



MINUTES  
of the  
ORDINARY MEETING OF COUNCIL  
held on  
WEDNESDAY 25 JUNE 2014  
in the  
ALEXANDRA COUNCIL CHAMBERS  
commencing at  
6.00 pm

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**1. PRAYER & RECONCILIATION STATEMENT**

The meeting was opened with Prayer and reading of the Reconciliation Statement.

**2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

TRIM: SF/306

Cr Derwent conveyed an apology.

**RESOLUTION:**

Cr C Challen / Cr J Kennedy

That Council accept the apologies of Cr Derwent.

**CARRIED**

***Present:***

Crs M Rae (Chair), C Challen, J Kennedy, B Magner, C Ruhr, J Walsh

***In attendance:***

Chief Executive Officer: Margaret Abbey

General Manager Corporate and Community Services: Michael Chesworth

General Manager Infrastructure and Development Services: Tamara Johnson

Manager Business Services: Andrew Bond

Manager Communications Library & Customer Service: Jacqui Rabel

Statutory Planning Co-ordinator: Karen Girvan

**3. CONFIRMATION OF MINUTES**

➤ Minutes of the Ordinary meeting of Council held on 28 May 2014

➤ Minutes of the Special meeting of Council held on 11 June 2014

***Recommendation:***

**That the Minutes of the Ordinary meeting of Council held on 28 May 2014 be confirmed.**

**RESOLUTION:**

Cr J Walsh / Cr C Challen

That the Minutes of the Ordinary meeting of Council held on 28 May 2014 be confirmed.

**CARRIED**

***Recommendation:***

**That the Minutes of the Special meeting of Council held on 11 June 2014 be confirmed.**

**RESOLUTION:**

Cr C Challen / Cr J Kennedy

That the Minutes of the Special meeting of Council held on 11 June 2014 be confirmed.

**CARRIED**

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

TRIM: SF/783

The following Councillors declared a conflict of interest:

Cr C Challen an interest in Item 8.3.6

Cr J Kennedy an interest in Item 8.3.6

Cr J Walsh an indirect interest in Items 8.3.6 and 8.5.1

**5. OPEN FORUM**

TRIM: SF/130

**The Chairperson declared Open Forum and invited questions from the Gallery.**

John O'Brien, spoke in support of his application for a proposed development on Goulburn Valley Highway, Alexandra (Item 8.1.12 on the agenda).

Gabrielle O'Brien, spoke in support of the application for a proposed development on Goulburn Valley Highway, Alexandra (Item 8.1.2 on the agenda).

John Cooper, spoke regarding his concerns regarding access on Docking Lane at the proposed development on Goulburn Valley Highway, Alexandra (Item 8.1.2 on the agenda).

Dr Crompton, spoke against the proposed development on Goulburn Valley Highway, Alexandra (Item 8.1.2 on the agenda).

Tony Nido, spoke in support of the proposed development on Goulburn Valley Highway, Alexandra (Item 8.1.2 on the agenda).

Peter Tait, representing his father, queried costs associated with and duration of the permit for the proposed development on the Goulburn Valley Highway, Alexandra (Item 8.1.2 on the agenda).

**The Chairperson closed Open Forum.**

**6. PETITIONS RECEIVED BY COUNCIL**

TRIM: SF/132

**No petitions received.**

**7. REPORTS BY ADVISORY COMMITTEES OR SPECIAL COMMITTEES****7.1 AUDIT ADVISORY COMMITTEE MEETING**

*(Refer Encl 7.1 – 2014-05-22 Audit Advisory Committee Meeting Minutes)*

**Recommendation:**

That the Minutes of the Audit Advisory Committee Meeting held on 22 May 2014 be received.

**RESOLUTION:**

Cr J Walsh / Cr C Ruhr

That the Minutes of the Audit Advisory Committee Meeting held on 22 May 2014 be received.

**CARRIED**

**8. OFFICER REPORTS**

**8.1 DEVELOPMENT & ENVIRONMENT**

**8.1.1 2013/231 – 47 Wylie Street, Taggerty – Two Lot Subdivision**

File No: 2013/231  
 Land: 47 Wylie Street TAGGERTY 3714  
 Proposal: Two (2) lot subdivision  
 Applicant: EL Leary  
 Zoning: Township  
 Overlays: None  
 Attachments: Application details (*Refer Encl 8.1.1* (aerial photograph and submissions distributed separately))

**Locality Plan**



**Purpose:**

This report recommends that a notice of decision to grant a permit be issued for a two (2) lot subdivision at 47 Wylie Street, Taggerty.

**Recommendation:**

**That Council issue a notice of decision to grant a permit for a two (2) lot subdivision at 47 Wylie Street, Taggerty (SEC: 9 C/A: 1, Parish of Taggerty), subject to the following conditions:**

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

- (8) Prior to the issue of a Statement of Compliance, the developer must upgrade the access along the government road reserve up to the driveway entry to proposed Lot 1 from the end of the Coomb Street incorporating earthworks, pavements, drainage, road side furniture/signage and environmental treatment in accordance with requirements of Councils' Infrastructure Design Manual Table 6 - RURAL ROAD CHARACTERISTICS - Rural Living Access Road:
- 4.0m gravel pavement 200mm depth with
  - 1.5m wide shoulders 150mm depth) and
  - standard drawing SD 600 and
  - must terminate with a turning area sufficient to accommodate a service vehicle moving in a forward motion.
- all to the satisfaction of the Responsible Authority.
- (9) Prior to the issue of a Statement of Compliance for the subdivision, the developer must provide a vehicle crossing to provide ingress and egress to each lot to the satisfaction of the Responsible Authority. The location for crossings must be delineated with a rural road number. Location details must be included on the works plan submitted for approval and be in accordance with Council's Infrastructure Design Manual Section 12.9.2 - Rural Vehicle Crossings and standard drawing SD 255.
- (10) Prior to the issue of the Statement of Compliance the developer must fence, at its own cost, the boundary of the allotments abutting road areas. Such fencing is to be constructed to the standard required by the Responsible Authority, and must be constructed on the correct boundary alignment.
- (11) Before any works associated with the subdivision start, detailed construction plans must be prepared in accordance with requirements of the Infrastructure Design Manual and approved to the satisfaction of the Responsible Authority. All works constructed or carried out must be in accordance with those plans.
- (12) Prior to the commencement of works an application for consent to work on the road reserve is required to be made. Any works on existing road reserves shall comply with the requirements of the Road Management Act 2004 and Regulations.
- (13) Prior to the issue of a Statement of Compliance by the Responsible Authority, the developer must undertake or cause to be provided in accordance with the requirements of the Responsible Authority the following:
- full construction of all new access works and drainage (as applicable);
  - Where Council assets are created the maintenance of all constructed works for a period of 3 months from the agreed date of Practical Completion. The Defects Liability period for the new works shall be 12 months. Council will only accept the works at the end of the 12 months Defects Liability period if there is no damage to any infrastructure and all of the work meets Council requirements.
  - Lodgement of a refundable 5% maintenance bond for the duration of the maintenance period
  - payment to the responsible authority of a supervision fee to a maximum of 2.5% of the actual cost of construction, the amount to be determined by the Responsible Authority (the subdivider must submit a copy of the Construction Contract Schedule, for verification of the amount by Council);
  - payment to the responsible authority of a engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority;

- **issue of a Final Completion Certificate by Council's Engineering Section, for the acceptance of access construction, etc;**
  - **Infrastructure details formatted in accordance with council asset management requirements for each new asset to be maintained by Council.**
- (14) **Prior to any works being undertaken in the road reserve, the application must seek with Murrindindi Shire Council the cancellation of a portion of or all of unused road licence 0903426, to be cancelled under *Section 407 Land Act 1958*.**
- (15) **Prior to the statement of compliance, the Department of Environment and Primary Industries must be informed of the upgrading and maintenance responsibilities for the road reserve.**

**NOTATIONS:**

Nil.

**Proposal:**

The proposal is for a two lot subdivision in Wylie Street, Taggerty which creates a 6883 square metre lot fronting Wylie Street, which includes the existing dwelling, and a 4060 square metre vacant lot fronting an unnamed road reserved to the rear.

**The Land & Surroundings:**

The subject land currently contains a dwelling and shed fronting Wylie Street. The property is in the Township area and is characterised generally by dwellings and shedding on larger lots. The property is bounded by Wylie Street to west, and unnamed road reserve to the east. To the north is a private property with a single dwelling and to the east is a road reserve and the river reserve for Little River.

**Referrals:**

The application was referred to the Department of Environment and Primary Industries, and internally to Council's Infrastructure and Assets Department and Environmental Health Unit.

No objections have been received, subject to various conditions.

**Consultation:**

The application was notified to 6 nearby and adjoining owners, by way of a sign on the site and with a notice in the Alexandra and Eildon Standard. One objection was received. The objection can be summarised as follows:

- Lizzie Lane (as it is locally known) is a single lane road.
- Road should be upgraded.
- There is a dust problem in Taggerty.
- Subdivision will cause an increase in traffic.
- Gates on road should be removed so that they can access their pump on the river.
- Vehicles should be able to turn around at the end of the road.

In response to the objection, the applicant was asked to provide a response addressing the concerns raised. The response stated that the applicant would comply with council requirements in relation to the road, and would not be sealing it.

In light of the objection and the response, a draft permit was prepared, and sent to all parties. The draft permit required that the unnamed road reserve would need to be upgraded to a 4 metre wide gravel road, with 1.5 metres shoulders, from the start of the road to the entrance to



the new lot. It was also a condition of the draft permit that provision be made for vehicles to turn around at the end of the formation.

The objection was not withdrawn on the basis of the above proposed planning permit conditions.

<b>Newspaper / Other</b>	<b>Publishing/Consultation Date(s)</b>
<b>Newspaper: Alexandra and Eildon Standard</b>	22 January 2014
<b>Consultation: Sign on Site</b>	22 January 2014 – 5 February 2014
<b>Mail out: Nearby and adjoining owners</b>	22 January 2014

### **Planning Considerations:**

The application is for a two lot subdivision only. The state and local planning policies both support infill development within existing townships, and the application has addressed and met all the relevant standards of Clause 56 *Residential Subdivision*. The main considerations for this subdivision are whether the lot can contain effluent within the boundaries of the property, and how the vacant allotment will be accessed. The application was supported by a Land Capability Assessment, which has demonstrated compliance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The existing dwelling will continue to be accessed from Wylie Street, and the vacant lot will be accessed by the unnamed road reserve at the rear. The unnamed road reserve to the rear is currently under a crown land lease, and the Department of Environment and Primary Industries have advised that this lease will need to be cancelled to enable construction of the road. The land fronting Wylie Street has been subject to a number of subdivisions over time. This has increased the number of properties accessing off both Coomb Street and the unnamed road reserve to the rear incrementally. Council's Infrastructure Assets Department has recommended that the requirements of the Infrastructure Design Manual (IDM) be applied, and the road will need to be upgraded in accordance with this. The submitter has advised that while this is sufficient for the unnamed road reserve, the standard of Coomb Street is also not adequate.

When the unnamed road reserve is upgraded, the ongoing management of the road will become the responsibility of Council and will be managed in accordance with the *Road Management Act 2004* and Council's Road Management Plan.

The issue of potentially upgrading to require sealing of Coomb Street was discussed with Council's Infrastructure Assets Department, and it was recommended that this level of upgrade would not be a reasonable request for a two lot subdivision. Coomb Street is a trafficable 4 metre wide formed gravel road. Without any road frontage of the subdivisional allotment to Coomb Street, construction requirements on this section of road would be difficult to justify.

When considering the application in context, the proposal is to create one additional lot only. Council officers consider that the requirements proposed are equitable and reasonable, and are in accordance with the IDM. The proposal is in accordance with the requirements of the zone, and addresses all the relevant policies in the Murrindindi Planning Scheme.

### **Conclusion:**

The proposal is in accordance with the requirements of the Murrindindi Planning Scheme, and is an appropriate infill development opportunity for Taggerty. The infrastructure standards

applied to this application are in accordance with the Infrastructure Design Manual, and are a fair and reasonable requirement for the scale of the development.

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

#### **State Planning Policy Framework**

##### 11.05-4 Regional planning strategies and principles

Objective: To develop regions and settlements which have strong identity, are prosperous and are environmental sustainable.

Strategies:

- Limiting urban sprawl and directing urban growth into existing settlements, promoting and capitalising on opportunities for urban renewal and redevelopment.

#### Local Planning Policy Framework

##### 21.09 Other townships strategies

Strategies and objectives:

- Minimising environmental impacts from growth of unserviced settlements.

##### 21.12 Reference Documents

*Infrastructure Design Manual*, Infrastructure Design Manual Steering Group

The IDM is a reference document in the Murrindindi Planning Scheme, and works to the unnamed road reserve will be done in accordance with the IDM. As such, there is a potential cost to Council for the ongoing maintenance of any road constructed in accordance with the IDM.

##### 22.03 Townships

Objectives:

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

##### 22.03-2 Effluent disposal and water quality

Objectives:

- Ensure water quality is not affected by the development.
- Prevent the discharge of effluent off site.

#### Zoning

##### 32.05 Township Zone

Purpose:

- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.

Decision Guidelines:

- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The scale and intensity of the development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The pattern of subdivision and its effect on the spacing of buildings.

#### Particular Provisions

##### 56 Residential Subdivision

Purpose: To achieve residential subdivision outcomes that appropriately respond to the site and its context for infill sites within established residential areas.

**RESOLUTION:**

Cr C Ruhr / Cr J Walsh

That Council issue a notice of decision to grant a permit for a two (2) lot subdivision at 47 Wylie Street, Taggerty (SEC: 9 C/A: 1, Parish of Taggerty), subject to the following conditions:

- (1) The subdivision must be in accordance with the endorsed plan. This endorsed plan can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.
- (2) This permit shall expire if all stages of the plan of subdivision hereby permitted are not certified within two (2) years of the date hereof or any extension of such period, the Responsible Authority may allow in writing on an application made before or within six months after such expiry.
- (3) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- (4) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- (5) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
- (6) The owner of the land must enter into an agreement with:
  - A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- (7) Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - A suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- (8) Prior to the issue of a Statement of Compliance, the developer must upgrade the access along the government road reserve up to the driveway entry to proposed Lot 1 from the end of the Coomb Street incorporating earthworks, pavements, drainage, road side furniture/signage and environmental treatment in accordance with requirements of Councils' Infrastructure Design Manual Table 6 - RURAL ROAD CHARACTERISTICS - Rural Living Access Road:
  - 4.0m gravel pavement 200mm depth with
  - 1.5m wide shoulders 150mm depth) and

- standard drawing SD 600 and
  - must terminate with a turning area sufficient to accommodate a service vehicle moving in a forward motion.
- all to the satisfaction of the Responsible Authority.
- (9) Prior to the issue of a Statement of Compliance for the subdivision, the developer must provide a vehicle crossing to provide ingress and egress to each lot to the satisfaction of the Responsible Authority. The location for crossings must be delineated with a rural road number. Location details must be included on the works plan submitted for approval and be in accordance with Council's Infrastructure Design Manual Section 12.9.2 - Rural Vehicle Crossings and standard drawing SD 255.
- (10) Prior to the issue of the Statement of Compliance the developer must fence, at its own cost, the boundary of the allotments abutting road areas. Such fencing is to be constructed to the standard required by the Responsible Authority, and must be constructed on the correct boundary alignment.
- (11) Before any works associated with the subdivision start, detailed construction plans must be prepared in accordance with requirements of the Infrastructure Design Manual and approved to the satisfaction of the Responsible Authority. All works constructed or carried out must be in accordance with those plans.
- (12) Prior to the commencement of works an application for consent to work on the road reserve is required to be made. Any works on existing road reserves shall comply with the requirements of the Road Management Act 2004 and Regulations.
- (13) Prior to the issue of a Statement of Compliance by the Responsible Authority, the developer must undertake or cause to be provided in accordance with the requirements of the Responsible Authority the following:
- full construction of all new access works and drainage (as applicable);
  - Where Council assets are created the maintenance of all constructed works for a period of 3 months from the agreed date of Practical Completion. The Defects Liability period for the new works shall be 12 months. Council will only accept the works at the end of the 12 months Defects Liability period if there is no damage to any infrastructure and all of the work meets Council requirements.
  - Lodgement of a refundable 5% maintenance bond for the duration of the maintenance period
  - payment to the responsible authority of a supervision fee to a maximum of 2.5% of the actual cost of construction, the amount to be determined by the Responsible Authority (the subdivider must submit a copy of the Construction Contract Schedule, for verification of the amount by Council);
  - payment to the responsible authority of an engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority;
  - issue of a Final Completion Certificate by Council's Engineering Section, for the acceptance of access construction, etc;
  - Infrastructure details formatted in accordance with council asset management requirements for each new asset to be maintained by Council.
- (14) Prior to any works being undertaken in the road reserve, the application must seek with Murrindindi Shire Council the cancellation of a portion of or all of unused road licence 0903426, to be cancelled under *Section 407 Land Act 1958*.

- (15) Prior to the statement of compliance, the Department of Environment and Primary Industries must be informed of the upgrading and maintenance responsibilities for the road reserve.

**NOTATIONS:**

Nil.

**CARRIED**

**8.1.2            *Development Plan, Goulburn Valley Highway, Alexandra***

REF:            14/14555 (58/02/12-14)

(Refer *Encl 8.1.2a* – Summary of submissions, *Encl 8.1.2b* – Draft Development Plan, *Encl 8.1.2c* – Appendix 1 and *Encl 8.1.2d* –Appendix 2)

***Purpose:***

To advise Council of the development and exhibition of the *Development Plan, Goulburn Valley Highway, Alexandra* and recommend the approval of the plan.

***Recommendation:***

**That Council approve the *Development Plan, Goulburn Valley Highway, Alexandra* as attached as *Enclosure 8.1.2* to this report.**

***Background:***

A proposed *Development Plan, Goulburn Valley Highway, Alexandra*, has been prepared by the Tomkinson Group (on behalf of one of the three affected landowners) to guide the future layout, development, servicing and use of land in the low residential zone at the northeastern edge of the Alexandra township.

The development plan area affects three properties, 2291, 2381 & 2401 Goulburn Valley Highway, that were rezoned to Low Density Residential under Amendment C14 (gazetted in July 2006) with the Development Plan Overlay (DPO) also applying to the land. The DPO requires that a development plan be prepared and approved for affected land prior to any planning permit being issued for subdivision or development.

***Council Plan/Strategies:***

The development plan is consistent with the Our Environment goal in the Murrindindi Shire Council Plan 2013-2017, specifically in relation to the strategic objectives and directions relating to planning for urban growth:

- Implement ongoing changes and improvements to the Murrindindi Planning Scheme (MPS)

***Legal/Policy Issues:***

There are no legal or policy issues associated with this proposal. The proposed development plan implements future low density residential development on land already zoned for this purpose and is a procedure consistent with the Planning and Environment Act.

***Financial/Resources/Risk***

There is no financial resource risk to Council associated with this proposed development plan. The draft plan has been prepared externally and further refined using staff resources.

**Discussion:**

A draft development plan is also substantially progressed for the Wattle Street area adjoining to the west. Proposed plans for both the Wattle Street and Goulburn Valley Highway areas have been coordinated, particularly in relation to internal road linkages and with the protection of native vegetation and natural features.

The proposed *Development Plan, Goulburn Valley Highway, Alexandra* includes the following key features:

- Protection of native vegetation along Dockings Lane.
- Separate access or potential access of all three separately owned parcels of land onto the Goulburn Valley Highway, allowing independent development if required.
- Use of a common exit point on the eastern side of the land onto the Goulburn Valley Highway at the intersection of Dockings Lane, with this intersection to be upgraded prior to development to VicRoads standards.
- Provision of two internal east – west roads (one linking with the adjoining Wattle Street development plan to the west) and provision of a circuit road to the south, meeting fire risk concerns raised by the CFA.
- Protection of waterways and native vegetation.
- An ability for future lots to be determined in accordance with land characteristics and capability, with 41 lots initial lots being indicated south of Dockings Lane at 2291 Goulburn Valley Highway in the range of 0.51ha to 2.09ha, with an average lot size of approximately 1.04 hectare.

The attached summary of submissions outlines the following main issues raised to the exhibited plan, with the following officer recommendations:

- Native vegetation: Add a performance measure for native vegetation to better recognise and protect native vegetation on private land and the protection of waterways.
- Road layout and construction:
  - Include a second east-west road link in the northern section of the land subject to the development plan;
  - Amend the road in the southern section of the exhibited development plan to be a circuit road rather than dead end road;
  - Delete direct road access onto the Goulburn Valley Highway in the northwestern section of the plan, allowing only emergency fire egress at this point.
- Services: Add a performance measure to provide appropriate services and infrastructure.
- Wastewater: Add a performance measure to provide onsite wastewater to meet current standards and to provide minimum setbacks of 60 metres from waterways.
- Recreation reserve: Remove proposed recreation reserve in the western section of the land on the northern side of Dockings Lane.
- Other changes: Make minor changes to the exhibited plan, including reformatting and extension of the proposed life of the plan from 10 to 15 years.
- Residential use / density of development: This issue cannot be met as the land was rezoned in 2006 to Low Density Residential, giving certainty for this use. The zone has a minimum subdivision size of 0.4 hectare without reticulated sewerage.

The submissions to the development plan are substantially supported with recommendations reflecting the changes that were requested. These changes have strengthened the development plan and incorporated further safety, infrastructure and environmental measures. Concerns that focussed on the zoning of the land and the ability to subdivide cannot be addressed in this development plan. These issues were previously dealt with when approving the rezoning of this land in 2006.

The attached development plan has included all of these recommendations and changes.

**Consultation:**

The proposed development plan was advertised to affected and nearby landowners, with notification given to relevant agencies. The draft plan was exhibited, with eight submissions from private landowners and seven submissions from agencies / departments. A summary of submissions, with recommendations, is attached.

**Conclusion:**

The proposed development plan will provide guidance for landowners, Council and service authorities in identifying the appropriate layout, subdivision and development of the land for low density residential purposes. It is considered appropriate that the development plan be approved, subject to changes, in accordance with this report.

**RESOLUTION:**

Cr J Walsh / Cr C Challen

That Council

1. approves the *Development Plan, Goulburn Valley Highway, Alexandra as attached as Enclosure 8.1.2 to this report.*
2. advocates strongly to VicRoads to facilitate a further access to Goulburn Valley Highway on the North Western Section of the subdivision.

**CARRIED**

Cr B Magner expressed concerns regarding this development due to the impact on lifestyle of neighbouring residents.

**8.1.3            *Review of the Local Planning Policy Framework, Murrindindi Planning Scheme***

REF:            14/14376 (58/04/21)

(Refer Encl 8.1.3 - Local Planning Policy Framework)

***Purpose:***

The purpose of this report is to seek endorsement of the draft Local Planning Policy Framework to the Murrindindi Planning Scheme to be exhibited for informal public and agency comment.

***Recommendation:***

**That Council endorses the draft Local Planning Policy Framework to the Murrindindi Planning Scheme attached as Enclosure 8.1.3 for release for informal public and agency comment for a period of four (4) weeks.**

***Background:***

In 2013, Council undertook a review of the Murrindindi Planning Scheme under Section 12B of the Planning and Environment Act. This review is effectively a monitoring of the scheme, with recommendations for its ongoing improvement. In implement this review, Council is now

revising the local strategy / policy component (known as the Local Planning Policy Framework) of the planning scheme.

A draft Local Planning Policy Framework for the Murrindindi Planning Scheme has been prepared for comment. This framework only proposes to revise local planning strategies and policies and does not amend any planning zoning, overlays or other controls.

**Council Plan/Strategies:**

The review is consistent with the Our Environment goal in the Murrindindi Shire Council Plan 2013-2017 specifically in relation to the following strategic objectives:

- Complete a review of the Municipal Strategic Statement to establish directions that align to the Council Plan.
- Implement ongoing changes and improvements to the Murrindindi Planning Scheme.

**Legal/Policy Issues:**

Council has satisfied its statutory obligations under Section 12B of the Planning and Environment Act to review its planning scheme no later than one year after it has approved a Council Plan. Council is now proposing new planning scheme strategy and policy content that, when approved, will amend policy directions.

**Financial/Resources/Risk**

There is no financial resource risks to Council associated with this revision. The draft Local Planning Policy Framework is being prepared in-house by Council staff. The overall review will assist in prioritising Councils future land use resources / budget allocations.

**Discussion:**

The draft Local Planning Policy Framework has considered and incorporated:

- The proposed statewide review of the format and content for planning schemes, proposed for introduction later in 2014.
- Advice and format in a state practice note for drafting planning schemes.
- Inclusion of current Council Plan directions and content (including broad themes of economic development, housing, environment and transport and infrastructure to align with Council Plan themes as best as possible).
- Alignment with other Council corporate policy documents (the economic development, environment and public health and wellbeing plans).
- Input from councillors and relevant Council staff.
- Revised strategy and policy content of the scheme to reflect current policy positions through the removal of redundant detail and policy and inclusion of some revised strategies and policies.
- A strategic basis upon which to base current planning controls and to guide future land use planning projects.
- Framework plans for the municipality and major towns (Alexandra, Eildon, Kinglake, Marysville and Yea), attached as part of the municipal vision.

The draft Local Planning Policy Framework will be complemented by the following future amendments to the planning scheme, all of which will be completed in 2014:

- Inclusion of the adopted *Kinglake Flowerdale Toolangi Plan*, which will undertaken by the Minister for Planning.
- Inclusion of the adopted *Hume Region Strategy and Growth Plan*, which will undertaken by the Minister for Planning.



- Inclusion of the adopted *Yea Structure Plan*, when completed. The framework plan for the main Yea township area from this plan has been included for discussion in the draft Local Planning Policy Framework.

**Consultation:**

An informal exhibition period of four (4) weeks is proposed to seek community and agency input, including input from the Department of Transport, Planning and Local Infrastructure.

A community consultation plan has been developed and identified the following opportunities for engagement and consultation on the draft LPPF:

- A press release published in locally circulating press throughout the exhibition period.
- Notice on Council's website and in Council offices / libraries.
- Direct notification of all relevant agencies.
- Direct notification of key interest groups and land use planning professionals.

Following informal exhibition, the draft Local Planning Policy Framework will be completed and reported to Council for endorsement for exhibition as a formal amendment to the planning scheme. This exhibition would be for a minimum of one month, providing formal rights to comment on the proposal and, if necessary, give rights for objectors to be heard before an independent planning panel.

**Conclusion:**

A revised Local Planning Policy Framework will provide a current strategic and policy framework to guide land use planning at local level. It is considered appropriate to place the draft framework on informal exhibition for four (4) weeks to seek community and agency input.

**RESOLUTION:**

Cr C Ruhr / Cr C Challen

That Council endorses the draft Local Planning Policy Framework to the Murrindindi Planning Scheme attached as Enclosure 8.1.3 for release for informal public and agency comment for a period of four (4) weeks.

**CARRIED**

**8.2 INFRASTRUCTURE SERVICES**

No further reports.

**8.3 BUSINESS SERVICES****8.3.1 Procurement Policy Review**

REF: 14/14302

(Refer Encl 8.3.1 – Procurement Policy)

**Purpose:**

The purpose of this report is to seek Council's adoption of the revised Procurement Policy in accordance with Section 186A (7) of the *Local Government Act 1989* ("the Act")

**Recommendation:**

**That Council adopts the revised Procurement Policy as contained in Enclosure 8.3.1.**

**Background:**

Council's Procurement Policy was last reviewed in May 2013. It is a requirement under Section 186A of the *Local Government Act 1989* that a Council must review the current procurement policy at least once in every financial year.

**Council Plan/Strategies:**

Under the Council Plan 2013-17 theme of Customer Service there is a key strategy for Council to continue to improve its processes to enhance the efficiency and effectiveness of the organisation.

**Legal/Policy Issues:**

Annual Review of Council's procurement policy is required under Section 186 of the Act.

Section 186A states:

- 1) A Council must prepare and approve a procurement policy.
- 2) A Council must within 12 months after the commencement of section 67 of the *Local Government Amendment (Councillor Conduct and Other Matters) Act 2008* prepare and approve a procurement policy.
- 3) A procurement policy must include any matters, practices or procedures which are prescribed for the purposes of this section.
- 4) A Council must have regard to guidelines made under subsection (5) in preparing a procurement policy.
- 5) The Minister may make guidelines with respect to the form or content of a procurement policy.
- 6) Guidelines made under subsection (5) must be published in the Government Gazette.
- 7) At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.
- 8) A copy of the current procurement policy must be available for inspection by the public -
  - a) at the Council office; and
  - b) on the Council's Internet website.
- 9) A Council must comply with its procurement policy.
- 10) In this section procurement policy means the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council."

**Financial/Resources/Risk**

Council is now required to report on its compliance with Sec 168A of the Act as part of the new Local Government Performance Reporting Framework that commences for the 2014/15 financial year.

**Discussion:**

The updated Procurement Policy has not changed substantially from Council's current policy (*refer Enclosure 8.3.1*). The changes to the policy have been to bring it into line with Council's current policy format and to eliminate redundant or duplicated clauses. This latter change brings the draft policy more into line with the MAV Model Procurement Policy.

The key changes are as follows:

**Section 1 (Purpose)** – A duplicate definition of the purpose was removed.

**Section 2 (Rationale)** – Three dot points aligning Council's rationale with the MAV stated rationale for best practice for local government have been removed.

**Section 3 (Scope)** – All definitions and abbreviations that were previously included as an attachment to the policy have now been included at Section 3.2. This is in line with the new MAV recommendations to include these definitions within the body of the policy. A definition relating to "procurement" has also been included.

**Section 4 (Policy)** – Sub-sections that were included in the previous version, relating to Conduct of Tenderers and Disclosure of Information were suggested in the MAV policy guide as redundant, and have as such been removed.

**Sections 6, 7 and 8** of the previous version of the policy have now been consolidated into one section, **Section 4**, in accordance with the new MAV policy guide and in order to make the structure of the document more readable.

The governance relating to the policy, previously noted as a sub-section, has also been moved to **Section 7**, to highlight the importance of this with regard to the management and implementation of the policy outcomes.

It is also proposed that a comprehensive review of the current procurement policy and its principles will occur in 2014/15, which will fully encompass the strategic directions that Council is taking towards cost efficiencies and the use of tender processes (both internally and externally managed). The context of local business support that is directed by Council's procurement policy is also requiring wider consultation in order to reflect all of Council's objectives within the Council Plan 2013-17.

**Consultation:**

No consultation is required to update this policy.

**Conclusion:**

The endorsement of this reviewed policy will support compliance with the Section 186A of the *Local Government Act 1989*.

**RESOLUTION:**

Cr C Ruhr / Cr J Walsh

That Council adopts the revised Procurement Policy as contained in Enclosure 8.3.1.

**CARRIED**

**8.3.2 Friends of Yea Shire Hall Advisory Committee Terms of Reference**

File No: SF/1708

(Refer Encl 8.3.2 – Yea Shire Hall Advisory Committee Terms of Reference)

**Purpose:**

The purpose of this report is to seek Council's adoption of the proposed Terms of Reference for the Friends of Yea Shire Hall Advisory Committee (the "Committee").

**Recommendation:**

**That Council resolves to adopt the Friends of Yea Shire Hall Advisory Committee Terms of Reference as contained in Enclosure 8.3.2.**

**Background:**

In 2007 the Yea Shire Hall Section 86 Committee of Management was introduced by Council to manage the Yea Shire Hall on behalf of Council. In August 2013 after consultation with the Committee of Management Council revoked the Instrument of Delegation for the Committee of Management with the intention of establishing a Friends of Yea Shire Hall Advisory Committee to coincide with the newly renovated Hall.

**Council Plan/Strategies:**

The development of the Friends of Yea Shire Hall Advisory Committee is consistent with the Asset Management Strategic Objective in the Council Plan 2013-2017 to engage with the community on the development of infrastructure and the Customer Service Strategic Objective to build on communication and engagement with the community.

**Legal/Policy Issues:**

Council can establish an Advisory Committees under the *Local Government Act 1989* (the 'Act') to provide advice to Council. Terms of Reference are put in place to ensure that Council and the members understand the purpose and scope of the Committee.

**Financial/Resources/Risk**

The Friends of Yea Shire Hall Advisory Committee will not be delegated by Council to manage any of the financial responsibilities for the Hall. The Committee will be established to provide advice only and any proposed actions will need to go to Council for resolution at the discretion of the Chief Executive Officer.

**Discussion:**

Council can establish an Advisory Committee to provide advice to Council, any of Council's Special Committees or a member of Council delegated under section 98 of the *Local Government Act 1989*. To ensure that the purpose and the principles for the Committee are clear to Council and the members of the Committee, the Friends of Yea Shire Hall Advisory Committee Terms of Reference has been developed. The Terms of Reference (attachment 1) outline the purpose of the Committee, the membership, nomination process and the general scope to guide outcomes of the meetings.

The key objective of the Committee is to provide advice on the following:

- (a) Promotion of the Hall for local and visiting users / groups/ events;
- (b) Opportunities to attract and grow utilisation of the Hall and facilities;
- (c) Grant opportunities for the Hall use, equipment and events;
- (d) Fundraising initiatives for the Hall;
- (e) Relevant Council policies and procedures including but not limited to operational matters and fee structure;
- (f) Standards of general maintenance and upkeep of the Hall;
- (g) Economic sustainability of the Hall; and
- (h) Any other matters pertaining to the use, promotion and management of the Hall

The proposed membership includes seven members of the community and one Councillor (non-voting). Once the Committee has been formed meeting dates and times will be set. The Committee will be responsible for ensuring that the minutes are submitted to Council. The

minutes will be submitted to Council as part of the Ordinary Meeting process at the discretion of the Chief Executive Officer.

The Chairperson and Secretary positions will be elected annually by the Committee.

***Consultation:***

The Committee proposal was initially put to the Yea Shire Hall Committee of Management in an effort to ensure that when the Committee of Management was revoked the community would still have a consultative role in the ongoing management of the Hall. The Committee of Management and Council resolved that this was the most appropriate governance arrangement to ensure community and user group input.

***Conclusion:***

The Friends of Yea Shire Hall Advisory Committee will provide the community with a mechanism to effectively communicate with Council about the ongoing management and growth of the Yea Shire Hall. The Terms of Reference provide clarity to both parties regarding the Committees role.

**ALTERNATE MOTION:**

That Council resolves:

1. to adopt the Friends of Yea Shire Hall Advisory Committee Terms of Reference as contained in Enclosure 8.3.2 with the following amendment:
  4. Membership  
"Any vacant positions during this term will be publicly advertised *or filled by invitation from Council.* "
2. to appoint the Cheviot Ward Councillor, Cr Kennedy, as the Councillor representative.

**RESOLUTION:**

Cr C Challen / Cr B Magner

That Council resolves

1. to adopt the Friends of Yea Shire Hall Advisory Committee Terms of Reference as contained in Enclosure 8.3.2 with the following amendment:
  4. Membership  
"Any vacant positions during this term will be publicly advertised *or filled by invitation from Council.* "
2. to appoint the Cheviot Ward Councillor, Cr Kennedy, as the Councillor representative.

**CARRIED**

**8.3.3 Marysville Community Centre & Kinglake Community Centre Fees**

File No: SF/1779 & SF/750

***Purpose:***

The purpose of this report is to seek Council's adoption of the proposed fees for use of the Marysville Community Centre and the Kinglake Community Centre.

**Recommendation:**

**That Council resolves:**

- To adopt the following fee structure for the Marysville Community Centre for 2014/15:**

<b>1. Community Hire: and "not for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$50	\$100
Community Room 2	\$50	\$100
Community Rooms 1&2	\$80	\$160
Stadium incl. Change rooms	\$50	\$100
<b>2. Corporate Hire: and "for profit" events</b>		
	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$100	\$200
Community Room 2	\$100	\$200
Community Rooms 1&2	\$150	\$250
Stadium incl. Change rooms	\$100	\$200
<b>Weddings &amp; Special Functions:</b>		
	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$150	\$300
Community Room 2	\$150	\$300
Community Rooms 1&2	\$250	\$450
Stadium incl. Change rooms	\$200	\$400
<b>Cleaning:</b>	\$50 p/h minimum 2 hrs	
<b>Security Bond:</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.	

- To adopt the following fee structure for the Kinglake Community Centre:**

	<b>Hourly Rate</b>	<b>Daily Rate</b>	<b>Weekend Rate</b>
<b>Stadium</b>	\$30	\$240	\$400
<b>Lounge, Hall and Craft Room</b>	Casual hirer - \$30 User Group with agreement - \$15	Casual & User Group - \$120	Casual & User Group - \$240
<b>Foyer</b>	Flat rate of \$100 per function		
<b>Servery only</b>	Flat rate of \$50 per function		
<b>Kitchen and Servery</b>	Flat rate of \$100 per function		
<b>Security Bond</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.		

**Background:**

The Gallipoli Park Precinct Committee of Management (the "Committee") is delegated by Council under section 86 of the *Local Government Act 1989* (the Act) to manage the Marysville Community Centre and part of Gallipoli Park. Section 86 Committees of Management are not delegated to set fees and charges therefore the Committees of Management recommend fees and charges for Council's adoption.

The management responsibilities for the Kinglake Community Centre are being transitioned to Council as of 1 July 2014. Council must set a fee structure for the 2014-2015 financial year.

**Council Plan/Strategies:**

The setting of fees for Council facilities directly relates to the annual action in the Council Plan 2013-2017 under the Our Council goal to administer sound financial management practices.

**Legal/Policy Issues:**

Council delegates powers to Committees of Management under section 86 of the Act. Council has endorsed an Instrument of Delegation for the Gallipoli Park Precinct Committee of Management which specifies the various delegated responsibilities. The setting of fees and charges cannot be delegated to a Committee of Management under the Act. Therefore Council must be responsible for adopting all fees and charges associated with the use of the Marysville Community Centre and the Kinglake Community Centre.

**Financial/Resources/Risk**

The fees and charges for Council managed buildings is the responsibility of Council to set and cannot be delegated to a Committee of Management. The Gallipoli Park Precinct Committee of Management has researched fees associated with Community Centres in similar size and located shires and is proposing a new fee structure to Council for adoption. Although the proposed fees have decreased by a third the Committee believe that the decreased fees will increase usage of the facility.

The proposed fees for use of the Kinglake Community Centre are the same as previously recommended by the Kinglake Community Centre Committee of Management. This provides consistency for the regular users during the transition period.

**Discussion:****Marysville Community Centre**

Council has listed fees associated with the Marysville Community Centre within Council's Budget for the last two financial years. Council does not ordinarily list the fees of any facilities delegated under Committees of Management. In preparing the 2014-2015 Budget Council liaised with the Committee and it was agreed that the fees for the Marysville Community Centre would be set via the normal Committee process rather than being included in Council's Budget document.

The Committee undertook an investigation of fees charged in regional and rural community centres and found that the current fees were at the top end of the scale.

The Committee at its 22 April 2014 meeting made a recommendation of the following fees and charges:

<b>1. Community Hire: and "not for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$50	\$100

Community Room 2	\$50	\$100
Community Rooms 1&2	\$80	\$160
Stadium incl. Change rooms	\$50	\$100
<b>2. Corporate Hire: and "for profit" events</b>		
	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$100	\$200
Community Room 2	\$100	\$200
Community Rooms 1&2	\$150	\$250
Stadium incl. Change rooms	\$100	\$200
<b>Weddings &amp; Special Functions:</b>		
	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$150	\$300
Community Room 2	\$150	\$300
Community Rooms 1&2	\$250	\$450
Stadium incl. Change rooms	\$200	\$400
<b>Cleaning:</b>	\$50 p/h minimum 2 hrs	
<b>Security Bond:</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.	

The proposed new fee structure presents an affordable hire cost for the community and also not for profit events. The Committee anticipates that the new fee structure will increase revenue as a result of more use, more events and functions.

The previous fee structure was \$300 a day for room hire and \$300 a day for stadium hire. A 50% discount was offered for not for profit community groups, and a higher rate was charged for weddings. The new fee structure represents a decrease of approximately a third in the fees charged.

#### Kinglake Community Centre

The Kinglake Community Centre has been managed by a Section 86 Committee of Management delegated by Council, as of 1 July 2014 management responsibility will be transitioning back to Council. The fees structure has previously been proposed by the Committee of Management, Council is now required to endorse a fee structure for the 2014-2015 financial year. In an effort to assist transition for the user groups it is proposed that the fee structure remain the same. The fee structure was primarily based around an hourly rate. A daily rate and weekend rate has been added to encourage casual bookings for extended periods of time.

The proposed fee structure is:

	<b>Hourly Rate</b>	<b>Daily Rate</b>	<b>Weekend Rate</b>
<b>Stadium</b>	\$30	\$240	\$400
<b>Lounge, Hall and Craft Room</b>	Casual hirer - \$30 User Group with	Casual & User Group - \$120	Casual & User Group - \$240



	agreement - \$15		
<b>Foyer</b>	Flat rate of \$100 per function		
<b>Servery only</b>	Flat rate of \$50 per function		
<b>Kitchen and Servery</b>	Flat rate of \$100 per function		
<b>Security Bond</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.		

User Group agreements will be entered into with each of the user groups. The agreements will outline the fees payable in line with the fee structure and the payment time frames.

The Kinglake Community Centre fee structure will be reviewed by Council as part of the 2015-2016 budget process in February 2015.

It should be noted that all fees quoted are exclusive of Council's requirement for all hirers to have the appropriate public liability insurance in place. Insurance is the responsibility of the hirer to obtain or purchase from Council if applicable.

**Consultation:**

The Gallipoli Park Precinct Committee of Management conducted a review of similar facility fee structures in rural and regional areas. The Committee of Management discussed and resolved the proposed fee structure at its 22 April 2014 meeting. The Marysville Community Centre user groups have been communicated with as part of the process.

The Kinglake Community Centre fees have been discussed with the current user groups and considering that no changes are proposed the user groups are comfortable with the arrangements.

**Conclusion:**

Council is obligated to set the fee structure for any facilities under its management or ownership. Setting fee structures that are appropriate to the use of the facility and the community capacity ensures that pricing is fair and equitable.

**ALTERNATE MOTION:**

That Council resolves:

- To adopt the following fee structure for the Marysville Community Centre for 2014/2015:

<b>1. Community Hire: and "not for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$50	\$100
Community Room 2	\$50	\$100
Community Rooms 1&2	\$80	\$160
Stadium incl. Change rooms	\$50	\$100
<b>2. Corporate Hire: and "for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$100	\$200
Community Room 2	\$100	\$200
Community Rooms 1&2	\$150	\$250
Stadium incl. Change rooms	\$100	\$200

<b>Weddings &amp; Special Functions:</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$150	\$300
Community Room 2	\$150	\$300
Community Rooms 1&2	\$250	\$450
Stadium incl. Change rooms	\$200	\$400
<b>Cleaning:</b>	\$50 p/h minimum 2 hrs	
<b>Security Bond:</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.	

- To seek a report from the s86 Committee by 31 December 2014 on the impact of the amended fee structure upon revenue collection and a business plan/marketing plan by 31 March 2015.
- To adopt the following fee structure for the Kinglake Community Centre:

	<b>Hourly Rate</b>	<b>Daily Rate</b>	<b>Weekend Rate</b>
<b>Stadium</b>	\$30	\$240	\$400
<b>Lounge, Hall and Craft Room</b>	Casual hirer - \$30 User Group with agreement - \$15	Casual & User Group - \$120	Casual & User Group - \$240
<b>Foyer</b>	Flat rate of \$100 per function		
<b>Servery only</b>	Flat rate of \$50 per function		
<b>Kitchen and Servery</b>	Flat rate of \$100 per function		
<b>Security Bond</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.		

**RESOLUTION:**

Cr C Challen / Cr J Kennedy  
That Council resolves:

- To adopt the following fee structure for the Marysville Community Centre for 2014/2015:

<b>1. Community Hire: and "not for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$50	\$100
Community Room 2	\$50	\$100
Community Rooms 1&2	\$80	\$160
Stadium incl. Change rooms	\$50	\$100
<b>2. Corporate Hire: and "for profit" events</b>	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$100	\$200

Community Room 2	\$100	\$200
Community Rooms 1&2	\$150	\$250
Stadium incl. Change rooms	\$100	\$200
<b>Weddings &amp; Special Functions:</b>		
	<b>1/2 Day (4 hours)</b>	<b>Full Day (4+Hrs)</b>
Community Room 1	\$150	\$300
Community Room 2	\$150	\$300
Community Rooms 1&2	\$250	\$450
Stadium incl. Change rooms	\$200	\$400
<b>Cleaning:</b>	\$50 p/h minimum 2 hrs	
<b>Security Bond:</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.	

- To seek a report from the s86 Committee by 31 December 2014 on the impact of the amended fee structure upon revenue collection and a business plan/marketing plan by 31 March 2015.
- To adopt the following fee structure for the Kinglake Community Centre:

	<b>Hourly Rate</b>	<b>Daily Rate</b>	<b>Weekend Rate</b>
<b>Stadium</b>	\$30	\$240	\$400
<b>Lounge, Hall and Craft Room</b>	Casual hirer - \$30 User Group with agreement - \$15	Casual & User Group - \$120	Casual & User Group - \$240
<b>Foyer</b>	Flat rate of \$100 per function		
<b>Servery only</b>	Flat rate of \$50 per function		
<b>Kitchen and Servery</b>	Flat rate of \$100 per function		
<b>Security Bond</b>	Determined when booking is made \$200 - \$1000. The amount will be by arrangement applicable to the event.		

**CARRIED**

**8.3.4 Governance Local Law 2, 2014**

File No: SF/1291

(Refer Encl 8.3.4 – Governance Local Law 2, 2014)

**Purpose:**

The purpose of this report is to seek Council’s adoption of the Governance Local Law 2, 2014.

**Recommendation:**

In compliance with Section 119(3) of the *Local Government Act 1989*, Council:

1. **Revokes the current Governance Local Law 3**
2. **Resolves to make the Governance Local Law 2, 2014,**
3. **Gives notice in the Government Gazette and a public notice that the Governance Local Law 2, 2014 has been adopted, and**
4. **Forwards a copy to the Minister for Local Government as required under the *Local Government Act 1989*.**

***Background:***

The *Local Government Act 1989* (the Act) requires Council to make a Local Law regarding the conduct of meetings of Council and Special Committees. Section 122(1) of *the Act* provides that Local Laws sunset ten years from the date of commencement unless otherwise revoked by the Council. It is good business practice to review the Governance Local Law following a Council Election. Local Government Victoria released its *Guidelines for Local Laws Manual* in 2010, which outlines best practice guidelines for the creation and enforcement of Local Laws. These Guidelines encourage Councils to improve the consistency, structure, accessibility and understanding of Local Laws and associated processes.

The Governance Local Law 3, 2011 has undergone a review and is proposed to be replaced by the new Governance Local Law 2, 2014 (the proposed Local Law) (*refer Enclosure 8.3.4*). The content of the proposed Local Law has remained very similar to the Governance Local Law 3, 2011. The review has incorporated necessary changes arising from amendments to legislation, ensuring that formatting and language used is logical and easily understood by the reader, and processes have been altered to enable Meetings of Council to run more efficiently and effectively for both Council and the community.

Council at its March 2014 Ordinary Meeting resolved to seek submissions under section 223 of the Act from the public. As the section 223 process has been completed, Council may now proceed to make the local law by resolution and subsequently then advertise the making of the local law.

***Council Plan/Strategies:***

This review of Council's Governance Local Law is consistent with the Council Plan 2013-2017 Goal under Our Council to provide strategic leadership and effective governance that supports the aspirations of our community.

***Legal/Policy Issues:***

To ensure compliance with Section 91 of the *Local Government Act* Council must set Local Laws that govern meeting procedures and ensure that the various sections of *the Act* are adhered to in the process of undertaking an Ordinary or Special Meeting of Council. A public exhibition and submission period exceeding 28 days has been observed by Council in line with section 223 of the Act and no submissions were received.

Council must advertise the intention to make the Governance Local Law 2, 2014 in the Local Government Gazette.

***Financial/Resources/Risk***

There are no perceived risks or financial consequences to Council in undertaking the Local Law review.

***Discussion:***

As part of the review of the current Local Law the following areas were assessed:

- Compliance with legislation and the relevant amendments that have been enacted

- Feedback from the community regarding the processes allowing the public to be heard by Council
- Councillor feedback regarding the current processes and procedures
- Best practice principles across the industry

The structure of the Local Law and the order of provisions was the largest change. The new structure follows the logical order of items relating to meeting procedures. This structure was developed in an effort to ensure that searching for information can be done efficiently and effectively by members of the public.

Allowing the public the opportunity to be heard and receive a response was a key focus of the proposed Local Law. The current Open Forum process was reviewed and slightly altered in response to feedback from the community and Councillors. Another public participation process was added, "Questions of Council" which provides the community the opportunity to submit questions in advance and receive a response as part of the meeting of Council. Council's current Open Forum process is a valued part of Ordinary Council meetings and Questions of Council will allow the public another mechanism to be heard by Council.

The proposed Local Law allows for the Chief Executive Officer to set the Agenda for a meeting of Council. Previously the Local Law set the structure for the order of business. The CEO will now be able to ensure that the order of business and the items on the agenda are relevant and community focused.

The *Local Government Amendment (Governance and Conduct) Bill 2014* (the "Bill") was introduced to the Victorian Parliament on 1 and 2 April 2014. The Bill is still yet to be formally considered, however Council has made one alteration to the Governance Local Law 2, 2014 considering the proposed amendment, in relation to the reciting of the Oath of Office.

The reciting of the Oath of Office before each meeting is a proactive way to encourage good governance and therefore under "Part 3 – Meeting Procedures – General" the following has been included:

18.4 "The Oath of Office must be recited by the Chair at the beginning of all Council Meetings."

Further discussion with Council has resulted in the removal of "An Agenda must not be delivered to a Councillor who has been granted leave of absence unless the Councillor has, in writing, requested the Chief Executive Officer to continue to provide Agendas for Meetings held during the period of leave" as part of section 22. As Council Agenda's are readily available via the internet this provision is no longer warranted.

Council's proposed Local Law has a community focus in the way that it is structured and the language used, however more importantly the Local Law encourages public participation, open and transparent meeting processes and gives Council the flexibility to adapt to the needs of the community.

Council considered the proposed Governance Local Law 2, 2014 at its March 2014 Ordinary Meeting of Council. Council resolved to place the Local Law on public exhibition and encourage submissions.

Council did not receive any submissions in regards to the proposed Governance Local Law 2, 2014.

**Consultation:**

Council has advertised its intention to make a local law, which commenced a Section 223 process seeking submissions from the public and to conduct public information sessions.

<b>Newspaper / Other</b>	<b>Publishing Date(s)</b>
<b>Newspaper:</b>	
Alexandra Standard	02/04/2014
Marysville Triangle	03/04/2014
North Central Review	01/04/2014
Yea Chronicle	02/04/2014
Mountain Monthly	01/05/2014
<b>Consultation:</b>	
Open for submissions or requests to address Council	27 March 2014 to 29 May 2014
Availability	Available on Council's Website or a copy could have been requested from a Council Office

The section 223 process has been conducted and Council is now able make the local law by resolution. Council must then advertise the making of the local law in the Government Gazette and local newspapers.

**Conclusion:**

The undertaking of a review of the Governance Local Law and subsequent adoption of Governance Local Law 2, 2014 will promote good governance practices and community participation in the Council Meeting process.

**ALTERNATE MOTION:**

In compliance with Section 119(3) of the *Local Government Act 1989*, Council:

1. Revokes the current Governance Local Law 3
2. Resolves to make the Governance Local Law 2, 2014 as attached in Enclosure 8.3.4 subject to the following amendments:
  - 2.1 Part 7, page 8, amend the definition of a Formal Motion to be "A motion set out in Formal Motions Procedure and Effect table pages 32-34"
  - 2.2 Part 87, page 31, remove point 87.2 "Formal motions are not required to be seconded"
3. Gives notice in the Government Gazette and a public notice that the Governance Local Law 2, 2014 has been adopted, and
4. Forwards a copy to the Minister for Local Government as required under the *Local Government Act 1989*.

**RESOLUTION:**

Cr J Walsh / Cr J Kennedy

In compliance with Section 119(3) of the *Local Government Act 1989*, Council:

1. Revokes the current Governance Local Law 3
2. Resolves to make the Governance Local Law 2, 2014 as attached in Enclosure 8.3.4 subject to the following amendments:

- 2.1 Part 7, page 8, amend the definition of a Formal Motion to be “A motion set out in Formal Motions Procedure and Effect table pages 32-34”
- 2.2 Part 87, page 31, remove point 87.2 “Formal motions are not required to be seconded”
3. Gives notice in the Government Gazette and a public notice that the Governance Local Law 2, 2014 has been adopted, and
4. Forwards a copy to the Minister for Local Government as required under the *Local Government Act 1989*.

**CARRIED**

### **8.3.5 Kinglake Community Centre Governance Structure**

File No: SF/115 & SF/1779

(Refer Encl 8.3.5 – Kinglake Community Centre Terms of Reference)

***Purpose:***

The purpose of this report is to seek Council’s support for the revocation of the Instrument of Delegation for the Kinglake Community Centre Section 86 Committee of Management (the “Committee”). This report further seeks Council’s support in the establishment of an Advisory Committee with a Terms of Reference and initiating an expression of interest process for the community representative.

***Recommendation:***

**That Council resolves to:**

1. **revoke the existing delegation of the Kinglake Community Centre Committee of Management effective as of 1 July 2014.**
2. **request the closure of the Kinglake Community Centre bank account and return to Council the remaining balance.**
3. **recognise and thank the Kinglake Community Centre Committee of Management members for their long standing contribution to the community.**
4. **adopt the Kinglake Community Centre Advisory Committee Terms of Reference as contained in Enclosure 8.3.5 to this report.**
5. **undertake an Expression of Interest process for the one community representative position.**
6. **appoint the Kinglake Ward Councillor, Cr Derwent, as the Councillor representative to the Advisory Committee.**

***Background:***

Council has been assisting the Committees of Management in understanding the governance requirements set by legislation and by Council. The Section 86 Committee of Management Governance Manual has been implemented and Council’s Coordinator Governance has met with each of the Committees to conduct training.

The Kinglake Community Centre facility management and maintenance requirements outweigh what would be reasonably expected of a group of volunteers to manage. It has become increasingly difficult to recruit new members to the Committee and therefore the burden of meeting the management requirements has fallen on a select couple of volunteers.

The bookings at the Kinglake Community Centre have declined in the last couple of years and Council has been financially supporting the Committee with the payment of utilities and insurance.

***Council Plan/Strategies:***

There is an annual action in the Council Plan 2013-2017 under the Our Council Goal to continue to improve our processes to enhance the efficiency and effectiveness of the organisation.

Council has committed to recognising, valuing and supporting volunteers under the Our Community goal of the Council Plan 2013-2017.

***Legal/Policy Issues:***

Council Section 86 Committees of Management have responsibilities under the *Local Government Act 1989*. Under Council delegation, Committees of Management must manage both the physical facilities and the financial obligations of the facilities. Council must ensure that the Committee are submitting financial reports, minutes and agendas, electing members appropriately, expending funds appropriately and communicating with Council.

Failure by a Committee to reach compliance is the responsibility of Council to manage. By reviewing the governance and the future arrangements of the Kinglake Community Centre, Council is rectifying the compliance related issues.

Council can establish an Advisory Committees under the *Local Government Act 1989* (the 'Act') to provide advice to Council. Terms of Reference are put in place to ensure that Council and the members understand the purpose and scope of the Committee.

***Financial/Resources/Risk***

Failure to manage the issues raised in regards to the Kinglake Community Centre could create a risk to Council. The ongoing maintenance and management requirements have been identified as potentially falling outside of what may be considered reasonable for the current Committee to manage.

The Committee of Management has found the governance requirements increasingly onerous on the same small group of volunteers. There is still interest in the community to remain involved however the responsibilities expected are making it hard to recruit new members.

Council currently assists the Committee of Management with paying the utilities for the building and insurance. By revoking the Instrument of Delegation, Council will be taking on all financial responsibilities related to the Centre and all income will come to Council accounts.

Council will be responsible for setting the fees and charges related to the facility use.

The Kinglake Community Centre bank account will be required to be closed post the revocation of the Instrument of Delegation. The balance of the account will need to be returned to Council, with proof of the closure and all recent transactions supplied.

The Kinglake Community Centre Advisory Committee will not be delegated by Council to manage any of the financial responsibilities for the facility. The Committee will be established to provide advice only and any proposed actions will need to go to Council for resolution at the discretion of the Chief Executive Officer.

***Discussion:***

Consultation with the Committee began in January 2014 regarding governance arrangements, facility maintenance and management requirements, bookings and the financial status of the Committee.



The main concerns discussed revolved around whether the current requirements for the management and maintenance of the facility were reasonable given the lack of membership on the Committee. The Committee had 2 vacancies and were struggling to recruit new members. Council advertised and attempted to recruit new members and did not receive a single application.

Due to proven financial hardship post the 2009 bushfires, Council has been supporting the Committee by paying the electricity accounts for the Kinglake Community Centre. Council also has been managing all maintenance requirements and payments and paying the contents insurance.

In light of the above issues, Council officers suggested to the Committee that an appropriate course of action might be to become an Advisory Committee to Council and transition the facility back into Council's management. The Advisory Committee would provide feedback to Council regarding the running of the facility, the maintenance requirements and most importantly provide guidance for future use and improvements.

The Committee at its April meeting resolved to support this proposal and for the Committee of Management to cease as of 1 July, 2014.

Council will be responsible for the management of the facility and all the subsequent requirements. Council will formalise agreements with each of the current user groups and take on responsibility for all bookings post 1 July 2014. Council will ensure that the new processes for bookings are communicated widely to the public and that the community understands that Council is committed to the Centre remaining open and active.

Council can establish an Advisory Committee to provide advice to Council, any of Council's Special Committees or a member of Council delegated under section 98 of the *Local Government Act 1989*. To ensure that the purpose and the principles for the Committee are clear to Council and the members of the Committee, the Kinglake Community Centre Advisory Committee Terms of Reference has been developed. The Terms of Reference (refer Enclosure 8.3.5) outline the purpose of the Committee, the membership, nomination process and the general scope to guide outcomes of the meetings.

The Kinglake Community Centre Advisory Committee membership includes four members representing each of the key user groups and one community representative. The membership also includes a Councillor in a non-voting capacity.

An expression of interest process for the community representative position will need to be advertised by Council and applications sought. The other user group representatives will be recommended by the respective groups and Council will formally appoint all five members.

Once the Committee has been formed meeting dates and times will be set. The Committee will be responsible for ensuring that the minutes are submitted to Council. The minutes will be submitted to Council as part of the Ordinary Meeting process at the discretion of the Chief Executive Officer.

The Chairperson position will be elected annually by the Committee.

**Consultation:**

Consultation with the Committee has been undertaken. All Committee members have been briefed regarding the options and have had an opportunity to express their view. The Committee fully supports the proposed Advisory Committee governance arrangement.

Council will actively promote the new processes and procedures for booking the Kinglake Community Centre and ensure that the community is well informed regarding the transition.

***Conclusion:***

Assessing and discussing the road blocks to compliance with Committees of Management allows Council to make better informed decisions when it comes to the governance of its facilities. The compliance requirements of Committees of Management are often onerous on volunteers. By moving to more appropriate governance structures Council is better supporting the local community.

**RESOLUTION:**

Cr C Ruhr / Cr J Kennedy

That Council resolves to:

1. revoke the existing delegation of the Kinglake Community Centre Committee of Management effective as of 1 July 2014.
2. request the closure of the Kinglake Community Centre bank account and return to Council the remaining balance.
3. recognise and thank the Kinglake Community Centre Committee of Management members for their long standing contribution to the community.
4. adopt the Kinglake Community Centre Advisory Committee Terms of Reference as contained in Enclosure 8.3.5 to this report.
5. undertake an Expression of Interest process for the one community representative position.
6. appoint the Kinglake Ward Councillor, Cr Derwent as the Councillor representative to the Advisory Committee.

**CARRIED**

**Cr J Walsh, Cr C Challen and Cr J Kennedy, having disclosed a conflict of interest in item 8.3.6 left the meeting before consideration of Item 8.3.6 at 7.20 pm.**

**8.3.6            *Adoption of the 2014-2015 Budget***

*(Refer Encl 8.3.6 – Draft 2014-2015 Budget)*

**As Council was unable to maintain a quorum, the adoption of the Budget 2014-2015 could not be resolved.**

**Cr J Walsh, Cr C Challen and Cr J Kennedy returned to the meeting at 7.22 pm.**

**8.3.7            *Adoption of Council Plan 2013-2017 and Strategic Resource Plan***

REF:            14/14942

*(Refer Encl 8.3.7a – Council Plan 2013-2017 (Year 1 Review) and Encl 8.3.7b - Strategic Resource Plan)*

**Purpose:**

The purpose of this report is to complete the statutory process for adoption of the review of the Council Plan 2013-2017 and Strategic Resource Plan (SRP).

**Recommendation:**

That under section 223 of the *Local Government Act 1989* Council resolves:

1. To adopt the Council Plan 2013-2017 (Year 1 Review) and the accompanying Strategic Resource Plan as exhibited and as attached at *Enclosure 8.3.7a* and *Enclosure 8.3.7b* with the inclusion of an action to support the development of a Master Plan for the Alexandra Railway Precinct.
2. That responses to issues contained within the one (1) submission received, in respect of the draft 2013-2014 Budget, be issued by the Manager Business Services.
3. That the statutory processes under Sections 125 and 126 of the Act be completed.

**Background:**

In accordance with Section 125 of the *Local Government Act 1989* ('the Act'), Council must review and approve its four (4) year Council Plan and if necessary amend the plan. Any changes must then be put for public comment and submissions.

Council is also required to prepare as part of the Council Plan a four (4) year SRP and review this plan annually. The SRP contains four financial documents:

- i. Standard Income Statement,
- ii. Standard Balance Sheet,
- iii. Standard Cash Flow Statement, and
- iv. Standard Statement of Capital Works.

**Council Plan/Strategies:**

The Council Plan 2013-2017 is the key planning document which translates Council's obligations under the *Local Government Act 1989* into strategies and actions. Specifically the plan:

- Guides Council's strategic direction;
- Identifies Council priorities and strategic indicators; and
- Contributes to the development of the annual budget

The Council Plan 2013-2017 is a key document for local community groups, residents, investors, and other levels of government who play a vital role in helping the Council to deliver on its commitments. It sets out what Council expects to achieve over a four year period and guides the allocation of finances through the Strategic Resource Plan.

**Legal/Policy Issues:**

The requirement for the Council Plan 2013-2017 inclusive of Strategic Resource Plan (SRP) is detailed under Sections 125 and 126 of the Act.

The Plan is to be reviewed annually.

**Financial/Resources/Risk**

The Council Plan 2013-2017, and Strategic Resource Plan, includes Council's long term financial plan and its implementation is supported by the Annual Budget.

Financial considerations in relation to this report are contained within the SRP and the proposed 2014-15 Budget. With the current situation regarding the significant impact on Council as a result of gifted assets, it is essential that accurate long-term financial planning exists.

Key principles within the SRP/LTFP include:

- Rate increases limited to 6% plus 1% growth in each year; a third of the increase (2 percentage points of the 6%) for each year is allocated to an Infrastructure Reserve.
- Limited new initiatives.
- Operating and Capital-Savings from the Services Review undertaken in 2012 and 2013 have been factored in over successive years.
- Maintenance and Operating costs of \$1.2M and Depreciation costs of \$ 0.6M are factored in for Victorian Bushfire Reconstruction and Recovery Authority (VBRRRA) new and gifted assets.
- Capital works will occur in accordance with the Ten Year Capital Improvement Plan.
- In 2013-14, a reserve of \$300k was established out of identified savings for the defined benefits, recognising that an immediate contingency needs to be established. A provision of \$300k in each year from 2014-15 has been made as a further contingency for future defined benefits superannuation calls and to quarantine this until such time as a call is made on Council.

**Discussion:**

Council has completed a review of the Council Plan 2013-2017.

As developed last year, it was agreed that the Plan would be based upon the four Goals of:

- Our Community
- Our Environment
- Our Economy
- Our Council

Whilst the Council Plan 2013-2017 was developed in conjunction with community feedback received as a part of the 2030 Vision project, the Council Plan and its strategic objectives are also strongly influenced by the recognition that the February 2009 bushfires have had a major impact upon Council and the community.

Whilst the vast majority of the public infrastructure reconstruction has been completed, there is ongoing effort directed to support the affected communities and to enable individual property owners to rebuild. Despite this, Murrindindi Shire has experienced a drop in its population numbers and rateable assessments. Furthermore, the impact of the operation, maintenance, insurance and depreciation costs of the new and enhanced assets received from the Victorian Bushfire Reconstruction and Recovery Authority, that were funded through the Victorian Bushfire Appeal Fund, have had a significant impact upon Council's long term financial sustainability.

This means that, without State Government financial assistance, the Council Plan strategies over the next three years remain very modest and limited new initiatives or activities can be undertaken. It also means that, as articulated in the Council Plan, its priorities continue to be primarily directed towards growing our rate base through diligent planning especially in and around the Shire's main towns and supporting economic development.

This financial situation, based upon Council's diligence in reducing its expenditure and prudent use of resources, is also reflected in the Strategic Resource Plan. The SRP identifies that the amount of available cash from 2014-15 onwards to service restricted cash requirements becomes critical and remains so until at least 2019-20.

The SRP is based upon Council meeting the operating, maintenance, insurance and renewal costs of the gifted and novated assets and reinforces the importance of Council's continued advocacy to the State Government for assistance to recognise this burden on the Murrindindi community.

One (1) submission was received in response to the review of the Council Plan 2013-2017. This was considered by Council at a Special Meeting on 11 June 2014.

The submission received can be summarised as follows and comments are provided to inform Council's consideration of the review of the Council Plan:

#### Submitter #1

- The Alexandra Railway Precinct is seeking recognition in the Council Plan 2013-2017 under the Year 2 actions (2014/2015) for Tourism Development, as a specific action item for the development of a Master Plan for the Alexandra Railway Precinct, which incorporates the Alexandra Timber Tramway & Museum.
- This project is highlighted as a Tier Two project in the recently released Goulburn River Valley Tourism Destination Management Plan, which Council has already supported.
- The submitter believes that having this item specifically listed in the Council Plan could assist the Precinct in further fundraising and grant funding opportunities.

**Comment** – Council is supportive of such community initiatives and is keen to support the development of a Master Plan for the Alexandra Railway Precinct to support further growth in tourism.

In consideration of the submission received, and that Council will be supporting this work in 2014/2015, it is appropriate that this action be included in the review of the Council Plan 2013-2017 and SRP.

#### **Consultation:**

The review of the Council Plan 2013-2017 and the incorporated SRP was placed on public exhibition for 28 days in accordance with the Act.

The Council Plan 2013-2017 and SRP was advertised for public consultation and submissions in the following publications:

<b>Newspaper / Other</b>	<b>Publishing Date (s)</b>
Alexandra Standard	07-May-14
Yea Chronicle	07-May-14
Marysville Triangle	08-May-14
North Central Review	06-May-14
Website	05-May-14

Newspaper / Other	Publishing Date (s)
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre & Marysville Visitor Information Centre	05-May-14

**Conclusion:**

Council has complied with Sections 125, 126 and 223 of the *Local Government Act 1989* and having noted the submissions above it is appropriate that the updated Council Plan 2013-2017 and SRP be adopted.

**RESOLUTION:**

Cr J Walsh / Cr C Challen

That under section 223 of the *Local Government Act 1989* Council resolves:

1. To adopt the Council Plan 2013-2017 (Year 1 Review) and the accompanying Strategic Resource Plan as exhibited, with the inclusion of an action to support the development of a Master Plan for the Alexandra Railway Precinct and an amendment to p60 of the Strategic Resource Plan that details the \$300k contribution to the unfunded superannuation – defined benefits and the correction of an additional \$124k included in the Infrastructure Maintenance New & Expanded Asset Reserve in 2014/15.
2. That responses to issues contained within the one (1) submission received, in respect of the draft Council Plan 2013-2017 (Year 1 Review), be issued by the Manager Business Services.
3. That the statutory processes under Sections 125 and 126 of the Act be completed.

**CARRIED**

**Cr J Walsh thanked officers for their tireless work in preparing the Council Plan.**

### **8.3.8 Friends of Yea Shire Hall Advisory Committee Membership**

File No: SF 1708

***Addendum report as presented.***

**Purpose:**

The purpose of this report is to seek Council's appointment of members to the Friends of Yea Shire Hall Advisory Committee, subject to Council's endorsement of the Terms of Reference for the Committee in item 8.3.2 of this agenda.

**Recommendation:**

**Subject to Council's endorsement of the Friends of Yea Shire Hall Advisory Committee Terms of Reference in item 8.3.2, that Council resolves to appoint the following members to the Committee:**

1. **Elaine White, Adam Dennis and Don Knight to be appointed for two years**
2. **Deb Robinson, Deb Leslie and Rod Clue to be appointed for one year**

**Background:**

In anticipation of Council endorsing the Friends of Yea Shire Hall Advisory Committee and Terms of Reference, Council called for written expressions of interest from members of the community to fill the proposed membership of seven community representatives. The period for submissions was from 10 June to 20 June 2014. Council received six expressions of interest.

**Council Plan/Strategies:**

The development of the Friends of Yea Shire Hall Advisory Committee is consistent with the Asset Management Strategic Objective in the Council Plan 2013-2017 to engage with the community on the development of infrastructure and the Customer Service Strategic Objective to build on communication and engagement with the community.

**Legal/Policy Issues:**

Council can establish an Advisory Committee under the *Local Government Act 1989* (the 'Act') to provide advice to Council. The Terms of Reference outlines the process for recruiting and appointing membership.

**Financial/Resources/Risk**

The Friends of Yea Shire Hall Advisory Committee will not be delegated by Council to manage any of the financial responsibilities for the Hall. Members are engaged on a voluntary basis in a consultative role to Council.

**Discussion:**

The Terms of Reference for the Committee provide the guidelines for membership. Expressions of interest were invited from individuals in the community who could address one or more of the following criteria in their submission:

- (a) A resident and/or work within the Murrindindi Shire.
- (b) Current or proposed involvement with a user group of the Yea Shire Hall.
- (c) Demonstrated understanding of the historical significance of the Yea Shire Hall.
- (d) The ability to access networks and stakeholder groups within the community.
- (e) Experience sitting on a community-based committee.

Notification was placed in the Yea Chronicle, on Council's website and was circulated to various local community groups.

Council received six expressions of interest and the prescribed selection panel met to assess the expressions of interest against the criteria. The Mayor, the Ward Councillor and the General Manager Corporate and Community Services found all six expressions of interest suitably met one or more of the selection criteria, and represented varying backgrounds and interests.

The initial one year and two year appointments enable Council to ensure continuity with only part of the membership being due for re-election each year. The one year and two year terms were allocated at random to the members by the selection panel.

**Consultation:**

The advertisement calling for expressions of interest was placed:

<b>Newspaper / Other</b>	<b>Publishing Date(s)</b>
<b>Newspaper:</b>	
Yea Chronicle	11 June 2014 and 18 June 2014
Council's Website	10 June to 20 June 2014

**Conclusion:**

The Friends of Yea Shire Hall Advisory Committee provides a formal mechanism for Council to consult with key stakeholders, seek advice and enable community input into the use and management of the Yea Shire Hall. The appointed members will bring a wealth of local community knowledge and varied interests.

**RESOLUTION:**

Cr C Ruhr / Cr J Kennedy

That Council resolves to appoint the following members to the Committee:

1. Elaine White, Adam Dennis and Don Knight to be appointed for two years.
2. Deb Robinson, Deb Leslie and Rod Clue to be appointed for one year.

**CARRIED**

**8.4 CHIEF EXECUTIVE OFFICER****8.4.1 Advocacy for Victorian Government Support Regarding New and Gifted Assets**

File No: CY 14/27

**Purpose:**

This report provides Council with an update on the initiatives undertaken to date and future actions required to support Council's advocacy regarding the impacts of the new and expanded assets which were novated to Council following the February 2009 bushfires.

**Recommendation:**

**That Council:**

1. **Thanks the Minister for Local Government for meeting with Council and seek his commitment to meet with Council again and provide a formal response to Council regarding financial support to address the impact of the new and expanded assets which were novated to Council.**
2. **Writes to the Department Secretary for Transport, Planning and Local Infrastructure Dean Yates seeking his support for the Minister for Local Government to respond to Council regarding financial assistance to address the impact of the new and expanded assets.**
3. **Writes to the Member for Seymour, Cindy McLeish, all members of the Northern Victoria Province in the Legislative Council and all candidates for the forthcoming State election for the Eildon electorate seeking their support to Council in obtaining financial assistance to address the impact of the new and expanded assets.**
4. **Writes to the Opposition Leader, Daniel Andrews, seeking a meeting with Council and a commitment regarding financial support to address the impact of the new and expanded assets.**

**Background:**

Following the February 2009 bushfires that burnt 40% of the Murrindindi Shire but affected 100% of the municipality, the Victorian Government initiated a number of rebuilding and recovery programs to assist in the reconstruction of the municipality.

These programs were primarily managed and supported through the Victorian Reconstruction and Recovery Authority (VBRRA) and funded through the Victorian Bushfire Appeal Fund (VBAF).



Of the municipalities affected by the February 2009 bushfires Murrindindi Shire was the most severely impacted in terms of both the bushfire and the reconstruction program. Given the small population and rate base, Murrindindi Shire was also the least able to absorb the impacts of the bushfire and the reconstruction program within its general operating requirements.

Following the February 2009 bushfires, the Victorian Bushfire Reconstruction and Recovery Authority had a key role in overseeing the coordinating the recovery and rebuilding program for all affected individuals, households and communities. This effort included a significant program of working within Murrindindi Shire comprising a wide range of infrastructure including buildings (community halls, youth spaces and community centres), recreational assets (sporting facilities, trails and open space areas) and bridges.

Council's role varies from full ownership with responsibility for operating, maintaining and managing the novated infrastructure to partial responsibility for assets managed by Committees of Management or a financial contribution towards the operation of assets owned by other entities such as the Crown where Council contributes maintenance or insurance support.

In aggregate, these new and expanded assets novated to Council create a significant additional and ongoing financial burden to Murrindindi Shire Council.

Council recognised the impact of the new and expanded assets and as a result undertook the Murrindindi Services Review in 2011 in order to demonstrate that it has first taken initiatives to support its long term financial sustainability prior to seeking further State Government support.

***Council Plan/Strategies:***

Council's advocacy supports the Our Council Goal in the Council Plan 2013 – 2017 to deliver visible leadership and advocacy, and in particular the strategies to administer sound financial management practices and to advocate on behalf of the community.

***Legal/Policy Issues:***

Council's advocacy for support regarding the new and expanded assets is consistent with its Policy objectives to ensure its long term financial sustainability as articulated in the Strategic Resource Plan.

***Financial/Resources/Risk***

Should Council not receive a commitment of support from the Victorian Government, there will be a need for Council to engage with the community to identify options for further reductions in expenditure or increases in income.

***Discussion:***

In March 2011 the consulting firm KPMG completed an initial report which was commissioned by VBRRRA and sought to estimate the nature and extent of the financial obligations placed upon Council by the receipt of the new and expanded assets and their implications for Council's financial sustainability.

A further report in February 2012 concluded that whilst the Victorian Government had provided funding to assist Council in the short-term (2011-12 and 2012-13) a long term solution was required to ensure the continued viability of Council's operations.

The report highlighted the need for assistance to Council based upon the cost to Council of operating, maintaining, insuring and renewing these novated assets which was in the order of \$1.87 million per annum over the ten year period to 2020-2021. It was acknowledged that following this period, Council would be in a sound financial situation to address the longer term costs of these novated assets.

Since the submission of the 2012 KPMG report to the Victorian Government the projects identified in that report have been completed and the assets have become fully operational. As a matter of due diligence, Council has undertaken its own independent work to verify the calculations of the operating, maintenance, insurance and renewal costs of the new and expanded assets. This work has been peer reviewed by Ross Goynes (President of the Institute of Public Works Engineering Australasia) who has confirmed the veracity of its methodology and verified the accuracy of the data collection and assumptions underlying this work.

During the period since the completion of the 2012 KPMG report, projects such as the Kinglake Cultural and Community Facility are no longer proceeding in the manner as originally proposed. In addition, responsibility has moved to the Department of Environment and Primary Industries for projects such as the Narbethong Shared Trail. In contrast, a number of projects that were not originally included within the KPMG report, but which are new and expanded assets have also been identified, such as the Buxton Streetscape project and the Kinglake Early Learning Centre (consistent with the approach taken with the Marysville and Flowerdale Early Learning Centres that had been included within the KPMG report).

This further work has verified the parameters of the extent of the costs to Council of the operating, maintenance and renewal of the novated assets. In particular, it has identified that the average cost of the operating, maintenance and renewal of the assets is \$1,762,940 per annum over the next 10 years. This comprises some \$1,065,908 directly related to the operation and maintenance of these novated assets and a remaining \$697,032 for the renewal of these assets.

The further work undertaken by Council has also calculated both the average costs over the next 10 years as listed above, as well as the annual costs for operating, maintenance and renewal of these assets. This has confirmed that whilst maintenance costs will be smaller in the initial years, they increase considerably in later years.

Council has provided access to financial and asset management information and systems to enable the consultants engaged by Local Government Victoria to fully complete their investigations of Council's financial sustainability. In addition, Council Strategic Resource Plan clearly demonstrates the impact upon its cash flow and liquidity arising from the novated assets.

Whilst Council has sought to obtain a formal response from the Victorian Government to its request for further assistance and the investigations undertaken by Local Government Victoria, none has been forthcoming. However, in a meeting with Councillors and the Chief Executive Officer, on 25 February 2014, the then Minister for Local Government in confirming the final payment of the MAPs funding to council, advised that this would not be the end of financial assistance to fire and flood affected Councils.

Council has since met with the recently appointed Minister for Local Government on 17 June 2014 which provided the opportunity for the issues relating to the new and expanded assets to be discussed in detail.

It was apparent from this meeting that the Minister has two primary concerns regarding additional support to Murrindindi. Firstly whether assistance to Murrindindi would create a precedent for small rural municipalities that have suffered either economic decline or natural disasters and secondly whether it is appropriate for assistance to be provided for future maintenance and renewal of the assets, when it is unknown at this time whether the assets will be renewed and in what form.

None of the natural disasters which have occurred since February 2009 bushfires has been on the scale of that experienced in February 2009 and none has involved the construction of new and expanded assets that have been transferred to local government responsibility (as distinct from replacement of destroyed assets through natural disaster funding arrangements) to the

extent of the reconstruction and new public buildings constructed in Murrindindi Shire that are now the responsibility of Council. Furthermore, the scale of buildings and infrastructure constructed in Murrindindi was far greater than that which would be reasonably expected within a small rural municipality.

In relation to the more recent floods and fires, any reconstruction has been funded through the Natural Disaster Funding arrangements where only replacement will be funded and not betterment. In addition, many of these facilities that were reconstructed were done so at the request of the local government authority.

In contrast, in many of the projects neither Council nor the community was in total control of the decision making concerning the novated assets. As a result, it has been the consistently held view of Council that it is unreasonable to expect the Murrindindi community to therefore bear the full cost of the novated assets.

It is also Council's contention that it is in a unique situation in terms of both the scale of the reconstruction following the February 2009 bushfires and unique in terms of other fire and flood affected municipalities. Therefore any additional financial support to address the impact of the new and expanded assets that were novated to Council will not create a precedent for other municipalities to seek similar assistance.

In relation to the concern that government assistance should not be allocated to the maintenance or renewal of these novated assets, Council has undertaken extensive work that has been peer reviewed, which has confirmed the accuracy of the calculations of the operating, maintenance and renewal of these assets. Whilst a Council at a later date may decide not to renew a particular asset, it can be reasonably expected that a significant proportion of these assets (particularly those which are bridges, open space areas, community facilities) will require some degree of renewal and certainly a high level of maintenance. Furthermore, both the Federal and State Governments have placed a strong emphasis upon Councils having robust asset management plans and a commitment to reduce its infrastructure renewal gap.

The Minister for Local Government has indicated an interest in supporting Council through existing grant programs and through assistance for the redevelopment and renewal of assets and infrastructure in the northern part of the municipality. The difficulty of this first approach, is that it relies upon a program that may not be in place when the assets require renewal and expects that the grant funding program will accommodate maintenance as well as renewal projects. Council's experience with grant programs such as the Putting Locals First Program is that there is generally an expectation that there will be an element of 'new' infrastructure along with the renewal component. Furthermore, Council's priorities as articulated in its 10 year capital improvement program are towards the renewal of existing assets and not the creation of new assets. However, it is appropriate that Council take up the opportunities suggested by the Minister for Local Government and potential projects within the northern part of the municipality that may be grant funded, will be identified.

Concurrently with these investigations, it is appropriate that Council initiate further discussions with both the Victorian Government and the Opposition to seek a commitment in the lead up to the November 2014 State election for targeted and specific financial assistance for Murrindindi.

In addition, Council as part of its budget processes has indicated that if this financial support is not forthcoming, it will need to evaluate a range of potential measures that might be applied in the absence of additional financial support. These options may include increasing rate levels, the introduction of differential rates, the sale or closure of assets, and reductions in services to address Council's long term financial sustainability. Council will also need to review its timeframe for upgrading and renewing its existing infrastructure as well as reviewing its capital works program.

**Consultation:**

Council has made a commitment that following the completion of the 2014-2015 budget, it will be discussing with the local community options that it needs to pursue to address its long term financial sustainability.

Council has held meetings with both Victorian Government Ministers and Shadow Ministers to advocate the need for financial support to address the impact of the new and expanded assets and this consultation and engagement will need to continue over the coming months.

**Conclusion:**

The reconstruction activity managed by the Victorian Government through VBRRRA and funded by VBAF has led to a legacy of new and expanded assets which Council is required to manage and which will have a significant impact upon Council's long term financial sustainability.

Ongoing advocacy with both the Victorian Government and the Opposition is required to bring to a conclusion Council's request for financial assistance as it has been very clearly demonstrated that it is unreasonable to expect the Murrindindi community to bear the full cost of these assets. Council has made a strong commitment to its financial sustainability through the implementation of the Murrindindi Services Review and it is appropriate that the State government acknowledges its responsibility to addressing this issue.

**RESOLUTION:**

Cr J Kennedy / Cr C Ruhr

That Council:

1. Thanks the Minister for Local Government for meeting with Council and seeks his commitment to meet with Council again and provide a formal response to Council regarding financial support to address the impact of the new and expanded assets which were novated to Council.
2. Writes to the Department Secretary for Transport, Planning and Local Infrastructure Dean Yates seeking his support for the Minister for Local Government to respond to Council regarding financial assistance to address the impact of the new and expanded assets.
3. Writes to the Member for Seymour, Cindy McLeish, all members of the Northern Victoria Province in the Legislative Council and all candidates for the forthcoming State election for the Eildon electorate seeking their support to Council in obtaining financial assistance to address the impact of the new and expanded assets.
4. Writes to the Opposition Leader, Daniel Andrews, seeking a meeting with Council and a commitment regarding financial support to address the impact of the new and expanded assets.

**CARRIED**

**Cr J Walsh having declared an interest, left the meeting before consideration of the following item at 7.43 pm.**

## 8.5 COMMUNITY SERVICES

### 8.5.1 Community and Emergency Grants Round March to May 2014

File No: SF/1704

(Refer Encl 8.5.1 - Community Grants Summary March to May 2014)

#### **Purpose:**

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

#### **Recommendation:**

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

Application	Funding sought	Recommendation
Victorian Off Road Racing Association	\$5,000	<b>Not supported</b>
Upper Goulburn Landcare Network (UGLN)	\$5,000	<b>Supported</b>
Alexandra Timber Tramway and Museum Inc.	\$4,100	<b>Supported to the provision of \$3,000</b>
Alexandra and District Open Garden Committee Inc.	\$5,000	<b>Supported</b>

#### **Background:**

Applications for the March to May 2014 cycle of Council's Community and Emergency Grants Program were assessed by the Community and Emergency Grants Committee comprising the Mayor, Deputy Mayor and the Chief Executive Officer.

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

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

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

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

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

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

The Assessment Committee is recommending that a total of \$13,000 in funding be granted this round; this amount falls well within the remaining budget allocated to Community and Emergency Grants therefore there is very little financial risk to Council. Funds remaining unallocated in the 2013/2014 year amount to \$22, 250. This is the final grant round for this financial year.

#### **Discussion:**

In total, four applications were received from community organisations for the March to May 2014 round. These applications are listed in Enclosure 8.5.1.

The Committee recommend Council support the following applications:

- The Upper Goulburn Landcare Network (UGLN) sought \$5,000 funding to purchase and equip a mobile educational trailer for environmental workshops, field days, promotional and public events and school programs.
- The Alexandra Timber Tramway and Museum Inc. sought \$4,100 funding to develop and execute the 'Full Steam Ahead' exhibition, a 100+ year history of the rail heritage of Alexandra and District. The Committee supported this application to the provision of \$3,000. The Committee considered that whilst the group indicated an in-kind contribution there was no cash contribution.
- The Alexandra District Open Garden Committee Inc. sought \$5,000 funding to support the 'Come, Be Inspired, Big Spring Weekend' in Alexandra 24 – 26 October 2014.

The committee recommend that one application should not be supported:

- The Victorian Off Road Racing Association Inc. sought \$5,000 to support the 'ARB Highlands 150 Buggy Race', an annual 2 day event. The Committee considered that the application did not meet with eligibility criteria as the group is not locally based in Murrindindi Shire. In addition it was felt that the activities did not meet a demonstrated need within the Shire nor facilitate community participation.

***Consultation:***

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

***Conclusion:***

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

**RESOLUTION:**

Cr C Challen / Cr B Magner

That Council notes and supports the recommendations of the Community and Emergency Grant Committee outlined in the following table:

<b>Application</b>	<b>Funding sought</b>	<b>Recommendation</b>
Victorian Off Road Racing Association	\$5,000	<b>Not supported</b>
Upper Goulburn Landcare Network (UGLN)	\$5,000	<b>Supported</b>
Alexandra Timber Tramway and Museum Inc.	\$4,100	<b>Supported to the provision of \$3,000</b>
Alexandra and District Open Garden Committee Inc.	\$5,000	<b>Supported</b>

**CARRIED**

**Cr J Walsh returned to the meeting at 7.47 pm.**

**8.5.2 Grant Application – Country Football Netball Program**

File No: SF/1116

***Addendum report as presented.******Purpose:***

The purpose of this report is to seek Council's endorsement of a submission for funding for a multipurpose netball court at the Yea Showgrounds and Recreation Reserve under the Sport Recreation Victoria's Country Football and Netball Program (CFNP).

***Recommendation:***

That Council endorses the action of officers in submitting the Yea Showgrounds and Recreation Reserve funding application under the Country Football and Netball Program for the development of a second multipurpose netball court at the Reserve.

***Background:***

An Expression of Interest was received from the Yea Showgrounds and Recreation Reserve Committee to submit a funding application for the development of a second multipurpose netball court at the Reserve under Sport and Recreation Victoria's CFNP.

Due to the tight timelines required under the program there was not sufficient time to seek formal Council endorsement of the application at the May 2014 Ordinary Meeting. Consequently a funding application signed by the Chief Executive Officer was submitted to Sport and Recreation Victoria for the project, which is subject to Council's endorsement at this meeting.

If successful the new multipurpose court will allow the growing number of netballers to have additional space for training. Having access to an additional court will also enable the club to host division netball finals which will provide financial benefit to the club.

While predominantly a benefit to the Netball Club, the development of a multipurpose court will provide the Yea Tennis Club with additional court space to extend their existing annual program, coaching and tournament schedule.

The Yea Showgrounds and Recreation Reserve comprises Council owned land and Crown land. Council is the Section 86 Committee for controlling both the Council and Crown Land.

***Council Plan/Strategies:***

The following actions from the Council Plan 2013-17 indicate strategic direction that supports this project:

- Our Community: Support participation in a range of sport recreation and leisure activities.
- Our Environment: Apply a whole of life approach to the management and maintenance of Council's assets.
- Our Environment: Engage with relevant communities on the development of community infrastructure and services.
- Our Council: Building community relationships and trust through community forums and engagement.

Council adopted the 'Recreation Reserves and Play Strategy 2002-06' in 2002 following extensive consultation with stakeholders and community. Items of particular significance to this report include:

- 1.4 Enhance the standard of recreation infrastructure development through support of committees, coordination, and input of professional planning and design skills.

2.4 Encourage the development of a cyclic maintenance and replacement program from all sport and recreation assets, to ensure facilities can deliver the opportunities and quality of services desired by the market.

A direct initiative of Council following the adoption of the Recreation Strategy in 2002 was the Recreation Reserves Overall Plans of Development process that was initiated in 2005.

Included with in this work was the 'Yea Showground's and Recreation Reserve Development Plan'.

**Legal/Policy Issues:**

Council has a Recreation and Leisure Policy, adopted by Council 20 April 2004.

Council also adopted a Capital Works Expenditure Policy on 28 August 2013 which outlines the process for managing project savings from the capital works program. As part of this policy Council determines the use of savings from the capital works program. All savings, unless otherwise allocated by Council, are returned to the Infrastructure Reserve for future capital works expenditure.

It is recommended that \$5,000 be allocated as a Council contribution to this project from savings achieved in the 2013/2014 Capital Works Program. The approval of the reallocation of any savings from the Capital Works Program will be subject to a further report in the first quarter of 2014/2015 when total project savings from the 2013/2014 Capital Works Program are reported to Council.

**Financial/Resources/Risk**

The Yea Showground and Recreation Reserve project includes a Council financial contribution.

Budget expenditure items have been verified by Council's Capital Works Coordinator			
Income		Expenditure	
Sport Rec Vic	73,000	Project Construction	92,000
Football Netball Club	22,000	Drainage	7,000
Tennis Club	5,000	Contingency	6,000
Local Government	5,000	In – Kind Earth Works	4,500
In – Kind Earth Works	4,500		
<b>Total Income</b>	<b>109,500</b>	<b>Total expenditure</b>	<b>109,500</b>

Council was presented with an initial estimate of expenditure and income for the project. A greater expenditure allowance than was originally estimated has been made for light towers and fittings due to the unavailability of three phase power. As a result further discussions with the Yea Showgrounds and Recreation Reserve Committee of Management were held and the in-kind contribution and financial contribution from the Club has been adjusted.

**Discussion:**

Council has been presented with the existing annual building infrastructure renewal requirements for the facilities under Council management for this site.

It is important to note that expenditure on renewal is not necessarily undertaken on each structure each year however is undertaken when a facility/structure meets the intervention level for condition.

Renewal costs for the proposed new multipurpose court will be approximately \$2,620 per annum relating predominately to renewal of the playing surface and lighting. The playing surface will be a concrete base with acrylic flexi-pave surface.



<b>Structure (new court proposal)</b>	<b>Annual renewal requirement</b>	<b>Total Cost</b>	<b>Life Years</b>
Concrete base	\$400	\$40000	100
Flexi/Syn pave playing surface	\$1,000	\$20000	20
Lighting towers	\$110	\$5500	50
Light fittings	\$450	\$4500	10
Coaches Box	\$250	\$2500	10
Fencing	\$160	\$5000	30
Bench seating for spectators	\$130	\$500x4	15
Bollards to divert traffic on match day	\$120	\$150x4	5
<b>Total</b>	<b>\$2,620</b>		

Under the current arrangement maintenance on this infrastructure would be the responsibility of the committee. A letter confirming the ownership of this responsibility has been received from the Recreation Reserve Committee of Management (BN 917).

***Consultation:***

In the lead up to receiving the expression of interest for this project from the Yea Showground's and Recreation Reserve Committee of Management, Council Officers and representatives from Sport Recreation Victoria met on site to discuss the proposal. Further consultation has occurred with the Committee of Management in preparing the application for funding, assisting in refining the project and clarifying project budget and ongoing maintenance and renewal costs.

***Conclusion:***

The significant level of community use with the current facilities will be enhanced and directly contribute to meeting many wellbeing and participation actions highlighted in Council strategic documents.

Council acknowledges that the project at the Yea Showgrounds will ultimately result in an increase to Council's asset base. However the commitment demonstrated by user groups of the facility indicates that council would have minimal capital input into the project and similarly with ongoing maintenance costs.

**RESOLUTION:**

Cr J Walsh / Cr C Ruhr

That:

1. Council approves the Yea Showgrounds and Recreation Reserve submission to the CFNP delivered on 30 May 2014 focusing on the installation of a second netball court.
2. Council endorses the inclusion of this project in the capital works program for 2014/15.

**CARRIED**

**Cr C Ruhr queried the lack of three phase power.**

**The GM Infrastructure and Development Services took the question on notice.**

**9. SEALING REGISTER**

File: 13/6325

<b>File Reference</b>	<b>Date Seal Affixed</b>	<b>Description of Documents</b>	<b>Signatures of Persons Sealing</b>
CONT14/2	4 June 2014	Formal Instrument of Agreement for Kerb Reconstruction, Underground Drainage and Pavement works - Bon Street & Green Street, Alexandra, between Murrindindi Shire Council and Diamond Valley Excavations	Margaret Abbey Margaret Rae

**Recommendation:**

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

**RESOLUTION:**

Cr C Ruhr / Cr J Walsh

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

**CARRIED**

## **10. COUNCILLOR PORTFOLIO REPORTS**

### **10.1 LAND USE PLANNING PORTFOLIO**

Cr Walsh advised that the Chief Executive Officer, J Walsh, Manager Economic Development and Infrastructure Assets Coordinator met with Parks Victoria and DEPI staff yesterday to discuss the Giant Trees Trail project.

### **10.2 ECONOMIC DEVELOPMENT PORTFOLIO**

Cr Challen advised

- On 5 June, she attended a GRVT Board Meeting and workshop on Governance. The Board will be reviewing its strategic planning over the next few meetings.
- As part of her duties in this portfolio, she is on the Board of Workspace and attended the 12 June Board meeting in Bendigo which was followed last week by an information briefing to Councillors by their CEO and Chairman.
- She also attended a Yea Arts Carnivale Creative Workshop, a Murrindindi Inc meeting and took a tour around Acheron and Taggerty prior to the Acheron Mechanics Institute Centenary and launch of the publication on the History of the region published by the Committee on behalf of the local community.

### **10.3 INFRASTRUCTURE AND WASTE PORTFOLIO**

Cr Magner

- The Infrastructure Department is working on the Waste Management Strategy.

### **10.4 COMMUNITY SERVICES PORTFOLIO**

No report this month.

## 10.5 CORPORATE SERVICES PORTFOLIO

Cr C Ruhr advised Business Services projects are on track.

## 10.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO

Cr Kennedy provided the following report:

- The Murrindindi Environment Advisory Committee (or MEAC) on which I am a Council representative met yesterday (on their agreed two monthly meeting cycle) at what will be judged to have been a record attendance of members.

The key issues addressed were the Shires Roadside Management Plan and the Draft Waste Management & Resource Recovery Strategy, the study on which the Shires team leader Josh Russell made a comprehensive presentation.

MEAC members will now review the Waste Management Plan and make their responses and contributions in the short term with the public review period extending until 7 July.

Generally MEAC members were impressed by the focus on increased recycling and the intended diversion of more materials from landfill.

It was agreed that with some 300 public responses the community survey had been very well executed and worthwhile.

MEAC also welcomed the Shire's Roadside Management Plan believing that over time their inputs had contributed to the working up of the final version that is also now on public display.

The Draft Plan brings all the many aspects of roadside management together into an easily understood and practical format to assist the community to manage this aspect of the environment.

During its evolution Council has consulted extensively with agencies, committees and community groups.

Considering that the key challenge for Council and the community is to balance the protection of our highly significant roadsides with obligations that allow safe passage and reduce the risk of fires.

By improving the way that activities are managed Council and the wider community will be helped to meet their legal and moral responsibilities.

The Roadside Management Plan will now be on exhibition until 23 July on the Shire's website or from any Council office.

The storms over the last couple of days has created significant clean up issues including work to reopen about twenty roads throughout the Shire. To date there are reports of limited damage to buildings and no serious injuries or losses sustained. The Council's works team are to be congratulated for their prompt responses and recovery works.

MEAC has postponed the determination of the Chairman until the next meeting by when its membership will be resolved. This in large measure reflects changes within State

Government Departments and the inclusion within the new structure of new executive members for the local region.

As Steve Meacher has indicated his intention to step down from the Chair's role a new appointment will be made at the next meeting.

## **10.7 MAYOR AND DELEGATED COMMITTEE REPORTS**

Cr Rae provided the following report:

This month Council has been engaged in the next stage of its advocacy on behalf of our community. This has involved much preparatory work and some significant meetings which have informed the agenda for this meeting of Council and a number of forward actions.

Meetings attended include:

- Meeting with the Minister for Local Government, Tim Bull, who was accompanied by the local member for Seymour, Cindy McLeish, together with Councillors Walsh and Kennedy, the CEO and General Managers;
- Meeting with the Shadow Minister for Higher Education, Steve Herbert, who was accompanied by the candidate for Eildon, Sally Brennan, together with Councillors Walsh, Kennedy and Derwent, and the CEO;
- Hume MAV Regional Forum - some of the issues covered included:
  - the impacts of the Federal budget, especially on the Federal Assistance Grants Scheme
  - performance reporting, including the planned My Council website
  - HACC funding
  - Plan Melbourne
  - Governance bill currently in progress
  - BMO
  - more training programs to be held in rural areas
- Hume Region Local Government Network (HRLGN) - key issues discussed were:
  - Hume Region Significant Tracks and Trails Strategy
  - rate capping
  - impact of the Federal budget
  - a forthcoming networking forum for Councillors to be hosted by Benalla

and included presentations from Sustainability Victoria, whose main priorities are resource efficiency and integrated waste management; and from 4Hume (previously Hume Alliance) for whom the focus is on growing regional centres and cities, food strategy, freight logistics and high speed rail.

She also attended a range of community events, including:

- the Yea Shire Hall formal opening - this was extremely well attended with many of the community coming together and sharing memories;
- the National Emergency Medal Presentations – this was the second one held by Council and which was clearly very meaningful to the participants;
- the Truck Drivers' Memorial unveiling - this was the result of much planning and commitment and has culminated in a memorial which is already holding a special place in the hearts of many people;

- the Truck, Rod and Ute Show - this, the 18th show, was again a blockbuster and broke all records - congratulations to all for the enormous amount of work involved in making this come to fruition;
- the Acheron Hall Centenary and Book Launch - an amazing number from the community came together to celebrate this special occasion as well as the history of the Hall, the district and its people with many of the original families who are still here today.

#### **10.8 GENERAL BUSINESS**

Cr J Walsh raised the matter of conflicts of interest vis a vis the Budget agenda item.

##### **RESOLUTION:**

Cr J Walsh / Cr C Ruhr

That the CEO investigate with Local Government Victoria ways to efficiently handle minor submissions made on subsections of major issues where the submissions cause conflicts of interest which otherwise would not arise.

**CARRIED**

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

No matters deferred from previous meeting.

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

Nil.

#### **13. ASSEMBLIES OF COUNCILLORS**

TRIM: CY14/117

##### ***Purpose:***

This report presents the records of assemblies of Councillors for the 28 May 2014 to 11 June 2014, 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 28 May 2014 to 16 June 2014.**

##### ***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>	Pre Council Meeting Discussion	
<b>Meeting Date</b>	28 May 2014	
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Road Sealing – Pendlebury and Wattle Streets</li> <li>2. March Quarter – Capital Works Program 2013-2014</li> <li>3. Hume Region Significant Trades and Trails Strategy 2013-2022</li> <li>4. Appointment of a contractor for the provision of building cleaning services</li> </ol>	
<b>Attendees:</b> Councillors – Cr Rae, Cr Magner, Cr Challen, Cr Walsh, Cr Kennedy, Cr Ruhr, Cr Derwent	Staff – M Abbey, M Chesworth, T Johnson, J Canny, M Crane, J Rabel, A Bond	
<b>Conflict of Interest disclosures - Nil</b>		

<b>Meeting Name / Type</b>	Councillor Briefing	
<b>Meeting Date</b>	4 June 2014	
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Procurement Policy Review</li> <li>2. Council's Financial Reserves</li> <li>3. Waste and Resource Recovery Strategy</li> <li>4. Timber Release Plans</li> <li>5. Friends of Yea Shire Hall Advisory Committee</li> <li>6. Great Victorian Rail Trail – Feasibility Study</li> </ol>	
<b>Attendees:</b> Councillors – Cr Rae, Cr Kennedy, Cr Magner, Cr Derwent, Cr Challen, Cr Walsh	Staff – M Abbey, M Chesworth, T Johnson, A Bond, J Russell, M Leitinger	
<b>Conflict of Interest disclosures - Nil</b>		

<b>Meeting Name / Type</b>	Councillor Briefing	
<b>Meeting Date</b>	11 June 2014	
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Yea Family Caravan Park</li> <li>2. Presentation from Our Say</li> <li>3. Yea Structure Plan</li> <li>4. Review of the Local Planning Policy Framework</li> <li>5. Goulburn Valley Highway Development Plan</li> <li>6. Waste and Resource Recovery Strategy</li> <li>7. Rural Roadside Management Plan</li> <li>8. Facility Management and Maintenance Policy</li> </ol>	
<b>Attendees:</b> Councillors – Cr Rae, Cr Kennedy, Cr Challen, Cr Derwent, Cr Walsh, Cr Magner	Staff – M Abbey, M Chesworth, T Johnson, J Rabel, G Taylor, M Parsons, G Scale, A Bond, T Carter	
<b>Conflict of Interest disclosures - Nil</b>		

**RESOLUTION:**

Cr C Ruhr / Cr J Kennedy

That Council receives and notes the record of assemblies of Councillors for 28 May 2014 to 16 June 2014.

**CARRIED**

**14. URGENT BUSINESS**

**No urgent business.**

**RESOLUTION:**

Cr C Ruhr / Cr J Walsh

That the meeting be closed to the public pursuant to s.89(2)(h) of the *Local Government Act 1989* due to matters which the Council or special committee considers would prejudice the Council or any person.

**CARRIED**

**The meeting closed to the public at 8.11 pm.**

**RESOLUTION:**

Cr C Ruhr / Cr J Walsh

That the meeting re-open to the public.

**CARRIED**

**The meeting re-opened to the public at 8.25 pm.**

***In accordance with the confidential Council resolutions the Chair, Mayor Margaret Rae, released the following resolutions:***

**15.3 YEA SALEYARDS STRATEGIC BUSINESS PLAN**

REF: SF/1664

**RESOLUTION:**

Cr J Walsh / Cr B Magner

That Council endorses the Yea Saleyards Strategic Business Plan as contained in Enclosure 15.3.

**CARRIED**

**Cr Walsh thanked the Yea Saleyards Committee for the level of work put into the Yea Saleyards Strategic Business Plan.**

**CARRIED**

**15.6 APPOINTMENT OF A CONTRACTOR FOR THE PROVISION OF STREET SWEEPING SERVICES**

File No: CONT 14/5

**RESOLUTION:**

Cr J Walsh / Cr C Ruhr

That Council:

1. Awards a contract for the provision of street sweeping services to Central Vic Street Sweepers for 2 years from 1 July 2014 for the tendered price of \$115,800 exclusive of GST.

2. Authorises the Chief Executive Officer to prepare contract documentation as required.
3. Applies the Council's common seal to these contracts.

**CARRIED**

**There being no further items of Business, the Chairperson declared the meeting closed at 8.28 pm.**

**CONFIRMED THIS**

\_\_\_\_\_

**CHAIRPERSON**

\_\_\_\_\_