council staff and members of special committees to lodge primary and ordinary returns.

Any person who is a member of a special committee of Council must lodge primary and ordinary returns. This applies to the members of any committee with delegated Council powers, duties or functions under the *Local Government Act* or any other Act, including the *Planning and Environment Act 1987*.

Under Section 81 (2A) of the Act, the Council may exempt a member of a special committee, who is not a Councillor from this responsibility. Under Section 81 (2B) the Council must review any exemptions in force under subsection (2A) within the period of 12 months after a general election.

The following are committees that Council would be applying the exemption to:

Alexandra Tennis Club Committee of Management
Bollygum Park Reserve Committee of Management
Buxton Recreation Reserve Committee of Management
CJ Dennis & Castella Public Hall Reserve Committee of Management
Eildon Alliance Boat Ramp Committee of Management
Eildon Community Resource Centre Committee of Management
Friends of Yea Railway Committee of Management
Gallipoli Park Precinct Committee of Management
Glenburn Community Centre Committee of Management
Kinglake Community Centre Committee of Management
Kinglake Memorial Reserve Committee of Management
Marysville Retirement Village Committee of Management
Mount Pleasant Reserve Committee of Management
Murrindindi Environment Advisory Committee
Strath Creek Pioneer Reserve and Hall Committee of Management
Thornton Recreation Reserve and Hall Committee of Management
Yea Pioneer Reserve Committee of Management
Yea Saleyards Committee of Management
Yea Shire Hall Committee of Management
Yea Showgrounds & Recreation Reserve Committee of Management
Yea Wetlands Committee of Management (part of Yea Wetlands) (John Cummins Reserve – Killingworth) (Park on Yea River)

**Council Plan/Strategies:**

This proposal aligns with the Council Plan 2013-2017 Goal – ‘Our Council’ – Customer Service strategic objective to ‘Continue to improve our processes to enhance the efficiency and effectiveness of the organisation.’

Compliance to laws enacted under the *Local Government Act 1989* is crucial in exercising good governance principles.

**Legal/Policy Issues:**

Council may exempt a member of a special committee, who is not a Councillor, from the responsibility of submitting a primary or ordinary return in compliance with Section 81(2A) of the Local Government Act and exemptions must be reviewed within 12 months after a general election. Notwithstanding the proposed exemption, at the start of each board meeting, the chairperson (or presiding member) must ask if any committee member present has an interest (that is, a private interest or a duty to another organisation) in respect to any matter on the agenda. Any member with an interest must declare that interest by fully disclosing and describing to the Committee the interest and the conflict that may result from it.

**Financial/Resources/Risk**

Failure to provide returns as required under Section 81 (2A) of the Act can result in significant financial penalties for Councillors and or members of special committees.

**Discussion:**

Council reviewed and resolved to exempt the members of Section 86 and special committees in January 2011 from needing to lodge primary and ordinary returns.

To ensure that the Council is not breaching the requirements of the *Local Government Act, 1989*, it is essential that Council resolves that the members, excluding Councillors, of the above mentioned committees are exempt under Section 81 (2A) of the Local Government Act from needing to submit primary and ordinary returns, or requiring them to do so.

Some members may find the requirement to lodge returns onerous and it might deter them from joining Committees. Over the next few months, many Section 86 Committees will be holding annual general meetings, so it is opportune to address the matter of lodging returns or otherwise, in order to advise new Committee members.

The Bollygum COM has been included in the list of committees to be exempted on the basis that, although disbanded, a formal resolution needs to be obtained with regard to the committee winding up. Up and until that point, the committee is obligated to lodge primary or ordinary returns unless otherwise exempted.

It has been past practice of Council to exempt committee members other than Councillors from the requirement to lodge primary and secondary returns.

**Consultation:**

The information collected has been directly from the Act and Local Government Victoria's "Practicalities" publication on lodging ordinary returns. If Council were to require committee members to lodge primary and ordinary returns extensive consultation would be required with the committee.

**Conclusion:**

Review of the exemption of lodgement of primary or ordinary returns prior to October 2013 will ensure Council's compliance with the Act and provide appropriate exemption for special committees of Council.

**8.3.3 Yea Wetlands Committee of Management – Amendment of Delegation**

File No: 42/55/04 & 42/55/02

(Refer Encl 8.3.3 - Plan of Area)

**Purpose:**

The purpose of this report is to seek Council's support to amend the delegation of the Yea Wetlands Committee of Management (YWCoM) by excising an area to provide for future management arrangements of the proposed incorporated body for the Y Water Centre Management Committee.

**Recommendation:**

**That Council resolves to amend the delegation of the Yea Wetlands Committee of Management by excising an area to provide for future management arrangements of the Y Water Centre Management Committee, as shown on Enclosure 8.3.3 - Plan of Area.**

**Background:**

Council has endorsed the construction of an interpretive and visitor information centre at the Yea Wetlands.

It is intended that the Centre be managed by a proposed incorporated body (Y Water Centre management Committee) under a lease arrangement.

As the area on which the Centre is being established is presently managed by delegation from Council to the YWCOM, this area needs to be excised from the YWCOM's delegation.

The attached plan shows the existing area delegated to the YWCOM, the area that Council as Committee of Management is responsible for and the area to be excised.

**Council Plan/Strategies:**

This agenda item addresses the fourth action in the 2013 – 2017 Council Plan under the Our Economy – Tourism Development Theme to support the establishment of the accredited Visitor Information Centre as part of the Y Water Centre at Yea Wetlands.

**Legal/Policy Issues:**

The excising of the Y Water Centre site from the YWCOM will return management responsibilities for the area to Council and it is intended that Council will lease the site to the Y Water Centre Management Committee under a Section 17D *Crown Land (Reserves) Act 1978* Lease.

**Financial/Resources/Risk**

There are no financial implications associated with this report.

**Discussion:**

Council supports the incorporation of the proposed Y Water Centre Management Committee as the body responsible for the day to day arrangement of the Y Water Centre. Council will continue to work with the proposed management committee to develop the necessary lease arrangements for operation of the Y Water Centre and with the Memorandum Of Understanding that will provide guidance as to the management and operation of the Visitor Information Centre (VIC).

Specifically, the Sect 17D *Crown Land (Reserves) Act 1978* Lease with Council as the Landlord and the Y Water Centre Management Committee as the Tenant will specify the obligations of both parties particularly in relation to use of the premises, term, maintenance, insurance and improvements.

**Consultation:**

Officers have met on several occasions in recent months with a group consisting of representatives of the Yea Wetlands Committee of Management, the Yea Wetlands Trust and the Yea and Business Tourism Association to progress the development of the governance and financial model for the operations of the Y Water Centre. These discussions have been ongoing.

**Conclusion:**

The amended delegation of the YWCOM will provide a practical solution for future management arrangements of the Y Water Centre.

### **8.3.4 Buxton Recreation Reserve Committee of Management Membership Endorsement**

File No: 25/03/02

#### **Purpose:**

The purpose of this report is for Council to consider endorsement of Mr John Moore as a member of the Buxton Recreation Reserve Committee of Management in accordance with Section 86(2) of the *Local Government Act 1989* and item 6.4 of the Committee's Charter.

#### **Recommendation:**

**That Council endorse Mr John Moore as a member of the Buxton Recreation Reserve Committee of Management as a community representative.**

#### **Background:**

The Buxton Recreation Reserve Committee Of Management is a Special Committee appointed under Section 86 of the *Local Government Act 1989*.

The Charter of the Buxton Recreation Reserve Committee Of Management (COM) allows for a membership of seven community representatives. Following retirement of one of its members, there was a need for the COM to advertise for a new member in order to return the composition of the COM to full strength. A vacancy for one member was duly advertised in the Marysville and Triangle News for several weeks. A General Meeting was held on 9 May, 2013 to consider applications to the vacant position. The COM did not receive any written nominations, so it called for nominations from the floor at the meeting. Consequently the Buxton Recreation Reserve COM endorsed Mr John Moore as a committee member.

In accordance with the Charter, the COM is seeking Council endorsement of Mr John Moore as a member of the Buxton Recreation Reserve Committee of Management.

#### **Council Plan/Strategies:**

This report is consistent with the Council Plan 2013-2017 Goal – "Our Council" – to provide effective governance that supports the aspirations of our community.

#### **Legal/Policy Issues:**

The Council's endorsement is a requirement of the COM's Charter (item 6.4) and is in accordance with Section 86(2) of the *Local Government Act 1989*.

#### **Financial/Resources/Risk**

There are no financial/resource/risk implications associated with the appointment of a new member to the Buxton Recreation Reserve COM.

#### **Discussion:**

The Buxton Recreation Reserve COM endorsed Mr John Moore's nomination as a member of the committee at its General Meeting on 9 May 2013. In seeking Council's endorsement the COM is adhering to its obligations under its Charter. Council's endorsement of the membership will align with the COM's wishes, failure to endorse Mr John Moore as a member will leave a vacancy and result in non compliance with the COM's charter.

#### **Consultation:**

The COM arranged advertising for the membership vacancy as follows:

<b>Newspaper / Other</b>	<b>Publishing Date(s)</b>
<b>Marysville and Triangle News</b>	Editions in April / May

**Conclusion:**

It is important from a statutory perspective that Council endorse the membership of the COM and from a community perspective that Council support the Buxton Recreation Reserve Committee of Management in its operations.

**8.3.5 Marysville Retirement Village S86 Committee of Management - Revocation**

File No: 06/05/01

**Purpose:**

The purpose of this report is to seek Council's support for the revocation of the Instrument of Delegation for the Section 86 Marysville Retirement Village Committee Of Management (COM).

**Recommendation:****That Council resolves:**

- 1. To revoke the existing delegation of the Marysville Retirement Village Committee of Management**
- 2. That the former Committee of Management return to Council all administrative records, financial reports and undertake closure of the bank account.**
- 3. To recognise and thank the Marysville Retirement Village Committee of Management.**

**Background:**

The Marysville Retirement Village was constructed by Council in the mid 1980s, comprising 11 units and a village hall (community building). The village was established under the Retirement Villages Act and subsequently as a body corporate plan under the Subdivision Act.

The Marysville Retirement Village Committee of Management has operated since 11/12/1985, at the time Council had a high level of ownership of the Village and subsequently the Committee ensured management of the Council owned assets and related issues.

In 1996, Council sold the residential component via subdivision and retained ownership of Unit 5 (which was recently sold), Units 7 & 8 under caveat to the Department of Housing and the site of the Village Hall. In 1997 the Marysville Retirement Village Residents Association Inc. was appointed the management agent by Council to manage the day to day operations.

The Marysville Retirement Village was totally destroyed in the February 2009 Bushfires.

In 2010 the Marysville Retirement Village Residents Association Inc resolved not to rebuild the Village Hall as part of the overall rebuild. Council excised the Village Hall land and has intentions to sell all three Council owned units.

The Marysville Retirement Village Residents Association Inc. have set in motion the process to cancel its incorporation citing that the association is now redundant, as the 15 year agreement expired in July 2012. The Marysville Retirement Village Residents Association Inc currently only has two office bearers and is supportive of the move to revoke the instrument of delegation for the Committee of Management.

A registered Body Corporate has existed for some time and will continue to exist to manage the common property between the various units at the village.

**Council Plan/Strategies:**

Consistent with the Council Plan 2013-2017 goal – ‘Our Council’ – to provide effective governance that supports the aspirations of our community.

**Legal/Policy Issues:**

The Marysville Retirement Village Committee of Management operates as a Section 86 Special Committee under the *Local Government Act 1989*.

**Financial/Resources/Risk**

The revocation of the existing delegation to the Marysville Retirement Village Committee of Management will allow resources (staff, Councillor and Community) to be directed to higher priorities.

In the event that the Section 86 delegation is revoked by Council, the COM will be required to forward to Council all administrative records, financial reports and undertake closure of the bank account.

**Discussion:**

As the circumstances that surrounded the appointment of the Committee are no longer relevant and given the reduction of Council assets through the sale of residential components, the permanent closure of the Village Hall and the sale of Unit 5, the management objectives of the Marysville Retirement Village Committee of Management have diminished to the extent that continued operation is no longer warranted.

**Consultation:**

The Marysville Retirement Village Residents Association Inc has been kept informed and are supportive of the revocation.

**Conclusion:**

The inactivity of the Committee since 2008 justifies its revocation, and the Marysville Retirement Village Residents Association supports this approach. The Association is also in the process of disbanding.

**8.3.6 Supplementary Valuations**

File No: 62/02/04

*(Supplementary valuations summary forwarded to Councillors under separate cover for privacy reasons)*

**Purpose:**

This report seeks to advise Council of the supplementary valuations for the 2012-2013 financial year.

**Recommendation:**

**That the supplementary valuations of the Murrindindi Shire Council for the period 1 July 2012 to 30 June 2013 as contained within this report be noted by Council.**

**Background:**

This report provides a summary of supplementary valuations processed throughout the financial year, provided by rate category.



**Council Plan/Strategies:**

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

**Legal/Policy Issues:**

Supplementary Valuations are made under Section 13DF of the *Valuation of Land Act 1960*. All supplementary valuations returned are certified by the Valuer General.

**Financial/Resources/Risk:**

In 2012-13 Council budgeted for 1% growth or \$112,038 from supplementary valuations,

As part of the December 2012 Quarterly Review, rate revenue projections were increased by \$0.203M from \$12.286M to \$12,489M.

At June 2013, Council achieved \$288,955 in rate revenue from supplementary valuations. This is \$176,917 above original budget estimates of \$112,038. The figure of \$176,917 was net of a write back adjustment for \$28,514, representing the effect of the State Government buy back scheme. The affected properties are now currently listed as non-rateable.

The bulk of the additional revenue is attributed to a back log of Supplementary Valuations processed in the fourth quarter of 2011-12, which has not been included in the 2012 Revaluation figures used in the preparation of the 2012-13 Budget.

**Discussion:**

A summary of the valuation movement for rate adjustment is outlined in the Table below, which details the net increase in rate category Capital Improved Valuations (CIV) and subsequent flow on effects of increased rate revenue.

	<b>Budget 2012-2013</b>	<b>01/07/2012 - Revaluation 2012</b>	<b>30/06/2013</b>	<b>Capital Improved Valuation movement</b>	<b>Rate Movement \$</b>
Residential	1,476,593,000	1,494,833,000	1,499,198,000	4,365,000	74,037
Commercial	154,426,000	156,332,000	156,021,000	-311,000	5,204
Rural 1	1,092,545,000	1,140,185,000	1,141,608,000	1,423,000	115,303
Rural 2	699,471,000	726,455,000	729,426,000	2,971,000	90,557
Municipal Charge					3,854
<b>Totals</b>	<b>3,423,035,000</b>	<b>3,517,805,000</b>	<b>3,526,253,000</b>	<b>8,448,000</b>	<b>288,955</b>

**Conclusion:**

It is appropriate at the conclusion of a financial year to recognise the supplementary valuations processed throughout the 2012-13 financial year and bring them to account.

### 8.3.7 Rates and Charges Abandoned

File No: 44/03/03

**Purpose:**

This report seeks approval for rates and charges to be abandoned for the 2012-2013 financial year.

**Recommendation:**

**That the rates and charges for the properties as listed in this report be abandoned for the financial year 2012-2013.**

**Background:**

This report provides a summary of rateable properties to which Council has granted an exemption from rates. Organisations that wish to apply for exemption from Council Rates may do so at any time on an annual basis. The exemption recognises the charitable and community nature of the organisations serving in the Murrindindi Shire.

**Council Plan/Strategies:**

This report is consistent with the strategy within the Council Plan Goal 'Community' to facilitate improved quality of life for Murrindindi communities.

**Legal/Policy Issues:**

Exemption can be granted under Section 154(2) C of the *Local Government Act 1989* for properties that are utilised exclusively for charitable purposes.

**Financial/Resources/Risk:**

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

**Discussion:**

The following listing represents properties for which General Rates and Municipal Charges totalling \$7,288.20 are proposed to be abandoned for the financial year 2012-2013 and they are listed for approval.

**Table 1 – Schedule of organisations applying for exemption of Council rates**

Assessment	Name
23	Alexandra Opportunity Shop Inc.(48 Grant Street, Alexandra)
1518	Eildon Opportunity Shop (12A Main Street, Eildon)
32	Berry Street Victoria ( 58 Grant Street, Alexandra)
4296	Berry Street Victoria ( 1/58 Grant Street, Alexandra)
91	Alexandra Life Centre (118 Grant Street, Alexandra)
70	Friends of the Library (1/99 Grant Street, Alexandra)
6069	Kinglake Ranges Neighbourhood House (Op Shop) Kinglake (3 Kinglake Glenburn Road, Kinglake)
5775	St Luke's Opportunity Shop (76 High Street, Yea)
9178	Marysville Opportunity Shop (4/19 Murchison St, Marysville)

**Conclusion:**

The above listing represents properties for which General Rates and Municipal Charges totalling \$7,288.20 are proposed for abandonment in respect of the financial year 2012-2013 due to the community and charitable nature of the organisations concerned.

**8.4 COMMUNICATIONS AND ENGAGEMENT****8.4.1 Township Entrance and Community Event Frames Guidelines policy**

File No: 58/06/20-1

**Purpose:**

This report provides broad event guidelines for the Murrindindi Shire for Council endorsement and to facilitate a range of tourism, traders and residents groups to monitor events signage in the five major service centres of Alexandra, Eildon, Yea, Kinglake and Marysville.

The guidelines were adopted by Council on 26 October 2011 and are required to be reviewed.

**Recommendation:**

- 1. That Council adopt the reviewed township entrance and community event frames guidelines as attached in *Enclosure 8.4.1 - Township Entrance and Community Event Frames Guidelines Policy*.**
- 2. That the policy is again reviewed in 2017.**

**Background:**

Council in 2011 adopted policy guidelines for the promotion of events on town entry signage and event/ service club signage at its five service centres at Alexandra, Eildon, Kinglake, Marysville and Yea.

The policy has been revised and while there are no major changes, the policy still allows Council to delegate monitor/policing powers to a range of community organisations.

**Council Plan/Strategies:**

The report supports the Council Plan 2013-2017 strategies in the following areas:

- Our Economy:** We will increase the economic, social and cultural benefits to the Shire of a growing tourism sector.
- Our Community:** We will encourage inclusive, creative and resilient communities
- Our Community:** We will actively engage with our communities to increase participation and community input

**Legal/Policy Issues:**

While there will be a mechanism in place for monitoring events signage in larger towns, the use of the signs in smaller communities will be on first served basis.

The guidelines will however provide a means for the removal of signs in smaller towns if they do not meet certain criteria.

Council would be delegating monitor/policing powers to a range of community organisations.

**Financial/Resources/Risk**

The costs associated with the administration of this system are minor and will be absorbed into existing budget provisions.

**Discussion:**

The initial guidelines were developed following approaches from a range of key stakeholders to have a uniformed approach to erecting materials to promote a range of events held across the shire.

Town entrance and community service club frames allow community groups a range of options financially to promote events that have the ability to attract people to various regions of the shire.

It also allows a number of events to be promoted concurrently in the service centres of Alexandra, Eildon, Kinglake, Marysville and Yea.

The monitoring of events signage at the above locations has been served by organisations that in many ways assist with events in their respective towns. This approach has also alleviated the need to provide extra Council resources for the booking and monitoring of the frames.

The guidelines provide for a consistent approach to event promotion and provide a mechanism for community/ event organisers to have a set locality to highlight events and public activities.

The revised policy deals only with event signage guidelines and not service club signage as that has been dealt with previously.

**Consultation:**

The policy has been sent to those organisations who are currently the contacts for the signage. One change has been requested with the Alexandra Tourism and Traders Association requesting the Alexandra Visitor Information (VIC) centre be the contact in Alexandra. The Alexandra VIC has supported the request.

**Conclusion:**

By supporting the revised policy, Council will have tangible guidelines to support event promotion across the shire.

**9. SEALING REGISTER**

<b>File Reference</b>	<b>Date Seal Affixed</b>	<b>Description of Documents</b>	<b>Signatures of Persons Sealing</b>
24/13/1305	21/06/2013	Formal Instrument of Agreement between Murrindindi Shire Council and Darjelyn Constructions Pty Ltd for Y Water Centre, Yea.	M Abbey J Walsh
32/05/82	27/06/2013	Sublease between Murrindindi Shire Council (Landlord) Martin Dixon, Minister for Education for and on behalf of the State of Victoria (Tenant and Murrindindi Shire Council (Subtenant) (Kinglake Early Learning Centre)	M Abbey C Challen
3/2011/40	1/07/2013	Section 173 Agreement between Murrindindi Shire Council and Yea Views Pty Ltd, Property: Lot 6 on Plan of Subdivision 11368 Lawrances Road, Yea	M Abbey

<b>File Reference</b>	<b>Date Seal Affixed</b>	<b>Description of Documents</b>	<b>Signatures of Persons Sealing</b>
32/06/09	10/07/2013	Tripartite Deed between Murrindindi Shire Council, Rural Housing Network Limited and Director of Housing for transfer of equity for Coster Street units, Alexandra.	Cr M Rae M Abbey

**Recommendation:**

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

**10. COUNCILLOR PORTFOLIO REPORTS**

10.1 LAND USE PLANNING PORTFOLIO

10.2 ECONOMIC DEVELOPMENT PORTFOLIO

10.3 INFRASTRUCTURE AND WASTE PORTFOLIO

10.4 COMMUNITY SERVICES PORTFOLIO

10.5 CORPORATE SERVICES PORTFOLIO

10.6 NATURAL ENVIRONMENT &amp; CLIMATE CHANGE PORTFOLIO

10.7 MAYOR AND DELEGATED COMMITTEE REPORTS

10.8 GENERAL BUSINESS

**11. MATTERS DEFERRED FROM PREVIOUS MEETING****12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN****13. ASSEMBLIES OF COUNCILLORS**

File No: 12/01/06

**Purpose:**

This report presents the records of assemblies of Councillors for the 13 June 2013 to 3 July 2013, for Council to note in accordance with Section 80A of the *Local Government Act 1989 (the Act)*.

**Recommendation:**

**That Council receives and notes the record of assemblies of Councillors for 13 June 2013 to 3 July 2013.**

**Background:**

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

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

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

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

**Summary:**

<b>Meeting Name / Type</b>	Councillor Briefing Session
<b>Meeting Date</b>	20 June, 2013
<b>Matters discussed</b>	1. Municipal Public Health and Wellbeing Plan 2. Taggerty Project
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Magner, Cr Kennedy, Cr Challen	Staff – M Abbey, T Johnson, N McNamara
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Special Meeting of Council
<b>Meeting Date</b>	20 June 2013
<b>Matters discussed</b>	1. Budget Submissions 2. Council Plan Submissions
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Magner, Cr Kennedy, Challen	Staff – M Abbey, R Cherry, T Johnson,
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Economic Development Advisory Committee
<b>Meeting Date</b>	24 June 2013
<b>Matters discussed</b>	1. Economic Development Strategy Implementation Plan 2. Business Investment Prospectus 3. Goulburn River Valley Tourism update. 4. Advancing Country Towns Project update
<b>Attendees:</b> Councillors – Cr Walsh, Cr Challen.	Staff – M Chesworth, B Elkington, L Wallace, Anne Leadbeater
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Council Meeting
<b>Meeting Date</b>	26 June 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. C43 – Heritage Study Implementation</li> <li>2. Adoption of Budget 2013-14</li> <li>3. Community Grants</li> <li>4. Sale of land and buildings</li> </ol>
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Derwent, Cr Kennedy, Cr Challen	Staff – M Abbey, R Cherry, S Mortensen, M Chesworth, T Johnson, M Crane, M Parsons
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Advancing Country Towns Steering Committee
<b>Meeting Date</b>	2 July, 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. ACT Statewide Overview</li> <li>2. Update on the Industry Development and Business innovation initiative.</li> <li>3. Update on the Skills, Training and Workforce Development Initiative</li> <li>4. Update on the Early Years Initiative</li> </ol>
<b>Attendees:</b> Councillors – Cr B Magner, Cr M Rae	Staff – M Abbey, M Chesworth, A Leadbeater
<b>Conflict of Interest disclosures - Nil</b>	
<b>Meeting Name / Type</b>	Councillor Briefing
<b>Meeting Date</b>	3 July, 2013 2013
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. NBN Co Presentation</li> <li>2. Waste Services Review</li> <li>3. Regional Development Australia Fund</li> <li>4. Presentation of Primary and Ordinary Returns</li> <li>5. Murrindindi 2030 Vision</li> </ol>
<b>Attendees:</b> Councillors – Cr Walsh, Cr Rae, Cr Derwent, Cr Magner, Cr Kennedy, Cr Challen	Staff – M Abbey, J Canny, M Leitinger, T Johnson, M Chesworth, R Cherry
<b>Conflict of Interest disclosures - Nil</b>	

#### **14. URGENT BUSINESS**

#### **15. CONFIDENTIAL ITEMS**

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

- **YEA SHIRE HALL BUILDING TENDER**

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.