



Murrindindi
Shire Council

Scheduled Meeting of Council

Minutes

Wednesday 26 July 2023
Alexandra Council Chambers
Perkins Street
6:00 PM

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1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE

1.1 Acknowledgement of Country

The meeting was opened with the Chief Executive Officer declaring the following Pledge 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 are committed to working together in the best interests of the people who live in our municipality, who conduct business here and those who visit.

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 was 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

Cr I Gerencser request for planned leave for the period of 22 August 2023 to 10 September 2023.

RESOLUTION

Cr S Carpenter / Cr E Lording

That Council accept the request for planned leave from Cr I Gerencser for the period of 22 August 2023 to 10 September 2023.

CARRIED

Present:

Councillors J Walsh (Chair), K Haslam, S Carpenter, D Gallagher, I Gerencser, E Lording, S McAulay

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 Customer Experience: Anna Cullen
Manager Development Services: Natalie Stewart
Coordinator Planning: Cameron Fraser

2.3 Disclosure of Interest or Conflict of Interest

Nil.

2.4 Confirmation of Minutes

Minutes of the Scheduled Meeting of Council held on 28 June 2023.

RESOLUTION

Cr I Gerencser / Cr S McAulay

That Council confirm the minutes of the 28 June 2023 Scheduled Meeting of Council.

CARRIED

2.5 Petitions

2.5.1 Road Sealing – Steavenson Road & Aroona Drive Buxton

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|---------------|--|
| Attachment(s) | Confidential Attachment 1 – Petition – Road Sealing – Steavenson Road & Aroona Drive Buxton (<i>distributed to Councillors separately</i>) |
| Presenter | L Bonazzi, Chief Executive Officer |
| Approved by | Director People & Corporate Performance |
| Purpose | For decision |

Council received a petition titled “Road Sealing – Steavenson Road & Aroona Drive Buxton” from Susan Maffei on 19 July 2023. The petition is signed by 21 people with addresses in either Steavenson Road or Aroona Drive Buxton. The petition is confirmed as meeting the requirements of Council’s Governance Rules.

RESOLUTION

Cr S McAulay / Cr S Carpenter

That Council:

- 1. receive the petition titled ‘Road Sealing – Steavenson Road & Aroona Drive Buxton’ from Susan Maffei**
- 2. refer the petition to the Director Assets & Environment for consideration and response.**

CARRIED

2.6 Community Recognition

Nil.

2.7 Matters Deferred from Previous Meeting

Nil.

2.8 Urgent Business

Nil.

Subject to Confirmation

3 PUBLIC PARTICIPATION

3.1 Open Forum

Greg Conlan spoke regarding Planning Application - 204 Killingworth Road, Killingworth - Development Plan.

Bill Warne spoke regarding Planning Application - 7 Peterkin Street, Alexandra - 19 Lot Subdivision.

Philip Stevenson spoke regarding Planning Application - 7 Peterkin Street, Alexandra - 19 Lot Subdivision.

3.2 Questions of Council

One question was received from Kelvin Granger and Dean Hurlston Council Watch Inc.

Question 1

Can Council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

The Chief Executive Officer responded to Question 1:

To determine the exact dollar amount of cost shifting from the State Government, requires a thorough review and analysis of current and past grant funding, costs of service delivery and costs of extra compliance obligations imposed on Council over a period of time. As our finance staff are currently occupied in meeting the requirements of end of year reporting and preparation for the annual external audit, we do not have the capacity at present to quantify the dollar amount of cost shifting from State Government for the 2022/23 year.

Nevertheless, there are a range of areas where cost-shifting by the State Government is impacting on the financial capacity of Council.

For example, grant payments to Local Government have either reduced over several years in real terms, or are not sufficient to cover a fair share of the cost to Council, even though councils are required to maintain the same levels of service. Examples of these include:

- Provision of library services
- School crossing supervision
- Roadside weed management
- Provision of Maternal and Child Health services
- Immunisation
- Emergency management (preparedness, response and recovery)

In addition, certain policies of the State create constraints on the availability of 'own-generated' funds that Council can use to provide services. Examples of these include:

- The 'Fair Go Rating System' which sets a cap on annual rate rises, which over several years has been set below the annual consumer price index and cost escalations experienced by councils.
- The State Landfill levy imposed on Council has increased substantially in recent years, without any commensurate reinvestment of these funds back into local resource recovery.
- Implementation of the Circular Economy Policy and the associated kerbside collection reforms will involve significant increases in costs to Council, much of which will need to be recovered through higher charges to local communities.
- Statutory Planning fees being set by the State at levels below the actual cost of servicing planning applicants and processing applications.

Finally State legislative reforms incrementally create additional administrative and compliance costs for Council, for example, the revised Local Government Act 2020 now requires councils to utilise more resource-intensive engagement practices, create committees like the CEO Performance and Remuneration Committee involving an independent advisor, the need to address climate change impacts when making decisions. While Council recognises their beneficial outcomes, they do require additional resources.

All of these contribute to shifting additional costs onto Council, and thereby incrementally diminishing Council's financial capacity.

4 REPORTS - COMMUNITY & DEVELOPMENT GROUP

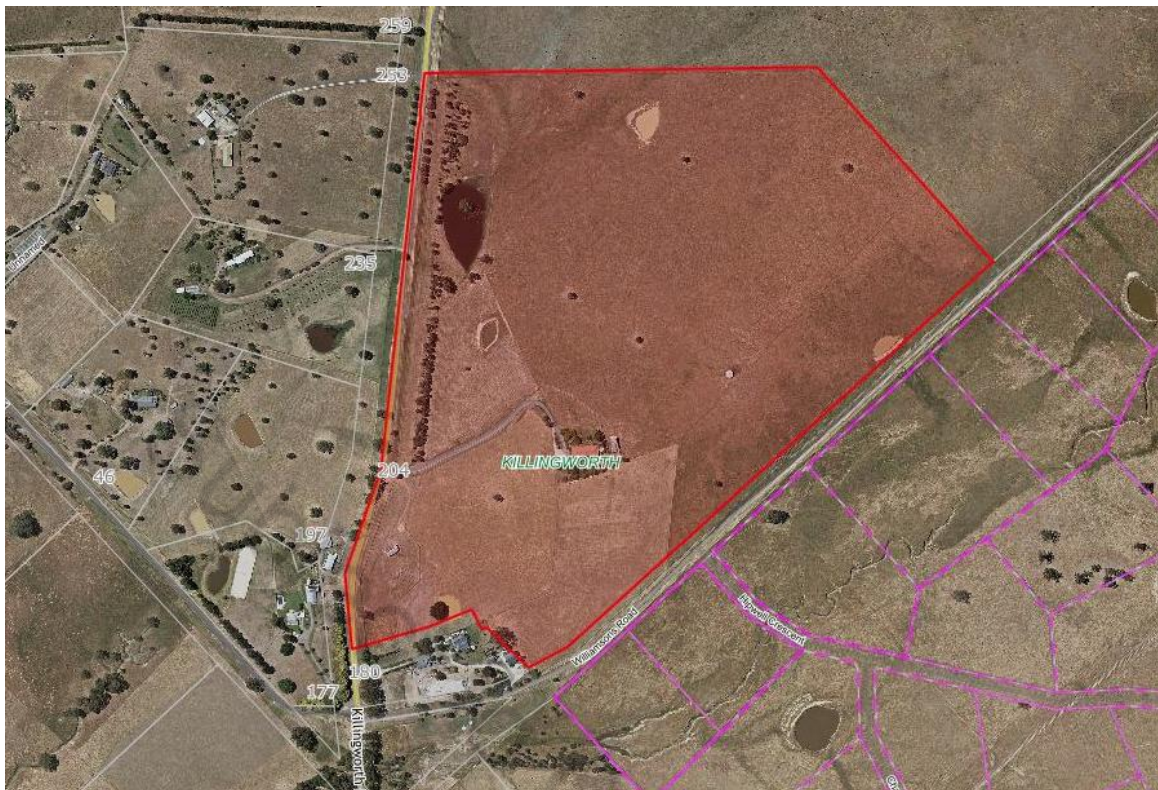
4.1 Planning Application - 10 Murchison Street, Marysville - Signage

Consideration of this item was deferred at the request of the applicant who has indicated an intention to amend the planning application pursuant to Section 57A of the *Planning & Environment Act 1987*.

4.2 Planning Application - 204 Killingworth Road, Killingworth - Development Plan

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|---------------|---|
| Attachment(s) | Attachment 1 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan [4.2.1 - 11 pages] Attachment 2 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan - Title [4.2.2 - 2 pages] Attachment 3 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan - Title Plan [4.2.3 - 5 pages] Attachment 4 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan - LCA [4.2.4 - 35 pages] Attachment 5 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan - Feature survey [4.2.5 - 1 page] Attachment 6 - Proposed Development Plan - 204 Killingworth Road Killingworth - Ellen Hogan - Tentative POS [4.2.6 - 2 pages] |
| Presenter | C Fraser, Coordinator Planning |
| Approved by | Director Community & Development |
| Purpose | For decision |
| Land: | 204 Killingworth Road, Killingworth |
| Proposal: | Development Plan Approval |
| Applicant: | Ellen Hogan & Associates |
| Zoning: | Rural Living Zone |
| Overlays: | Development Plan Overlay (DPO3) |

Locality Plan



Executive Summary

This report proposes a Development Plan for the land at 204 Killingworth Road. The development plan provides the basis for the future development of the land which has been zoned for rural residential land uses. Future planning applications would need to be consistent with the development plan and will be the subject of a separate planning application.

The land is located on Killingworth Road with frontage to Williamsons Road and has an area of 36.3 Hectares. The land is in the Rural Living Zone and is affected by the Development Plan Overlay (DPO3)

A development plan has been approved by Council in 2019 for the land on the opposite side of Williamsons Road for which subsequent planning permits have been issued with works to commence in the second half of 2023.

The development plan proposed includes the construction of a new internal road and will provide up to 16 lots. The Development Plan application has been advertised to adjoining land owners and relevant referral authorities.

External agencies have provided general comments for inclusion in the approved Development Plan. No written submissions were received from neighbours.

This report recommends that Council approve the submitted development plan for the land located at 204 Killingworth Road, Killingworth.

RESOLUTION

Cr E Lording / Cr I Gerencser
That Council approve the Development Plan – 204 Killingworth Road, Killingworth in accordance with Schedule 3 to the Development Plan Overlay in the Murrindindi Planning Scheme as attached.

CARRIED

4.3 Planning Application – 7 Peterkin Street Alexandra – 19 Lot Subdivision

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|---------------|---|
| Attachment(s) | Attachment 1 - 7 Peterkin Street, Alexandra - Application Proposal [4.3.1 - 22 pages] Attachment 2 - 7 Peterkin Street, Alexandra - Subdivision Plan - Building Envelopes [4.3.2 - 1 page] Attachment 3 - 7 Peterkin Street, Alexandra - Clause 56 Assessment [4.3.3 - 22 pages] Attachment 4 - 7 Peterkin Street, Alexandra - Traffic Impact Assessment Report [4.3.4 - 20 pages] |
| Presenter | C Fraser, Coordinator Planning |
| Approved by | Director Community & Development |
| Purpose | For decision |
| Land: | 1 and 7 Peterkin Street Alexandra |
| Proposal: | 19 Lot Subdivision |
| Applicant: | Warne Family |
| Zoning: | General Residential Zone |
| Overlays: | N/A |
| Triggers: | 32.08-3 – Subdivision in the General Residential Zone 52.29-2 – Subdivision of land adjacent to the Principal Road Network |

Locality Plan



Executive Summary

An application has been received for a 19 lot subdivision on the land at 7 Peterkin Street, Alexandra. The land is in the General Residential Zone and is not affected by any overlays. The site is located on the northern edge of the Alexandra Township and is accessible only via Peterkin Street. The application has been referred externally to Goulburn Valley Water, CFA, Ausnet and Department of Transport who have consented subject to conditions. Three objections have been received in relation drainage, lot sizes and amenity. This report recommends that a Notice of Decision to grant a permit be issued for the proposed 19 lot subdivision at 7 Peterkin Street, Alexandra.

RESOLUTION

Cr D Gallagher / Cr S McAulay

That Council issue a Notice of Decision to grant a planning permit for the subdivision of land into 19 lots at 1 and 7 Peterkin Street, Alexandra (Lot 1 on PS727873J, Lot 1 on Title Plan 808517U and Crown Allotment 3 Section 68 Township of Alexandra, Parish of Alexandra), subject to the following conditions:

- 1. Prior to the certification of the plan of subdivision, amended plans must be submitted to and approved by the Responsible Authority showing the consolidation of Lots 3 and 4 into Lot 6 as per the Plan of Proposed Subdivision Version 4 Prepared by Peyton Waite submitted with this application.**
- 2. 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.**
- 3. Prior to the certification of the plan of subdivision, road names must be submitted to and approved by the Responsible Authority. Until such time as these road names are approved, they should not be shown on any plans submitted for endorsement or certification.**
- 4. All new powerlines within the subdivision must be underground.**

5. Pursuant to Section 18 of the *Subdivision Act 1988*, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space. This payment shall be made prior to the issue of a Statement of Compliance and may be adjusted in accordance with Section 19 of the *Subdivision Act 1988*.
6. Prior to certification of the plan of subdivision, drainage plans and calculations must be submitted to and approved by the Responsible Authority, detailing the following:
 - a. The level of stormwater discharge estimated from a fully constructed development (including dwellings).
 - b. Provision of stormwater drains along Peterkin Street.
 - c. Provision of appropriate detention works, including onsite detention, if necessary, to ensure that the discharge from the site to the main drainage outfall under Maroondah Highway is kept to predevelopment levels.
 - d. Adverse impacts on properties must be considered and outfall requirements upgraded to accommodate diverted or concentrated flows.
 - e. Design of the lots, roads, and stormwater drainage system to restrict outflows from the development to predevelopment levels.
 - f. Drainage calculations shall include a hydraulic grade line analysis considering the 1 in 100-year storm event for the total catchment contributing to the outfall of the development.
7. Before any works associated with the development commence, the developer shall appoint a competent and suitably qualified Project Manager who shall be responsible for the supervision and management of the project, to the satisfaction of the Responsible Authority.
8. Prior to commencement of any construction works on the development, the Developer must undertake or caused to be provided in accordance with the requirements of the Responsible Authority. The following:
 - a. the layout of the roads shall generally be in accordance with the endorsed plan.
 - b. the road and drainage design must meet the objectives for the minor and major drainage systems as defined in Infrastructure Design Manual (IDM) guidelines.
 - c. the road and stormwater drainage systems for the development shall incorporate water sensitive urban design and shall be designed in accordance with Urban Stormwater Best Practice Environmental Guidelines 1999.
 - d. the road design shall incorporate measures to protect infiltration area by deterring unauthorised parking and/or access of vehicles in those areas.
 - e. each lot must be independently drained to the satisfaction of the Responsible Authority. Drainage pipes from each lot should not discharge directly to the kerb and channel.
 - f. a landscaping plan detailing features designed to enhance the visual and environmental amenity of the development. The plan should provide for extensive planting of predominantly native trees, shrubs, and grasses in the road reserves through and abutting the development.
 - g. plans and specifications for the landscaping, road, and stormwater drainage system, including computations and supporting information must be prepared to the satisfaction of the Responsible Authority and be endorsed.

9. The parameters used for the design and construction of roads, footpaths and drainage must be as follows:

a. Court and bowl

- minimum pavement width of 6.0 metres (m) invert to invert, with semi-mountable kerb and channel measured invert to invert as per IDM SD605
- pavement depth shall be designed based on geotechnical investigation results carried by a qualified engineering company.
- the pavement shall be primed and have minimum two coat sealed (size 7 mm and 10 mm); or 30 mm asphaltic final surface.
- design and construct a 1.5 m wide concrete footpath, on one side of the road as per IDM SD205.
- the road shall be designed and constructed with batter slopes not steeper than 5 to 1 fill and 3 to 1 cut.
- dips must have no more than 1:7 (14.4%), however, a maximum of 1:5 (20%) may be allowed for maximum length of 50m.
- roads must have minimum crossfall alignment of 1:33 (3%) and minimum inner radius of 10m.
- vehicle crossings for all lots shall be designed and constructed. The design of the crossings shall generally be in accordance with Infrastructure Design Manual Guidelines for urban areas with kerb and channel with necessary modifications to accommodate drainage system operation as per IDM SD240.
- court bowl shall be provided with trafficable turning radius of 12 m.
- court bowl shall be constructed with asphalt and designed to withstand waste truck movement and be based on geotechnical investigation results carried by a qualified engineering company.
- standard intersection bell mouth shall be constructed at the intersection of the proposed new road and Peterkin Street with asphalt and designed to withstand waste truck movement be based on geotechnical investigation results carried by a qualified engineering company.

b. Peterkin Street (frontage to the subject land and including the VicRoads transport zone)

- Construction shall be within the existing road reserve.
- minimum pavement width of 7.3 metres (m), invert to invert with semi-mountable kerb and channel measured invert to invert as per IDM SD605.
- pavement depth shall be designed based on geotechnical investigation results carried by a qualified engineering company.
- the pavement shall be primed and have minimum two coat sealed (size 7 mm and 10 mm); or 30 mm asphaltic final surface.
- design and construct a 1.5 m wide concrete footpath, on northern side of the road as per IDM SD205.
- construct full width sealed road pavement with kerb and channel and footpath on the northern side. Construction of the footpath and kerb and channel on the south side of the road is not required.
- vehicle crossings for Lots 1, 2 & 21 (as shown on Plan of Proposed Subdivision Version 4 Prepared by Peyton Waite) are permitted directly on to Peterkin Street as per IDM SD240.
- vehicle crossings for all lots shall be designed and constructed. The design of the crossings shall generally be in accordance with Infrastructure Design Manual Guidelines for urban areas with kerb and channel with necessary modifications to accommodate drainage system operation as per IDM SD240.

10. Prior to the issue of a Statement of Compliance by the Responsible Authority, the Developer must undertake or caused to be provided in accordance with the requirements of the Responsible Authority the following:

- **construct road and court bowl including landscaping, roads, footpaths, vehicle crossings and stormwater drainage systems in accordance with the endorsed plans and specifications to the satisfaction of the Responsible Authority.**
- **the maintenance of all construction works for a defect liability period of 12 months from the date, construction is practically completed including the lodgement of a refundable bond calculated at 5% of the road and drainage construction costs. The Responsible Authority will only accept the works at the end of this period if there is no damage or defects identified during or at the conclusion of the defect liability period. Effects shall be rectified to the satisfaction of the Responsible Authority.**
- **Payment to the Responsible Authority of a supervision fee to a maximum of 2.5% of the actual cost of the construction works, the amount to be determined by the Responsible Authority (the developer 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 to a maximum of 0.75% of the actual cost of the construction works, the amount to be determined by the Responsible Authority (the developer must submit a copy of the Construction Contract Schedule for verification of the amount by Council)**
- **Complete planting of trees, shrubs, and grasses in accordance with the landscaping plan. Planting is to be completed at least nine months prior conclusion of defects liability period.**
- **Install and provide details of permanent survey/bench marks.**
- **Install public lighting in the court bowl and road. Public street lighting shall be installed on steel or concrete poles. Underground electric cables are required for public street lighting.**
- **Reticulated water supply, sewerage, telecommunications, and electricity to each lot, in conjunction with relevant authorities.**
- **Under road conduits for water services.**
- **Full set of 'as constructed drawings' digitized construction plans for roads and drainage (DXF format or similar)**
- **An 'as constructed' set of plans for entire work.**

11. Before commencement of works of the subdivision, a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority.

The plan must include:

- **a site-specific plan showing proposed erosion and sedimentation control works.**
- **techniques and intervention levels to prevent a dust nuisance, including provision of a water cart for dust suppression throughout the construction phase.**
- **techniques to prevent mud and dirt being transported from site to the nearby streets.**
- **the protection measures taken to preserve any vegetation identified for retention.**

CFA Conditions

- 12. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.**
- 13. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**

Department of Transport Conditions

- 14. No direct access will be permitted from the subject land to the Maroondah Highway as shown on the plan appended to the application.**
- 15. Prior to the issue of Certification, the Plan of Subdivision must be amended to ensure that all lots including but not limited to Lots 3 and 4 abut either the access court or Peterkin Street.**

Goulburn Valley Water Conditions

- 16. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
- 17. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 18. Provision of one water tapping per lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 19. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation;**
- 20. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
- 21. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains);**
- 22. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;**
- 23. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;**
- 24. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the *Subdivision Act, 1988*.**

AUSNET Conditions**25. The applicant must –**

- a. Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- b. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- c. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- d. Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of “Power Line” in the favour of “AUSNET ELECTRICITY SERVICES PTY LTD” pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- e. Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- f. Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- g. Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- h. Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i. Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- j. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the *Electricity Safety Act 1998*.
- k. Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

Permit Expiry

26. This permit will expire if one of the following circumstances applies:

- a. the subdivision is not started (Certification) within two (2) years of the date of this permit;
- b. the subdivision is not completed (Statement of Compliance) within five (5) years of the date of Certification under the *Subdivision Act 1988*.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

CARRIED

4.4 Murrindindi Planning Scheme Review

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| Attachment(s) | Attachment 1 - Murrindindi Planning Scheme Review - Version 3 Draft Report [4.4.1 - 79 pages] Attachment 2 - Murrindindi Planning Scheme Review - Consolidated Further Strategic Work [4.4.2 - 1 page] Attachment 3 - Murrindindi Planning Scheme Review - Local Content Mark Up [4.4.3 - 188 pages] |
| Presenter | A Paxton, Director Community & Development |
| Approved by | Director Community & Development |
| Purpose | For noting |

Executive Summary

Council as the planning authority for the Murrindindi Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (P&E Act).

The Murrindindi Planning Scheme needs to be consistent with the State Provisions and requires Ministerial support for any amendment. The Planning scheme sets the tone and direction for the use and development of land across the Shire.

The draft Planning Scheme Review Report has now been prepared and the final Review Report will be forwarded to the Minister for Planning as required under section 12(B) of the P&E Act once approved by Council.

RESOLUTION

Cr E Lording / Cr I Gerencser

That Council note the Draft Murrindindi Planning Scheme Review, and commence community consultation, for a period of one month, to seek input from the community on the planning review.

CARRIED

Subject to Confirmation

5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP

5.1 Tender for Collaborative Digital Innovation (CODI) IT Systems Alignment Project

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| Attachment(s) | Confidential Attachment 1 - Tender for Collaborative Digital Innovation (CODI) IT Systems Alignment Project (<i>distributed to Councillors separately</i>) |
| Presenter | M Chesworth, Director People & Corporate Performance |
| Approved by | Director People & Corporate Performance |
| Purpose | For decision |

Executive Summary

Project CODI is a collaborative digital transformation project across the rural Councils of Mansfield (lead Council), Murrindindi, Strathbogie and the Benalla, involving the replacement of a number of out-of-date business systems. A tender was undertaken inviting both 'best of breed' and providers of complete enterprise-wide systems to respond.

The Project is funded by a \$1,000,000 grant from the State's Rural Council's Transformation Program (RCTP), \$888,000 from the State's Business Acceleration Fund (BAF) and \$2,276,480 from the four partner councils (equating to a contribution of \$569,120 per Council across three financial years). Both grants have very tight timeframes, with the BAF originally required to be expended by December 2023 and the RCTP originally required to be expended by June 2024. Table 9 in the attachment provides a summary of the CODI project funding.

It is noted the grant funding covers the procurement and installation of the new business systems, not the ongoing licensing (operating) costs associated with their use.

Council officers have maintained regular contact with both funding agencies to ensure that any delays do not affect the funding. Both agencies have recently agreed to extend the timeframes for project implementation.

At the close of the tender, the evaluation panel has recommended that councils award part of the program, being the Information Management modules and Planning, Building and Regulatory Services. As the lead Council, Mansfield Shire Council will award contracts for the implementation phase of the CODI project subject to the endorsement of all four Councils.

It is proposed that a further procurement process be undertaken on the Finance, Property and Rates and Customer Management elements of the transformation program. This procurement may also include HR, Payroll and Asset Management as optional modules in response to identified gaps across the four councils.

RESOLUTION

Cr D Gallagher / Cr S Carpenter
That Council:

- 1. endorse the awarding of contracts by Mansfield Shire Council for the implementation of new business systems in accordance with the Memorandum of Understanding signed by the four (4) partner Councils, being Mansfield Shire Council, Murrindindi Shire Council, Strathbogie Shire Council and Benalla Rural City (as endorsed at the 22 September 2022 Council Meeting), including payment of all agreed contributions, for the following modules:

 - a. award a lump sum contract to Logicalis Pty Ltd for implementation of the Information Management module across the four (4) partner Councils, and**
 - b. award of a lump sum contract to E-Vis Pty Ltd for the implementation of the Planning, Building and Regulatory Services module across the four (4) partner Councils.****

- 2. award licensing agreements between Murrindindi Shire Council and the selected vendors as follows:

 - a. to Logicalis Pty Ltd for the Information Management module for a term of 5 years, with the option of two, 2-year extensions to a maximum value of \$280,402, and**
 - b. to E-Vis Pty Ltd for the Planning, Building and Regulatory Services module for a term of 5 years, with the option of two, 2-year extensions to a maximum value of \$1,155,344.****

- 3. authorise the Chief Executive Officer to execute the licensing agreements.**

CARRIED

5.2 Public Liability Insurance Renewal

| | |
|---------------|--|
| Attachment(s) | Nil |
| Presenter | M Chesworth, Director People & Corporate Performance |
| Approved by | Director People & Corporate Performance |
| Purpose | For decision |

Executive Summary

The cost of the 2023/24 annual renewal of Council's public liability and professional indemnity insurance cover is above the financial delegation of the Chief Executive Officer. This report seeks Council's approval of the renewal payment.

RESOLUTION

Cr D Gallagher / Cr K Haslam
That Council approve the payment of \$312,039.70 (plus GST) for the renewal of Council's public liability and professional indemnity insurance cover for 2023/24.

CARRIED

5.3 Referendum on an Aboriginal and Torres Strait Islander Voice to Parliament - Information sharing campaign

| | |
|---------------|---|
| Attachment(s) | Nil |
| Presenter | A Cullen, Manager Customer Experience |
| Approved by | Director People & Corporate Performance |
| Purpose | For decision |

Executive Summary

This report seeks Council's endorsement of an information sharing campaign to support community understanding of the upcoming Referendum on an Aboriginal and Torres Strait Islander Voice to Parliament. Specifically, the communications approach will focus on: What is a referendum? What is the Voice? Why a Voice? How a Voice would work, utilising content sourced primarily from the Australian Government's 'Recognising Aboriginal and Torres Strait Islander Peoples through a Voice' resources.

RESOLUTION

Cr I Gerencser / Cr S Carpenter
That Council endorse the commencement of an information sharing program to support community understanding of the upcoming Referendum on an Aboriginal and Torres Strait Islander Voice to Parliament.

CARRIED

5.4 Motion to MAV State Council

| | |
|---------------|--|
| Attachment(s) | Nil |
| Presenter | M Chesworth, Director People & Corporate Performance |
| Approved by | Director People & Corporate Performance |
| Purpose | For decision |

Executive Summary

This report seeks Council's endorsement of a motion to be put to the October 2023 meeting of the MAV State Council concerning the need for a review of the formulae used by the Victorian Grants Commission to allocate Commonwealth Financial Assistance Grants to Victorian Councils.

RESOLUTION

Cr K Haslam / Cr D Gallagher

That Council submit the following motion to the MAV State Council Meeting to be held on 13 October 2023:

'That the formulae used by the Victorian Grants Commission in determining the allocation of Commonwealth Financial Assistance Grants be reviewed to place greater emphasis on the impacts of natural disasters and climate change, the limited alternate revenue options for rural Councils, and the increased demands of heavy transport and tourism impacting local roads.'

CARRIED

6 REPORTS - ASSETS & ENVIRONMENT GROUP

6.1 Contract 23/1 - Sealed Roads Rehabilitation Program - Tender Award

| | |
|---------------|---|
| Attachment(s) | Confidential Attachment 1 – Contract 23/1 – Sealed Road Rehabilitation Program – Tender Evaluation (<i>distributed to Councillors separately</i>) |
| Presenter | V Albicini, Director Assets & Environment |
| Approved by | Director Assets & Environment |
| Purpose | For decision |

Executive Summary

This report provides the results of a tender process to appoint a contractor for CONT23/1 – Sealed Roads Rehabilitation Program.

The Scope of the contract is to undertake rehabilitation works to repair localised failures of road pavement and seal on 15 roads across the Shire. The scope of works includes roads and associated budget from the 2022/23 program that were not able to be rehabilitated due to extreme weather and have been carried forward to this 2023/24 program. Successful completion of the sealed roads rehabilitation program is an essential requirement that must be met prior to the large resealing program scheduled for 2023/24.

An open Tender process was undertaken, and one response was received. This response was assessed against the tender evaluation criteria and was found to be on-market for price given that it was only slightly higher than last year's tender. The recommended tenderer is experienced and has successfully carried out these works in past years.

Based on the evaluation, it is recommended that Tender 1 be awarded CONT23/1 – Sealed Roads Rehabilitation Program 2023/24 for a lump sum price of \$632,087 to complete the required works.

RESOLUTION

Cr I Gerencser / Cr E Lording

That Council:

- 1. accept the tender from Tender 1 and award CONT23/1 – for the Sealed Roads Rehabilitation Program 2023/24 – for a lump sum price of \$632,087 to complete all required rehabilitation works for the nominated roads;**
- 2. approve the allocation of \$50,000 as contingency to be used in the delivery of this contract as detailed in this report;**
- 3. allocate \$279,000 carry forward funding from the 2022/23 Sealed Roads Rehabilitation Program and \$173,087 carry forward funding from the 2022/23 Road Major Maintenance Program to the 2023/24 Sealed Roads Rehabilitation Program so that the revised total budget for the 2023/24 Sealed Roads Rehabilitation Program is \$692,087; and**
- 4. release this resolution and the name of Tender 1 into the Minutes of the Scheduled Meeting of 26 July 2023.**

CARRIED

7 COUNCILLOR AND CEO REPORTS

7.1 Notices of Motions

Nil.

7.2 Cr Sue Carpenter

Nil to report.

7.3 Cr Damien Gallagher

The Alexandra community is celebrating its successful lobbying for a local face-to-face banking presence. A number of meetings and activities have been reported to Council and that energy and those efforts have seen Bec Taylor appointed as the new bank manager. A new Alexandra agency will offer a retail and business banking service except for cash handling which will continue to be offered at the Alexandra Newsagency. The new Alexandra agency will also host a representative of Rural Bank who will support local agribusiness banking needs.

The outcome is a credit to local families, businesses, and organisations who committed to banking locally. I again acknowledge the community for supporting their friends and neighbours who rely on face-to-face banking. The advocacy, supported by Council, was led by a small, dedicated working group in Alexandra who worked with the board of the Yea and District Community Bank.

Everyone is invited to attend a community meeting next Monday, 31 July at 5:30PM, at the Alexandra RSL Hall, Grant St, Alexandra, to meet the new bank manager, to pose any enquiries to the board, and to celebrate this great community achievement.

The Alexandra District Health Board, executive, and staff conducted a public Board meeting in Alexandra this evening. The Board outlined local services of on offer and described some powerful undergraduate and graduate enrolled nurse training programs - specifically designed to enable young local people to progress their education and career locally. Questions from the many community members in attendance were then welcomed and answered.

To portfolio and representative matters

Having established the current year budget, the attention of Council now turns to preparation of the 2022-23 Annual Report. Council's annual report is comprised of:

- A report of operations
- audited financial statements
- an audited performance statement

Governance and Risk officers are finalising the finance and performance statements in preparation for a review by the external auditor assigned by the Victorian Auditor General's Office. The statements are then examined by the Audit and Risk Committee until they are satisfied to recommend that the statements be adopted by Council.

Council's final annual report is scheduled for adoption in October.

Finally

In the coming month or so, the Annual General Meeting season is upon us. Citizens across the shire are encouraged to keep an eye out on social media and in the local press for the opportunity to contribute their expertise and life experience as a volunteer. There are service clubs, sporting clubs, special interest associations, Council advisory committees and groups, hobby collectives, event organising groups, and more who are ready to welcome newcomers. Murrindindi Shire volunteers are welcoming and supportive. Besides mental stimulation, social connection, and making a difference, there's fun to be had.

7.4 Cr Ilona Gerencser

I wish to announce the sad passing of one of our valued and long-standing Kinglake locals Joe Exton. Joe passed away suddenly whilst on holiday up North on 1 July.

Joe was a resident of Kinglake for over 66 years and spent a lot of time helping people in the community. His dedication to Kinglake saw him donate land after the 2009 bushfires to enable rebuilding of the Middle Kinglake Primary School. Joe is survived by his wife Elaine and a large family.

His funeral was last Friday 21 July and by all accounts it was a large turnout and celebration of his life. Joe will be missed by everyone.

7.5 Cr Eric Lording

Planning Scheme review

- The Local Government Act requires all councils to review their planning scheme periodically, with that time being due later this year.
- This is an important process to ensure the planning scheme remains current to enhance and protect the unique qualities of the Murrindindi Shire whilst attracting investment, employment and housing opportunities which is of great importance seeing that housing and rental properties are in very short supply all over Victoria. It is getting to the stage where the limited accommodation is detracting from businesses being able to hire new employees, especially those from other shires. It also affects local young people who are just starting out in life and thinking of starting a family. We may lose them to other shires, or to the city, which is a shame.
- The review has been undertaken by Officers and referral organisations to identify opportunities and ensure alignment with the State Policies and adopted Council policies.
- This is an important stage of the process for community and business input into the priorities and action proposed.
- Council has tonight endorsed the review for public comment. Please take the time to read the review and give us lots of feedback. This review sets out how Murrindindi Shire will look and feel into the future. Your future.
- Further information will be available on Council's website. In the event that you cannot get a copy electronically, please call into one of our offices and request a copy.

Secondly, I was invited to the Christmas in July celebration at the Glenburn Community Hall on Saturday night. It was well attended and I counted approximately 60 persons in all. A great night was had by all. Glenburn is growing and the residents of Glenburn are growing together, which is great.

7.6 Cr Sandice McAulay

I am so excited this month to report that in the Business and Economic Development Portfolio there are a number of new initiatives that are in the early stages of implementation as well as the normal busy day to day business. My report therefore may look a little like a dot point journal as I highlight some of the new initiatives.

As mentioned last month, Ben Harnwell has started as the Manager Economic Development. He has already been out and about with the team, meeting with several key businesses to understand their needs and aspirations.

I encourage anyone who would like to reach out and talk to the Business & Tourism Team, please contact them by phoning our customer service on 5772 0333.

The team is looking at developing a Business and Economic Development Strategy. They will be reviewing all studies and work done to date. An exciting opportunity is for the Business Network to be revamped to encourage and enable business lead collaboration.

Forest Transition

Council continues to engage with the forest haulage contractors and DEECA and DJPR staff to share understanding and concerns of the early cessation of native timber logging.

Affected contractors are encouraged to please continue to engage with Council.

The Shaping Murrindindi Project is looking at longer term planning for future businesses and economic development. We need to understand the impacts of the transition out of logging socially, economically, environmentally.

The team is looking at short-term wins and needs, as well as looking for initiatives to keep and grow jobs and communities in the longer term.

University / Tafe Hub

Council is actively exploring the opportunity to establish a Country University Hub. This may be in a hub type model where you can do a course from many universities or Tafes locally. Initially we are looking at establishing a steering group.

Key Worker Housing

Looking at opportunities across the Shire for different forms and options for funding for this much needed key worker housing.

Over the last month there has been a new committee appointed to the Marysville Community Centre with several of the longer-term committee members retiring. Thanks were expressed to these members who have maintained the hire and booking of this wonderful asset for so many years and recently through the COVID-19 pandemic. I would like to acknowledge and welcome the current committee which is already looking at growing the activation and use of this great centre.

Finally, I would like to take a moment to highlight the upcoming Marysville Music Weekend over 24 - 26 November 2023. Artists include Kate Ceberano, William Creighton, Frank Sultana, Cass Eager and many more.

I mention this because Council is proud to be a sponsor of this multi day event through the Grants and Sponsorships Program. Multi day events such as this one encourages extended overnight and weekend stays which are great for our local economy.

7.7 Cr Karine Haslam

Nil to report.

7.8 Cr John Walsh - Mayoral Report

After the flurry of activity in May and June, July has provided a time to consolidate. With the CEO and Cr McAulay, I attended the Rural Councils Victoria Forum in Echuca. We saw the devastation caused to the Port and Museum complex by the October floods and were advised by the Port Director that although the town sits on the confluence of the Murray and Campaspe Rivers, it is water coming down the Goulburn that determines the level of flooding. Consequently the continuing high releases from Lake Eildon have stopped a lot of the recovery work on the infrastructure along the river. I was sympathetic to his situation but reminded him that the rate of release is essential if we are to avoid a repeat of last October.

The Forum provided an opportunity for Councils to highlight innovative ways in which common issues could be solved. Our Manager Community Wellbeing, Stuart Collier gave a well - received presentation on the Deliberative Engagement process successfully employed to assist the Eildon community to make decisions relating to the sale of Council land.

We are continuing advocacy for better roads funding; for the need to build back better after the October floods; for better management protocols for Lake Eildon water levels that provide greater emphasis on flood protection; for improved support for early childhood education and child minding service; and for the establishment of a Regional University and Training Hub to support post-secondary training in the Murrindindi Shire. Three recent interviews on radio and newspapers have assisted in getting our messages out.

As part of our advocacy for better funding for infrastructure, Director for Assets and Environment, Vito Albicini and Manager Sustainability and Assets, Peter Bain presented our submission to the Federal Parliamentary Inquiry into the implications of severe weather events on the national regional, rural, and remote road network. Again their efforts were positively received.

And in the spirit of saving the best till last, yesterday I conducted a citizenship ceremony where I had the pleasure of welcoming 9 new Australian citizens.

7.9 Chief Executive Officer Report

Commonwealth Games

Following the decision by the Victorian Government not to proceed with hosting the Commonwealth Games in 2026, I attended a briefing by the Hon. Jacinta Allan, Minister for Commonwealth Games, who advised that Government will deliver a \$2 billion package for regional Victoria to still receive the benefits that would have been facilitated by the Games. The package includes:

- \$1B towards a regional housing fund
- \$150m for regional worker accommodation
- \$150m for a Regional Tourism and Events Fund

Although Murrindindi had no role or involvement in the Comm Games, we now have an opportunity to leverage some of these funding initiatives and we have commenced discussions to ensure we get our fair share of this regional \$2B package.

Community Satisfaction survey results

The annual Community Satisfaction survey is coordinated by the Department of Government Services on behalf of Victorian councils. We have recently received the results for 2023 which will be formally published in our Annual Report 2022-23 but I am happy to advise that: The score for Overall performance is 55 which is on par with other small rural councils and state-wide.

The Overall Council direction score of 46 is also on par with both similar councils and state-wide. We had a slight increase in the Value for Money score of 46 compared to last year's 44. And most pleasingly our Customer service satisfaction reached a high of 69 which is well above other Rurals, and above the state average.

Grant Funding

Council has been successful in applying for a Building Blocks Planning grant and will receive \$148,586 funding from the Department of Education and Training. We are one of the LGAs included in the early roll-out of pre prep 30 hours of 4 year old kinder programs. Our recent Early Education Service study indicates that services in the towns of Alexandra and Yea have capacity issues into the future. Council is seeking to develop solutions in conjunction with community and stakeholders, through the funded "Planning to Meet Demand" project.

8 RECORD OF COUNCIL BRIEFING SESSIONS

Purpose

For noting.

Executive Summary

This report presents the records of Council Briefing Sessions for 28 June 2023 to 19 July 2023, for Council to note.

The following summary details are for 28 June 2023 to 19 July 2023:

| | |
|-----------------------------------|---|
| Meeting Name/Type | Council Pre-Meet |
| Meeting Date: | 28 June 2023 |
| Matters Discussed: | <ol style="list-style-type: none"> 1. Grants and Contributions Policy 2. Grants and Contributions Program – June Allocations 3. Audit and Risk Committee – Independent Member Appointment 4. Audit and Risk Committee Charter 5. Audit and Risk Committee Confirmation of Minutes 6. Instruments of Delegation and Authorisation to Council Staff 7. Panel Contract 20/18 – Plumbing Services – Adjustment to total contract value 8. Asset Management Strategy 2023-2027 |
| Councillor Attendees: | Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr I Gerencser |
| Council Officer Attendees: | L Bonazzi, M Chesworth, V Albicini, A Paxton, D Echeverry |
| Conflict of Interest Disclosures: | Nil |

| | |
|-----------------------------------|---|
| Meeting Name/Type | Briefing Session |
| Meeting Date: | 5 July 2023 |
| Matters Discussed: | <ol style="list-style-type: none"> 1. UT Creek Catchment (Alexandra) Flood Scoping Study 2. Community Satisfaction Survey |
| Councillor Attendees: | Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording (V) |
| Council Officer Attendees: | L Bonazzi, M Chesworth, A Paxton, V Albicini, P Bain (V), B Chapman |
| Conflict of Interest Disclosures: | Nil |

| Meeting Name/Type | Briefing Session |
|---------------------------------------|---|
| Meeting Date: | 12 July 2023 |
| Matters Discussed: | <ol style="list-style-type: none"> 1. Communications Plan – Referendum on the Aboriginal and Torres Strait Islander Voice to Parliament 2. Murrindindi Speed Zone Review 3. Planning Application - 7 Peterkin Street, Alexandra - 19 Lot Subdivision 4. Planning Application - 2 Bolte Bay Road, Taylor Bay - Single Dwelling - Refusal (GMW Objection) 5. Planning Application - 10 Murchison Street, Marysville – Signage 6. Planning Application - 2427 Maroondah Highway, Buxton - Creation of a carriageway easement |
| Councillor Attendees: | Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr I Gerencser |
| Council Officer Attendees: | L Bonazzi, M Chesworth, A Paxton, V Albicini, A Cullen, P Richardson, D Leonard, C Fraser, N Stewart, N Maguire |
| Conflict of Interest Disclosures: Nil | |

| Meeting Name/Type | Briefing Session |
|---------------------------------------|---|
| Meeting Date: | 19 July 2023 |
| Matters Discussed: | <ol style="list-style-type: none"> 1. Mental Health prevention program update 2. Planning Application - 204 Killingworth Road, Killingworth - Development Plan 3. Development Services Monthly Report 4. Tender for Collaborative Digital Innovation (CODI) IT Systems Alignment Project 5. Capital Works Program Review |
| Councillor Attendees: | Cr J Walsh, Cr K Haslam, Cr S Carpenter (V), Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr I Gerencser |
| Council Officer Attendees: | L Bonazzi, M Chesworth, A Paxton, V Albicini, A Cullen, P Richardson, D Leonard, C Fraser, N Stewart, N Maguire |
| Conflict of Interest Disclosures: Nil | |

RESOLUTION

Cr S Carpenter / Cr K Haslam

That Council receive and note the records of Council Briefing Sessions for 26 June 2023 to 21 July 2023 with an amendment to indicate that Cr S Carpenter attended the 19 July 2023 Briefing Session virtually.

CARRIED

9 SEALING REGISTER

| File Reference | Date Seal Affixed | Description of Documents | Signatures of Persons Sealing |
|----------------|-------------------|--|-------------------------------|
| SF/123 | 4 July 2023 | S18 – Instrument of Sub-Delegation under the Environment Protection Act 2017 - May 2023 | Livia Bonazzi Cr J Walsh |
| SF/123 | 4 July 2023 | S6 - Instrument of Delegation - Members of Council Staff (June 2023) | Livia Bonazzi Cr J Walsh |
| SF/123 | 4 July 2023 | S11A - Instrument of Appointment and Authorisation (Planning and Environment Act 1987) June 2023 | Livia Bonazzi Cr J Walsh |
| CONT22/19 | 13 July 2023 | Formal Instrument of Agreement between Murrindindi Shire Council and Murrindindi Tree Services | Livia Bonazzi Cr J Walsh |
| CONT22/19 | 13 July 2023 | Formal Instrument of Agreement between Murrindindi Shire Council and Sherbrook Tree Service | Livia Bonazzi Cr J Walsh |
| CONT22/19 | 13 July 2023 | Formal Instrument of Agreement between Murrindindi Shire Council and Unlimbited Tree Service Pty Ltd | Livia Bonazzi Cr J Walsh |

RESOLUTION

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

CARRIED

The meeting was closed at 7:39 pm.

CONFIRMED THIS

CHAIRPERSON Cr J Walsh