



Murrindindi
Shire Council

Scheduled Meeting of Council

Minutes

Wednesday 25 October 2023
Yea Chambers
The Semi Circle
6:00 PM

ORDER OF BUSINESS

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE	3
2 PROCEDURAL MATTERS	3
3 PUBLIC PARTICIPATION	5
4 REPORTS - COMMUNITY & DEVELOPMENT GROUP	5
4.1 Planning Application - 2427 Maroondah Highway, Buxton - Carriageway Easement	5
4.2 Planning Application - 1363 Whittlesea-Yea Road, Kinglake West	7
4.3 Presenting the Thornton Rubicon Community Plan	11
4.4 Economic Development Strategy - Business and Community Engagement	12
5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP	13
5.1 Annual Report 2022/23	13
5.2 Quarterly Financial Report - 30 September 2023	13
5.3 Priority Action Plan - Quarterly Report 30 September 2023	14
5.4 Customer Service Policy Review	15
5.5 CEO Employment and Remuneration Committee - Extension of Appointment of Independent Memberer	15
6 REPORTS - ASSETS & ENVIRONMENT GROUP	16
6.1 Contract 23/15 - Saleyards scanning and weighing	16
6.2 Contract 22/31 - Construction of New Cell at Alexandra Landfill	17
6.3 Capital Works Program Quarterly Report - 30 September 2023	18
6.4 Climate Change Action Plan 2023	19
7 COUNCILLOR AND CEO REPORTS	20
8 RECORD OF COUNCIL BRIEFING SESSIONS	26
9 SEALING REGISTER	28

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE

1.1 Acknowledgement of Country

The meeting will be opened with the Mayor reading the following on behalf of the Murrindindi Shire Council:

“Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri people as the traditional custodians of the land we now call Murrindindi Shire.

We pay our respects to their Elders past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.”

1.2 Councillors' Pledge

“The Councillors, democratically elected to represent our community as the Murrindindi Shire Council, are committed to working together in the best interests of the people who live in our municipality, those who conduct business here and those who visit.”

2 PROCEDURAL MATTERS

2.1 Privacy Note

This public meeting is being streamed live via our Facebook page and website. A recording of the meeting along with the official Minutes of the meeting will also be published on our website.

2.2 Apologies and Request for Planned Leave

Apologies were received from Cr S McAulay and Cr I Gerencser.

Present:

Councillors K Haslam (Chair), J Walsh (Virtual), S Carpenter, D Gallagher, E Lording (Virtual),

In attendance:

Chief Executive Officer: Livia Bonazzi
Director People & Corporate Performance: Michael Chesworth
Director Community & Development: Andrew Paxton
Director Assets & Environment: Vito Albicini
Acting Manager Governance and Risk: David Echeverry
Manager Business Services: Cheryl Nickels-Beattie
Coordinator Planning: Cameron Fraser
Planning Officer: Nicole Maguire

2.3 Disclosure of Interest or Conflict of Interest

Nil.

2.4 Confirmation of Minutes

Minutes of the Scheduled Meeting of Council held on 27 September 2023.

RESOLUTION

**Cr S Carpenter / Cr D Gallagher
That Council confirm the minutes of the 27 September Scheduled Meeting of Council.**

CARRIED

Minutes of the Confidential Meeting of Council held on 27 September 2023.

RESOLUTION

**D Gallagher / J Walsh
That Council confirm the confidential minutes of the 27 September Scheduled Meeting of Council.**

CARRIED

2.5 Petitions

Nil.

2.6 Community Recognition

Nil.

2.7 Matters Deferred from Previous Meeting

Nil.

2.8 Urgent Business

Nil.

3 PUBLIC PARTICIPATION

3.1 Open Forum

Robert & Louise Utter spoke about item 4.1 Planning Application - 2427 Maroondah Highway, Buxton

Gurwinder Singh Bagari spoke about item 4.2 Planning Application - 1363 Whittlesea-Yea Road, Kinglake West

Angelina Bell spoke about item 4.2 Planning Application - 1363 Whittlesea-Yea Road, Kinglake West

RESOLUTION

D Gallagher / S Carpenter
That Council extend Open Forum for an extra 15 minutes.

CARRIED

Jack Russell spoke about recent correspondence with Council and a request to inspect a few trees on Melbourne Road near the play ground in Yea.

3.2 Questions of Council

Nil.

Cr Lording joined the meeting virtually at 6:52pm

4 REPORTS - COMMUNITY & DEVELOPMENT GROUP

4.1 Planning Application - 2427 Maroondah Highway, Buxton -

- | | |
|---------------|---|
| Attachment(s) | <ol style="list-style-type: none"> 1. Attachment 1 - 2427 Maroondah Highway BUXTON 3711 - PP App Form [4.1.1 - 4 pages] 2. Attachment 2 - 2427 Maroondah Highway BUXTON 3711 - PP App Submission [4.1.2 - 1 page] 3. Attachment 3 - 2427 Maroondah Highway BUXTON 3711 - Title - Subject Land [4.1.3 - 3 pages] 4. Attachment 4 - 2427 Maroondah Highway BUXTON 3711 - Title - Other Lots [4.1.4 - 2 pages] |
|---------------|---|

5. Attachment 5 - 2427 Maroondah Highway BUXTON 3711 - Creation of Easement Plan [4.1.5 - 3 pages]
6. Attachment 6 - 2427 Maroondah Highway BUXTON 3711 - Feature Survey [4.1.6 - 1 page]
7. Attachment 7 - 2427 Maroondah Highway BUXTON 3711 - Carriageway Feature Survey [4.1.7 - 1 page]
8. Attachment 8 - 2427 Maroondah Highway BUXTON 3711 - DEECA (Formerly DELWP) Objection [4.1.8 - 2 pages]
9. Attachment 9 - 2427 Maroondah Highway BUXTON 3711 - Applicant Response to Objection [4.1.9 - 7 pages]
10. Attachment 10 - 2427 Maroondah Highway BUXTON 3711 - DEECA Objection 2 [4.1.10 - 3 pages]

Presenter N Maguire, Planning Officer
 Approved by Director Community & Development
 Purpose For decision

Land: 2427 Maroondah Highway, Buxton
 Proposal: Creation of a carriageway easement
 Applicant: L G Utter
 Zoning: Farming Zone
 Overlays: Bushfire Management Overlay, Floodway Overlay (Part)
 Triggers: 52.02 - Create an easement (carriageway)

Locality Plan



Executive Summary

An application has been received for the creation of a carriageway easement over land at 2427 Maroondah Highway Buxton under the provisions of the Murrindindi Planning Scheme.

The land is in the Farming Zone and is affected by the Bushfire Management Overlay and the Floodway Overlay (Part). A planning permit is required to create an easement pursuant to Clause 52.02 of the Murrindindi Planning Scheme.

The proposal is to create a 6m wide carriageway easement to enable access, via the Crown land, to the future owners of properties on the west side of the Acheron River. The carriageway easement can only create legal access to the Crown land adjoining the subject land at its western boundary. Easements cannot be created over public land.

The Department of Energy, Environment and Climate Action (DEECA, formerly the Department of Environment, Land, Water and Planning) was notified of the application, as the public land manager of the Crown land adjoining the subject land. DEECA have objected to the granting of a permit as the department does not support the use of a proposed carriageway easement to facilitate public vehicular access across Crown land.

This report recommends that a refusal to grant a permit be issued for the creation of a carriageway easement at 2427 Maroondah Highway Buxton in accordance with the grounds of refusal. The application is presented to Council due to the objection received and because the recommendation is to refuse the application.

RESOLUTION

Cr D Gallagher / Cr J Walsh

That Council issue a Refusal to grant a planning permit for creation of a carriageway easement at 2427 Maroondah Highway Buxton (Lot: 1 PS: 503239), based on the following grounds:

- 1. The proposed carriageway easement will provide access to Crown land only, which is not supported by the public land manager.**
- 2. The proposal is not considered orderly planning as it will create a redundant easement which does not provide legal access to adjoining properties as intended.**
- 3. The proposal is inconsistent with the purpose and decision guidelines of Clause 52.02 of the Murrindindi Planning Scheme.**

CARRIED

Cr Lording left the meeting at 7:01pm
 Cr Lording re-joined the meeting virtually at 7:05pm

4.2 Planning Application - 1363 Whittlesea-Yea Road, Kinglake West

Attachment(s):

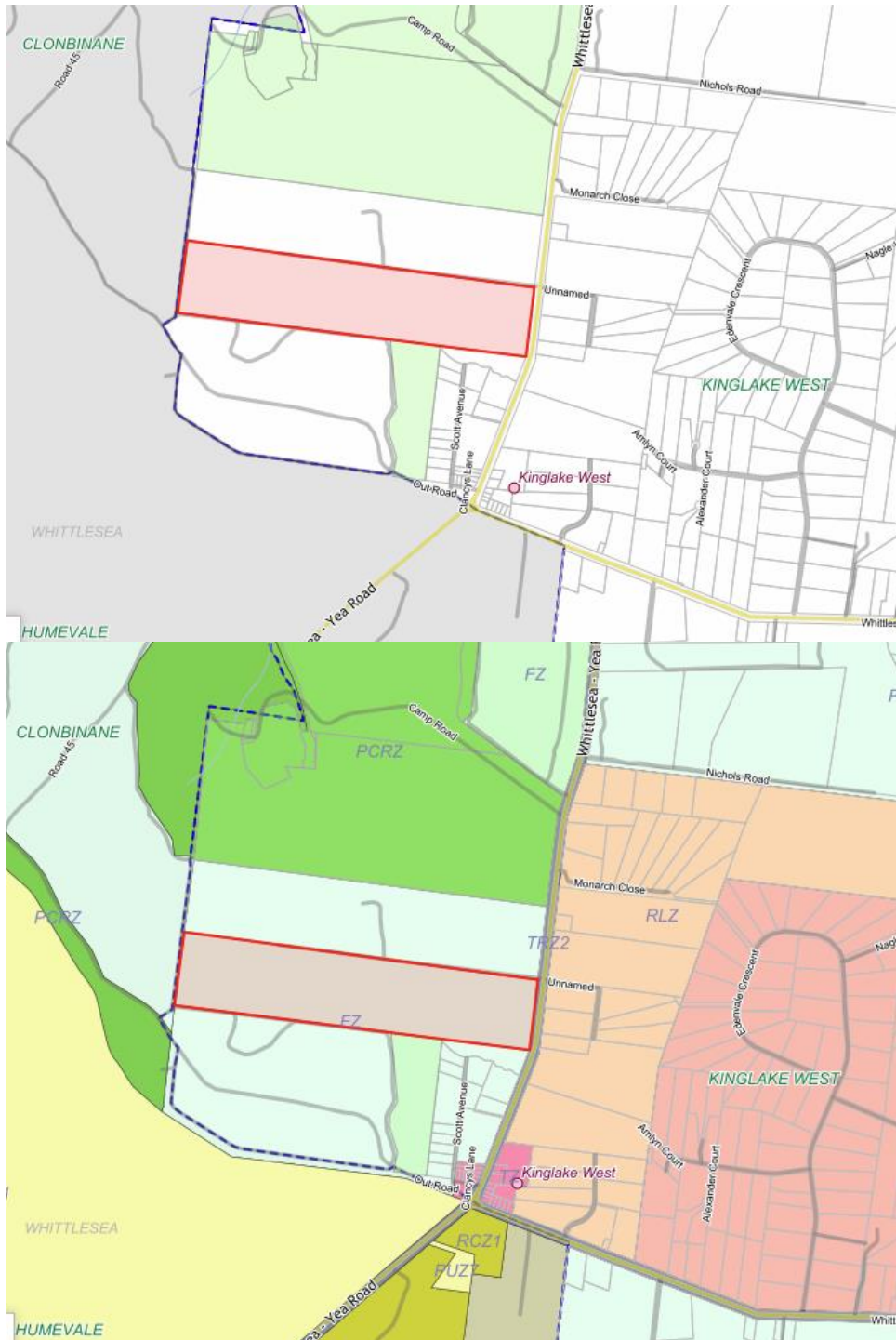
1. Attachment 1 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - PP APP Form [4.2.1 - 4 pages]

2. Attachment 2 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Title [4.2.2 - 3 pages]
3. Attachment 3 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Planning Report [4.2.3 - 13 pages]
4. Attachment 4 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Proposed Plan of Subdivision [4.2.4 - 2 pages]
5. Attachment 5 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Site Plan [4.2.5 - 1 page]
6. Attachment 6 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Survey [4.2.6 - 1 page]
7. Attachment 7 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Existing Dimensions [4.2.7 - 1 page]
8. Attachment 8 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - FMP [4.2.8 - 20 pages]
9. Attachment 9 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - BMS [4.2.9 - 27 pages]
10. Attachment 10 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - BMP [4.2.10 - 1 page]
11. CONFIDENTIAL REDACTED - Attachment 11 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Submission - Objection - Milos Kviz [4.2.11 - 1 page]
12. CONFIDENTIAL REDACTED - Attachment 12 - 1363 Whittlesea- Yea Road KINGLAKE WEST 3757 - Submission - Objection - Rodney Thomson [4.2.12 - 3 pages]

Presenter Cameron Fraser, Coordinator Planning
 Approved by Director Community & Development
 Purpose For decision

Land: 1363 Whittlesea-Yea Road, Kinglake West
 Proposal: Two (2) lot subdivision (house lot excision), creation of a carriageway easement and alteration of access to a road in a Transport Zone 2
 Applicant: Agyakar Singh Grewal and Sukhwinder Kaur Grewal
 Zoning: Farming Zone
 Overlays: Environmental Significance Overlay – Schedule 1, Bushfire Management Overlay
 Triggers: 35.07 – Farming Zone – Subdivide land
 42.01 – Environmental Significance Overlay – Subdivide land
 44.06 – Bushfire Management Overlay – Subdivide land
 52.02 - Easements, Restrictions and Reserves – Create an easement (carriageway)
 52.29 - Land Adjacent to the Principal Road Network – Alter access to a road in a Transport Zone 2

Locality Plan: 1363 Whittlesea-Yea Road, Kinglake West





Executive Summary

An application has been received for a two (2) lot subdivision (house lot excision), creation of a carriageway easement and alteration of access to a road in a Transport Zone 2 at 1363 Whittlesea-Yea Road, Kinglake West under the provisions of the Murrindindi Planning Scheme.

The land is in the Farming Zone and is subject to the Environmental Significance Overlay – Schedule 1 and the Bushfire Management Overlay and Whittlesea-Yea Road is in a Transport Zone 2. A planning permit is required to subdivide land in the Farming Zone. Clause 35.07-3 of the Murrindindi Planning Scheme requires each lot to be at least 40 hectares unless the subdivision is to create a lot for an existing dwelling. The subdivision must be a two-lot subdivision. A planning permit is also required to subdivide land in the Environmental Significance Overlay and the Bushfire Management Overlay and to create a carriageway easement and to alter access to a road in a Transport Zone 2.

The proposal is to subdivide the lot into two lots by retaining the existing dwelling on a 1.95 ha lot (Lot 2) and create a balance lot of 42.32 ha (Lot 1). No development plans are proposed for Lot 1, which means that Lot 1 will be treated as a vacant lot.

The application was referred to Department of Transport and Planning, who have not objected to the proposal, subject to a number of conditions. These conditions include the creation of a carriageway easement and alterations to access from Whittlesea-Yea Road, both of which require a planning permit and have therefore been included to form part of the proposal.

The application has been advertised to the adjoining properties and two (2) submissions have been received. The objections relate to the lack of detail of future development on the site and the impacts that may have on surrounding properties, and the cumulative impacts of development in the area.

The proposed subdivision fails to meet the objective of Clause 14.01-1L of the Murrindindi Planning Scheme, which seeks to limit house lot excision, is inconsistent with the purpose and decision guidelines of the Farming Zone, and is not in accordance with the purpose and decision

guidelines of the Environmental Significance Overlay and Schedule 1 to the Environmental Significance Overlay, which aims to protect high quality agricultural land.

Purpose

This report recommends that a refusal to grant a permit be issued for a two (2) lot subdivision (house lot excision), creation of a carriageway easement and alteration of access to a road in a Transport Zone 2 at 1363 Whittlesea-Yea Road, Kinglake West in accordance with the grounds of refusal. The application is presented to Council because the recommendation is to refuse the application.

MOTION

Cr D Gallagher/Cr S Carpenter

That Council defer consideration of item 4.2 to the November 2023 Scheduled Meeting of Council

LOST

RESOLUTION

Cr J Walsh / Cr K Haslam

That Council issue a refusal to grant a permit for two (2) lot subdivision (house lot excision), creation of a carriageway easement and alteration of access to a road in a Transport Zone 2 at 1363 Whittlesea-Yea Road, Kinglake West (C/A: 4 CAL: B), based on the following grounds:

- 1. The proposal fails to meet the objective of Clause 14.01-1L of the Murrindindi Planning Scheme, which seeks to limit house lot excisions.**
- 2. The proposal is not in accordance with the purpose and decision guidelines of the Farming Zone.**
- 3. The proposal is not in accordance with the purpose and decision guidelines of the Environmental Significance Overlay and Schedule 1 to the Environmental Significance Overlay.**

CARRIED

4.3 Presenting the Thornton Rubicon Community Plan

Attachment(s):

1. Attachment 1 - Thornton Rubicon Community Plan 2023-28 [4.3.1 - 8 pages]

Presenter	A Paxton, Director Community and Development
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

Council officers have been working with the Thornton-Rubicon Community to develop the Thornton-Rubicon Community Plan, which has been led by a core team from the Thornton and Rubicon communities, through a series of participatory workshops. The purpose of this report is for the Thornton-Rubicon Community Plan to be presented to Council for noting.

RESOLUTION

Cr S Carpenter / Cr E Lording

That Council note the Thornton Rubicon Community Plan as contained in Attachment 1 - 4.3.1

CARRIED

4.4 Economic Development Strategy - Business and Community

Attachment(s): Nil

Presenter Ben Harnwell, Manager Economic Development

Approved by Director Community & Development

Purpose For decision

Executive Summary

Engagement and consultation with business is considered a critical step in the development of the 2024 Murrindindi Economic Development Strategy. This report outlines the approach proposed for the engagement with business and community on the development of the 2024 Murrindindi Economic Development Strategy. The initial planning has been based on an extensive review of existing strategies and studies, building on the consultation and engagement undertaken to date. Five Priority Areas and associated Outcomes have been identified through analysis of related previous and current plans and strategies.

The next phase of the development of the Strategy include engagement with business and community stakeholders.

RESOLUTION

Cr D Gallagher / Cr K Haslam

That Council notes the business and community engagement proposed for the development of the 2024 Murrindindi Economic Development Strategy.

CARRIED

5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP

5.1 Annual Report 2022/23

Attachment(s):

- Attachment 1 - Annual Report 22/23 [5.1.1 - 104 pages]

Presenter	Mayor Cr John Walsh
Approved by	Mayor Cr John Walsh
Purpose	For decision

Executive Summary

This report presents the Murrindindi Shire Council Annual Report for the period 1 July 2022 to 30 June 2023 for Council's endorsement.

The Mayor will present this report in accordance with section 100 of the *Local Government Act 2020*.

The presentation of the Annual Report is an important milestone in recognising the significant achievements of Council in 2022/23, including the objectives and activities of the *Council Plan 2021-2025* and the 2022/23 Annual Budget.

RESOLUTION

Cr D Gallagher / Cr J Walsh

That Council endorse the Murrindindi Shire Council Annual Report 2022/23 as contained in Attachment 5.1.1

CARRIED

5.2 Quarterly Financial Report - 30 September 2023

Attachment(s):

- Attachment 1 - Financial Statements September 2023 [5.2.1 - 4 pages]

Presenter	Cheryl Nickels-Beattie, Manager Business Services
Approved by	Director People & Corporate Performance
Purpose	For noting

Executive Summary

This report provides the quarterly financial report for the period ending 30 September 2023. It includes a reconciliation of the carry forward and other quarterly adjustments to the 2023/24 Annual Budget. The Annual Revised Budget forecasts an operating surplus for the year of \$4.9 million, which is an increase of \$3.7 million on the Original Adopted Budget and primarily reflects a significant increase in grant income.

RESOLUTION

Cr D Gallagher / Cr E Lording

That Council receive the Quarterly Financial Report to 30 September 2023, which includes the Revised 2023/24 Annual Budget incorporating the carry forward budgets from the 2022/23 financial year and other adjustments for the period ending 30 September 2023.

CARRIED

5.3 Priority Action Plan - Quarterly Report 30 September 2023

Attachment(s):

- Attachment 1 - Council Plan - Quarterly Report - July- September 2023 [5.3.1 - 37 pages]

Presenter	D Echeverry, Acting Manager Governance & Risk
Approved by	Director People & Corporate Performance
Purpose	For noting

Executive Summary

This report provides a summary of the progress from 1 July to 30 September 2023 (first quarter) in delivering Council's *Priority Action Plan 2023/24* and *Council Plan 2021-2025*.

RESOLUTION

Cr E Lording / Cr D Gallagher

That Council note the Council Plan 2021-2025 Progress Report – 1 July to 30 September 2023 period as contained in Attachment 5.3.1

CARRIED

5.4 Customer Service Policy Review

Attachment(s):

1. Attachment 1 - 2019 Customer Service Policy [5.4.1 - 4 pages]
2. Attachment 2 - 2023 Proposed Customer Service Policy [5.4.2 - 5 pages]

Presenter Anna Cullen, Manager Customer Experience
 Approved by Director People & Corporate Performance
 Purpose For decision

Executive Summary

Council's current Customer Service Policy was last endorsed by Council in 2019 and has recently been reviewed. The review took into consideration the changing preferences of our customers to contact and engage with Council more regularly via electronic and online mediums, in addition to more traditional means. The review also improves the alignment of this Policy with Council's approach to complaint handling and the promises outlined in Council's soon to be released revision to its Customer Service Charter.

The revised Customer Service Policy is presented for Council's endorsement.

RESOLUTION

Cr D Gallagher / Cr S Carpenter
That Council endorse the revised Customer Service Policy as contained in attachment 2 – 5.4.2.

CARRIED

5.5 CEO Employment and Remuneration Committee - Extension of Appointment of Independent Member

Attachment(s): Nil

Presenter Michael Chesworth, Director People & Corporate Performance
 Approved by Director People & Corporate Performance
 Purpose For decision

Executive Summary

Council has a requirement under the Local Government Act 2020 to obtain independent professional advice to support its role in managing the employment and remuneration of the Chief Executive Officer (CEO). To this end, following an expression of interest process, Council appointed Ms Marilyn Kearney in October 2021 for a two-year term to provide independent professional advice. As this initial term is about to expire, Council has the option to extend the

appointment for a further two, one-year terms by resolution. This report seeks Council's endorsement to extend the appointment for the first of these additional one-year terms.

RESOLUTION

Cr S Carpenter / Cr D Gallagher

That Council extend the appointment of Ms Marilyn Kearney as the independent member of the CEO Employment and Remuneration Committee for a further one-year term, in accordance with the Committee's Terms of Reference.

CARRIED

6 REPORTS - ASSETS & ENVIRONMENT GROUP

6.1 Contract 23/15 - Saleyards scanning and weighing

Attachment(s):

1. CONFIDENTIAL REDACTED - Attachment 1 - 23/15 Saleyards scanning and weighing Contract [6.1.1 - 6 pages]

Presenter	Vito Albicini, Director Assets and Environment
Approved by	Director Assets and Environment
Purpose	For decision

Executive Summary

The Yea Saleyards is an asset under Council's ownership. A volunteer Community Asset Committee appointed under Section 65 of the Local Government Act 2020, oversees the operations and management of the Saleyards.

The Committee's powers are delegated by the Council's CEO and includes delegation to enter into financial contracts not exceeding \$5,000. Any capital works recommended by the Committee are subject to Council approval and funded via proceeds from the saleyard's activities or grants. The procurement of works above the Committee's financial delegation is conducted by Council as the asset owner.

The purpose of this report is to appoint a supplier for CONT 23/15 Services Contract – Yea Saleyards – Scanning and Weighing Services 2023 to 2028, for a four-year contract plus an option for a one-year extension.

The contract is for the supply of scanning and weighing of cattle at the Yea Saleyards facility. Scanning and weighing is provided prior to sales at the facility to provide weights and locations of cattle.

The evaluation process was undertaken by the Tender Evaluation Committee in line with Council's Procurement Policy and the tender evaluation criteria.

Based on the analysis undertaken, the Committee recommended that Tenderer One be appointed to CONT23/15 Yea Saleyards – Scanning and Weighing Services for a four-year contract with an option of a one-year extension, not exceeding a total of five years commencing 26 October 2023 and ending no later than 25 October 2028

RESOLUTION

Cr S Carpenter / Cr J Walsh

That Council:

- 1. appoint Outcross Pty Ltd to CONT23/15 – Yea Saleyards – Scanning and Weighing Services 2023 to 2028 for an initial period of four years with an option for a further one year commencing 26 October 2023 and no later than 25 October 2028;**
- 2. approve a total contract amount of \$1,250,000 over the five-year contract period;**
- 3. authorise the Chief Executive Officer to extend CONT23/15 - Yea Saleyards – Scanning and Weighing Services for the optional one-year period subject to satisfactory performance; and**
- 4. release this resolution and the name of Tenderer into the Minutes of the Scheduled Meeting of 25 October 2023.**

CARRIED

6.2 Contract 22/31 - Construction of New Cell at Alexandra Landfill

Attachment(s):

1. CONFIDENTIAL REDACTED - Attachment 1 - CONT22/31 Alexandra Landfill Western Valley Cell Construct [6.2.1 - 14 pages]

Presenter	Peter Bain, Manager Sustainability and Assets
Approved by	Director Assets & Environment
Purpose	For decision

Executive Summary

The Alexandra Landfill is located at 124 Mt Pleasant Road in Alexandra. The landfill operations are subjected to an EPA (Environment Protection Authority) Licence (OL000012039). The approved filling area includes two valleys, the eastern valley, and the western valley. The eastern valley has been developed and is anticipated to be filled within 12 to 18 months.

Council has recently undertaken a public tender process seeking the services of a suitably qualified and experienced contractor to construct the sub-base for the site and new cell (Cell 2A) in the western valley, including the subgrade for all future cells and lining for the first cell (Cell 2A).

This report outlines the procurement process undertaken to appoint a contractor to undertake these works in accordance with Contract “CONT22/31 – Alexandra Landfill – Western Valley Cell Construction” and makes recommendations for Council to award the contract.

Based on the analysis undertaken, the Committee recommend that Tenderer 2 be awarded Contract 22/31 Alexandra Landfill Western Valley Cell Construction for a lump sum price of \$3,322,026 to complete the works in accordance with the specifications.

RESOLUTION

Cr D Gallagher / Cr S Carpenter

That Council:

- 1. Award “CONT22/31 Alexandra Landfill Western Valley Cell Construction” to Goldsmith Civil Environmental Pty Ltd for a lump sum price of \$3,322,026 to complete the works in accordance with the specifications;**
- 2. Authorise the Chief Executive Officer to execute the required contract documentation;**
- 3. Approve the allocation of up to \$500,000 as a contingency amount to be used for the delivery of this contract as detailed in this report;**
- 4. Allocate an additional \$357,026 from the \$396,590 savings of the Kinglake Landfill Rehabilitation project so that the Project Budget of \$3,800,000 increases to \$4,157,026 to cover the proposed contingencies;**
- 5. Authorise the Director Assets & Environment to approve payment for works directed under the provisional sum within the contract;**
- 6. Authorise the Director Assets & Environment to approve payment of variations to the contract up to \$500,000;**
- 7. Release the name of the successful Tenderer in the Minutes of the 25 October 2023 Scheduled Meeting of Council; and**
- 8. Note that the construction program submitted by the recommended tenderer will result in the works anticipated to be completed by the end of the 2023/24 financial year and any necessary adjustment to the 23/24 budget for this project will occur at the Mid-Year Budget Review.**

CARRIED

Cr Lording left the meeting at 7:56pm

6.3 Capital Works Program Quarterly Report - 30 September 2023

Attachment(s):

1. Attachment 1 - Capital Works - Quarterly Report - September 2023 – Program Financials [6.3.1 - 8 pages]
2. Attachment 2 - Capital Works - Quarterly Report - September 2023 – Program Comments [6.3.2 - 8 pages]
3. Attachment 3 - LRC I 4 Proposed Projects [6.3.3 - 1 page]

Presenter P Bain, Manager Sustainability & Assets

Approved by Director Assets & Development

Purpose For decision

Executive Summary

This report is the first quarter progress report of the capital works program (CWP) for the 2023/24 financial year. The period of reporting is from 1 July 2023 to the end of September 2023. The CWP is comprised of those projects endorsed by Council as part of the 2023/24 budget, projects identified for carry forward from the 2022/23 program and any approved projects that have received grant funding during the financial year.

RESOLUTION

Cr D Gallagher / Cr S Carpenter

That Council:

- 1. Receive the quarterly report for the quarter ending 30 September 2023 on the status of the delivery of the Capital Works Program; and**
- 2. Approve the list of projects that will be funded from the Local Roads & Community Infrastructure (LRCI) Round 4 funding for inclusion in the 2023/24 Capital Works Program; and**
- 3. Include the construction of a new playground at the Yea Riverside Caravan Park with a total budget of \$250,000 (50% being funded from the Yea Caravan Park reserves and the other from the caravan park operator) in the 2023/24 Capital works Program.**

CARRIED

6.4 Climate Change Action Plan 2023

Attachment(s):

1. Attachment 1 - Climate Change Action Plan 2023 - final [**6.4.1** - 55 pages]
2. Attachment 2 - Climate Change Action Plan - Community Engagement Findings Report [**6.4.2** - 31 pages]

Presenter	Bronwyn Chapman, Coordinator Environmental Programs
Approved by	Vito Albicini, Director Assets and Environment
Purpose	For decision

Executive Summary

This report presents the final version of the Climate Change Action Plan (CCAP) after considering the outcomes of the release of the draft Plan for community consultation, as resolved by Council on 22 March 2023. Community comment has been incorporated into the final version of the CCAP, which is presented to Council for adoption.

The Climate Change Action Plan is the key approach to realise the targets and policies set out in the Climate Change Policy 2022. Earlier public input guided development of the CCAP to achieve net zero by 2035 and also to support the community to adapt to the impacts of climate change. In March 2023, Council endorsed the draft version of the CCAP for broad consultation.

The public consultation focussed on the opportunities for council to support community-led action. A series of potential actions were presented to community members to indicate key priorities. This enables council to target its supporting actions to the areas of most importance to the community, to:

- increase the amount of renewable energy and storage technology in the region, to improve energy reliability, especially during emergencies
- Incorporate a climate change stream into Council's existing grant programs for community and business
- facilitate a bulk buy program for residents and businesses to purchase cheaper solar/batteries, electric vehicles, or other climate-safe technologies
- expand Council's support for community nature restoration efforts

General sentiment of the community to Council's plans were positive. The consultation process identified gaps and improvements to the CCAP which included the need to support youth action and recognise the increased risk of water scarcity with improved sustainable water use. This consultation process has also further improved the scope and relevance of the CCAP to the community, while affirming its key directions.

The amended Climate Change Action Plan has now incorporated the feedback from the Community and is now finalised and present to Council for adoption and implementation.

RESOLUTION

Cr S Carpenter / Cr D Gallagher

That Council:

1. **Note the feedback from the community through the community consultation on the draft Climate Change Action Plan; and**
2. **Adopt the final amended Climate Change Action Plan as contained in Attachment 6.4.1**

CARRIED

7 COUNCILLOR AND CEO REPORTS

7.1 Notices of Motions

Nil.

7.2 Cr Sue Carpenter

I am happy to report on the Community Engagement and Wellbeing activities that have been happening in our shire this month.

We have celebrated Seniors Week by offering a free luncheon at Eildon, Kinglake, Alexandra and Yea; Flowerdale to hold their lunch tomorrow.

These gatherings have provided a great opportunity for Senior members to get together and enjoy some company, and entertainment by talented local musician Steve Paix. They also assist some of our older community members to relieve loneliness and isolation.

This project is supported by the Victorian State Government Seniors Festival, Disaster Recovery Funding, and Emergency Recovery.

The Yea saleyards in partnership with Yea and District Memorial Hospital have been offering free health checks at the Saleyards for farmers and others attending sale days.

Farmers have been taking advantage of these free health checks and 10 participants have been found to require referrals for further treatment. A good outcome for their health and wellbeing.

In Eildon Ambulance officers have also been available every Wednesday for 2 hours to offer health checks. This initiative is very helpful for community members that have trouble with transport to GP's or other health services that are not available locally.

Two hilarious and informative Laughter Clinics in Yea and Alexandra were hosted by Foundation Murrindindi in association with the Council with funding provided through the Commonwealth-State Disaster Recovery Funding Arrangements (DRFA)

In Yarck last week a night of free entertainment was offered for all farmers.

Lifting Farm Spirit, featuring Warren Davies, aka the Unbreakable Farmer provided some comic relief and more at the Yarck Hall.

Flowerdale Community planning is underway at the moment. Have your say on what projects your community may like to develop.

Look at our web page and stay in touch.

Kinglake, Kinglake West and Pheasant Creek Community Planning is being launched at the Kinglake Foggy Mountains festival on the 19th of November between 1pm and 4pm.

Congratulations to the Thornton Rubicon community for completing their community plan and presenting it to council tonight. Well done.

A Fair Access Policy is being developed at present. It is addressing barriers to female participation in activities. Community consultation is underway now and closes on the 19th of November.

Thank everyone for their input into the Eildon Pondage Master Plan. A draft plan will be out Late October / Early November.

The Murrindindi Economic Development Strategy is being developed and will engage with local businesses and the wider community. Local feedback is a critical step in the development of this strategy. Community consultation opens soon.

The community is regularly asked for feedback on council planning topics, and we encourage you to continue to give us your valuable thoughts so that we can utilize them when we consider future plans.

7.3 Cr Damien Gallagher

As the days lengthen and become a little warmer, Alexandra delivers events, festivals, and attractions.

It was a privilege to present the Murrindindi Shield to the winners of the first gridiron match to be held in Northeast Victoria. The match was the culmination of a huge effort by Matt Herridge, originally of Eildon, who remains connected to our community and so he brought his beloved South Eastern Predators' to Alexandra Recreation Reserve for Round 2 of the Gridiron Victoria season. The event was not only an amazing spectacle, but also raised funds to advance awareness of Rett Syndrome, the genetic neurological and developmental disorder which affects the way the brain develops, causing a progressive loss of motor skills and language. Thanks to

Murrindindi Shire Council, Alexandra Football Netball Club, Thornton Football Club and the many Alexandra locals, volunteers, and businesses who chipped in to support Matt.

Early in the month, Alexandra Secondary College hosted a celebration of the Alice Sloan Expedition and Leadership Program 2007 – 2022. The Alice Sloan expedition was developed in response to the tragic death of Alice Sloan in 2005 and celebrated Alice's love for the outdoors, sport and the arts which inspired the aim of the experience for young women. The celebration was conducted next to a tree planted in Alice's honour and those in attendance including the Rotary Club of Alexandra and former participants offered their gratitude for Jennie and John Sloan's support for the expedition, and many called out the sincerely life-changing impact of the Outdoor Education Group program for some participants and families.

Murrindindi Food and Wine are supporting local producers with the launch of their campaign to "Put Murrindindi on your Table this Christmas". The initiative encourages us to share unique local brands and products by gifting produce or a Murrindindi experience at Christmas time.

Murrindindi Shire Council has proudly supported Alexandra Events and Murrindindi Foundation to host events to promote mental wellbeing. The Lifting Farm Spirits event with speaker, Warren Davies, reminded farmers to service our body like our machinery. Mark McConville's Laughter Clinics demonstrated the physical and psychological benefits of laughter and humour. The events were supported by Alexandra District Health, through Disaster Recovery Funding Arrangements and Emergency Recovery Victoria.

Right across October, we've been celebrating the contribution of Seniors in our community. It was an honour to host seniors at the Alexandra celebration last Thursday and to acknowledge the contributions they share. The talented Steve Paix led everyone in song, dance, and laughter. Lots of conversations helped people connect and enjoy the company.

To portfolio and representative matters:

Thanks to everyone who contributed to the recent round of Shaping Murrindindi's Future "Conversations". After finalising the Regional Context Analysis Report in November 2023, the project will commence Stage Two, being the Entrepreneurial Discovery Process. That next stage actively tests the viability of projects to contribute to the transition of Murrindindi's economy. Entrepreneurial discovery will see the outcomes come to life.

The delivery of the Annual Report this evening draws a line under the activities of 2022-2023. The Business Services Team has already turned its attention to:

- preparation of budgets for the 2024-25 financial year,
- progression of the Digital Futures collaboration, and
- a discussion with the Victorian Electoral Commission who is engaged by Council to conduct Council elections in October, 2024.

It's a timely reminder for community members to consider representing their community in Council for the 2024-28 term. A breadth of quality candidates will only enhance the quality of representation.

Finally:

I commend to the community the 2022-23 Annual Report which I look forward to sharing. Our Mayor, Cr. Walsh is to be congratulated for his contribution and leadership over the course of these past 12 months.

7.4 Cr Ilona Gerencser

Nil to report

7.5 Cr Eric Lording

Nil to report

7.6 Cr Sandice McAulay

Nil to report

7.7 Cr Karine Haslam

I am very excited that the Climate Change Action Plan has been adopted by Council tonight.

It gives a clear direction to council on the way forward to achieve net zero/carbon neutral by 2035.

Two key sources of emission in the community are vehicles and agriculture. Council is working to assist the community to take up opportunities in the transition to a low emissions future, through collaboration with agencies and peak bodies, community groups, and the commercial section.

It will be great to see Murrindindi Shire facilitate a network of EV charges within the municipality.

At this stage 2 medium speed charge stations have been installed at Kinglake by Council, and Council assisted the installation of a 50kw DC charger in (Baker's Lane) Alexandra by Evie Networks.

Further chargers will be installed through a combination of partnerships and grant funding.

A great initiative by Council is the new Special Purpose grant stream in the Community grants and sponsorship program, to support accommodation businesses to install EV charges. This will help alleviate range anxiety and will encourage more visitors to our region.

The Climate Action Plan includes action to convert the council fleet to zero carbon vehicles and plant.

Bushfire preparedness – Take advantage of Free Green waste disposal at Council's Resource Recovery Centres in Alexandra, Yea, Kinglake, Eildon and Marysville from 1st October - 31st December 2023. This is for domestic quantities of grass clippings, leaves, garden trimmings, branches and tree trunks. Make sure it is not mixed with other materials also that it is no longer than 1.5m in length and less than 25cm in diameter. Anything larger than this will incur a fee. To check out the guidelines call customer service on 57720333 or visit the Murrindindi website / waste disposal.

What a difference at the Lower Pondage. Eildon land care have done a fabulous job removing small weed species from the area near the bridge on the GV Hwy. Council has also helped by removing and mulching the Poplar trees, removing hung branches also trimming dangerous branches. Not only will this improve safety and access for people who enjoy fishing on the Pondage also those who use the walking path by opening up the view. It will also improve biodiversity of the area.

Victoria's Container Deposit Scheme is fast approaching and will commence on the 1st November, 2023. The network operator, Visy Recycling is seeking expressions of interest from sports or service clubs, service retailers and industrial businesses to operate over the counter collection points in major towns in Murrindindi Shire. Vendors will receive \$0.06 per eligible container, a great opportunity as a fund raiser for your club or organization. For more information go to visy.com.au/about-cds
Presently Murrindindi has two collections points. Nanny Jan's at Eildon shopping Centre and the Pub at Kinglake.

There will be a Circular Economy Business Workshop on the 14th November 2023 at the Alexandra Shire Hall from 2pm – 7pm. To learn about being more sustainable in your business Council is hosting a workshop for local business owners and operators to learn more about the circular economy, and opportunities for managing waste differently. You will learn about practical waste management solutions and pick up tips to help you overcome barriers to making positive change in your business. Register at Murrindindi.vic.gov.au/ceworkshop

7.8 Cr John Walsh - Mayoral Report

Over two days in Melbourne, I attended the MAV Annual Conference and the MAV State Council. Key points from the Conference were:

- In opening the Conference the Commonwealth Minister for Local Government and Regional Development, Kirsty McBain reminded us of increased funding for roads and housing infrastructure but gave no indication that Financial Assistance Grants would be returning to 1% of Government outlays as they once were.
- A panel discussion on the practical steps for implementing the State Government's Reconciliation and Settlement agreement with First Nations people included the successful approach being undertaken in the Greater City of Bendigo which may be of assistance to us in Murrindindi.
- Another panel presented issues relating to the financial sustainability of Councils in Victoria with a representative of the Victorian Auditor General's Office advising a report on Council sustainability will be published in November. Most agreed that rate-capping is limiting the opportunity for projects demanded by communities to be started even in those areas where Councils have other sources of revenue besides rates and grants.
- Anne Leadbeater spoke on the need to lay the groundwork for recovery after disasters well before a disaster happens. With climate change we can expect more natural disasters and activities like community planning play a key role in identifying community leaders to help lead subsequent recovery efforts.
- Marion Terrill from the Grattan Institute, presented on ways Australia's road network could be better financed and maintained. Of no surprise to smaller councils, she highlighted that the majority of road maintenance costs fall on those rural and remote councils with the least ability to afford the work. Her report will be published next month.

At the State Council we were unsuccessful by 1 vote to have the distribution methodology for Commonwealth grants be revised to include consideration of the impact of natural disasters on Rural and Regional Councils.

My other main activity for October related to our on-going efforts to have a tertiary training support facility established in Murrindindi. We had a second meeting of the working group where we resolved to align ourselves with the Country Universities Centre organization who have successfully assisted 18 other centres to be established. The working group also agreed that we should apply for the recently announced round of funding from the Commonwealth even though our application has to be in by 15 Dec 23. Sites in Alexandra and Yea are presently being assessed as possible locations.

Along with the CEO, the Director Community and Development and Bev Dick, a member of the Working Group, I visited the Ovens Murray Country University Centre at Wangaratta. It was stressed to us initially there was a level of misunderstanding whereby people made an assumption that the Centre offered training courses when its role was not to teach but solely to support students who were studying remotely for whatever qualifications and from whatever education provider they had chosen. The visit confirmed the great advantage to also have such a facility within our Shire. There is to be another visit to a CUC at Wonthaggi, next week.

The CEO and I had a fruitful online discussion with the Leader of the Opposition, John Pesutto and Member for Eildon, Cindy McLeish. The main topics covered were roads, flood recovery and the funding of local governments. It was also agreed that Mr Pesutto would visit in coming months to gain a greater understanding of all our current issues.

I thank Councillors, the Executive and staff for their work in presenting and distributing factual information on the Referendum. I regret that if the flood of misinformation that was experienced is a guideline, we may again have to undertake such a role in other matters in the future. The referendum result indicates that we will have to apply ourselves with more vigor and dedication of purpose if our Reconciliation Action Plan and the benefits that will bring, are to come to fruition.

Finally thanks to Deputy Mayor Haslam for filling in for me tonight as I complete my Covid isolation.

7.9 Chief Executive Officer Report

- Following the impacts of the recent Floods earlier this month, I can confirm that Murrindindi Shire has been included as part of the the event with the Commonwealth Government to activate measures under the Disaster Recovery Funding Arrangements (DRFA). This inclusion provides access to Emergency Assistance for individuals; Counter Disaster Operations (CDO), and Emergency Works and Immediate Reconstruction works
- During the month Council facilitated a number of events as part of Oct-22 Flood Recovery program, as reported by Cr Carpenter, which champion health, connection, and resilience and which were very well attended.
- I'm pleased to announce that we've secured a grant of \$129,166 from the Circular Economy Councils Fund. This will enable us to purchase a trailer-mounted mulcher so we can produce garden mulch from brush and wood, diverting it from the landfill.
- Community consultation for our Road Safety Strategy has now closed. An action plan is being developed incorporating the community feedback, traffic data, and technical inputs. A heartfelt thanks to our community for sharing valuable insights.

- Under the Shaping Murrindindi Future initiative, funded by DEECA, we're exploring economic development paths beyond native timber harvesting. Thanks to everyone who provided input for the context analysis, which foresees growth and innovation opportunities. Workshops will soon be organized to delve deeper into these.
- As the Chair of the MEMPC I was asked by the committee to write to the Secretary of DEECA, which includes Forest Fire Management Victoria, to relay the concerns expressed in some parts of our community about the availability of forestry contractors, who have played a crucial role in bushfire preparedness and response, and their ongoing role following the cessation of native timber harvesting.
- I received a response which outlines the resources that are available for fire management, and I am advised that existing forestry contractor arrangements are in place for this financial year to assist in bushfire prevention, while discussions for their continued support post-June 2024 are ongoing.
- Council Roadside slashing is underway covering Alexandra, Cathkin, and Yarck for now.
- And finally, we will shortly commence our annual road re-sheeting program, targeting more than 20 Km of roads.

8 RECORD OF COUNCIL BRIEFING SESSIONS

Purpose

For noting.

Executive Summary

This report presents the records of Council Briefing Sessions for 21 September 2023 to 19 October 2023, for Council to note.

Meeting Name/Type	Council Pre-Meet			
Meeting Date:	27 September 2023			
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning Application – 399 Maintongoon Road, Maintongoon – Helicopter Maintenance Facility 2. Murrindindi Flood Recovery September Report 3. Arts and Culture Policy Review 4. Grants and Sponsorships 5. Contract 23/11 - Microsoft 365 and Teams Licenses 6. Approval of the 2022/23 Financial and Performance Statements 7. Audit and Risk Committee Noting of Minutes 8. Audit and Risk Committee Biannual Report 9. Endorsement of Audit and Risk Committee Chair 10. Instruments of Delegation and Authorisation to Council Staff 11. Contract 23/10 - Design & Construction Eildon Skate Park - Tender Award 12. Tender Evaluation Report - Contract 23/14 - Gravel Roads Resheeting Program 2023/24 			
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr S McAulay, Cr E Lording, Cr I Gerencser			
Council Officer Attendees	Livia Bonazzi, Michael Chesworth, Vito Albicini, Andrew Paxton, Cheryl Nickels-Beattie, Natalie Stewart, Cameron Fraser, Emma Kubeil, David Echeverry, Nicole Maguire			
Conflict of Interest Disclosures: Nil				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
4	Cr K Haslem	No	Was not necessary	Was not necessary

Meeting Name/Type	Briefing Session
Meeting Date:	11 October 2023
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning Application: 1363 Whittlesea Yea Road KINGLAKE WEST 2. Planning Application: 2427 Maroondah Highway BUXTON, Creation of a carriageway easement 3. Climate Change Action Plan 2023 4. Environmental Programs Update 5. Update - DEECA technical review of Lake Eildon operating rules 6. Flood Betterment Funding 7. Customer Service Policy review
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr S McAulay, Cr E Lording
Council Officer Attendees	Livia Bonazzi, Michael Chesworth, Vito Albicini, Andrew Paxton, Nicole Maguire, Bronwyn Chapman, Peter Bain, Natalie Steward, Cameron Fraser, Kim Chadband
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Briefing Session
Meeting Date:	18 October 2023
Matters Discussed:	<ol style="list-style-type: none"> 1. Capital Works Program Review 2. Development Services Monthly Report 3. Economic Development Strategy 4. Eildon Pondage Masterplan 5. Tertiary Education Hub 6. 2022/23 Annual Report Review
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr S McAulay, Cr E Lording, Cr I Gerencser
Council Officer Attendees	Livia Bonazzi, Michael Chesworth, Vito Albicini, Andrew Paxton, Dilshan Liyanage, Peter Bain, Natalie Stewart, Cameron Fraser, Ben Harnwell, Emma Kubeil, David Echeverry, Cassandra Ray
Conflict of Interest Disclosures: Nil	

RESOLUTION

Cr D Gallagher / Cr J Walsh

That Council receive and note the records of Council Briefing Sessions for 19 September 2023 to 21 October 2023.

CARRIED

9 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT23/1 23/63744	5 October 2023	Formal Instrument of Agreement between Murrindindi Shire Council and North Central Construction	Livia Bonazzi Cr John Walsh

RESOLUTION

Cr S Carpenter / Cr J Walsh
That the list of items to which the Council seal has been affixed be noted.

CARRIED

The meeting was closed at 8:29pm

CONFIRMED THIS

CHAIRPERSON

Cr K Haslam