



AGENDA
of the
ORDINARY MEETING OF COUNCIL
to be held on
WEDNESDAY 26 MARCH 2014
in the
EILDON PRIMARY SCHOOL
Special Purposes Room
commencing at
6.00 pm

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

TRIM: SF/306

3. CONFIRMATION OF MINUTES

➤ Minutes of the Ordinary meeting of Council held on 26 February 2014

Recommendation:**That the Minutes of the Ordinary meeting of Council held on 26 February 2014 be confirmed.**

➤ Minutes of the Special meeting of Council held on 19 March 2014

Recommendation:**That the Minutes of the Special meeting of Council held on 19 March 2014 be confirmed.****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

TRIM: SF/783

5. OPEN FORUM

TRIM: SF/130

6. PETITIONS RECEIVED BY COUNCIL

TRIM: SF/132

6.1 RESPONSE TO PETITION – DANGEROUS ROAD INTERSECTION - BANBURY AND WILHELMINA FALLS ROAD, WOODBOURNE

File No: 52/05/4077

Purpose:

This report provides Council with a response to the petition tabled at the February 26 2014 Ordinary Council Meeting which requested Council address the visual obstruction at the intersection of Banbury and Wilhelmina Falls Road

Recommendation:
That Council

1. **Notes the report and that the works required to remove the visual obstruction at the intersection of Banbury and Wilhelmina Falls Road will be completed by 12 April 2014.**
2. **Requests that the Manager Infrastructure Assets write to the convenors of the petition advising them of the resolution.**

Background:

A petition was submitted 17 January 2014 to Council regarding the safety of the intersection at Banbury and Wilhelmina Roads. The petition was signed by 34 signatories and requested the following:

“Council to address the potentially dangerous visual obstruction at the intersection of Banbury and Wilhelmina Falls Road. The high mound of earth completely obstructs a drivers view of any oncoming vehicles”.

Banbury and Wilhelmina Falls Roads are rural collector and access roads with relatively low traffic movements. They are predominately used by local traffic and timber harvesting vehicles during periods of harvest or milling.

However during weekends and holiday periods traffic numbers increase with recreational road users visiting, using the numerous walking tracks and undertaking other recreational activities in the area.

Council Plan/Strategies:

The Council Plan 2013-2017 reference relating to this report includes the following:

Our Environment – Strategic objective: ‘We will manage and renew our infrastructure assets in a responsible manner’

Legal/Policy Issues:

Under the Road Management Act, Schedule 34 Council, as the responsible road manager, is required to undertake works and activities which the promote the safe and efficient operation of the road.

Financial/Resources/Risk

Officers have estimated the cost of the works to be \$1500. Council currently has a budget allocation of \$5000 for miscellaneous roads safety issues that may occur.

Discussion

In 2011/2012 significant works were undertaken on the Banbury and Wilhelmina Falls Roads. It appears that approximately forty cubic metres of spoil were dumped at this intersection and not removed on completion of the works.

Officers have determined that there is no useful purpose for the spoil mound and that in certain circumstances it may impede the vision of drivers. The spoil can be easily removed and in doing so will improve sight lines for drivers and enhance the general appearance of the area.

Consultation:

Council officers considered this a straight forward matter and therefore no further external consultation was considered necessary.

Conclusion:

Following an inspection of the site officers have arranged for the removal of the spoil mound by 12 April 2014.

7. REPORTS BY ADVISORY COMMITTEES OR SPECIAL COMMITTEES

8. OFFICER REPORTS

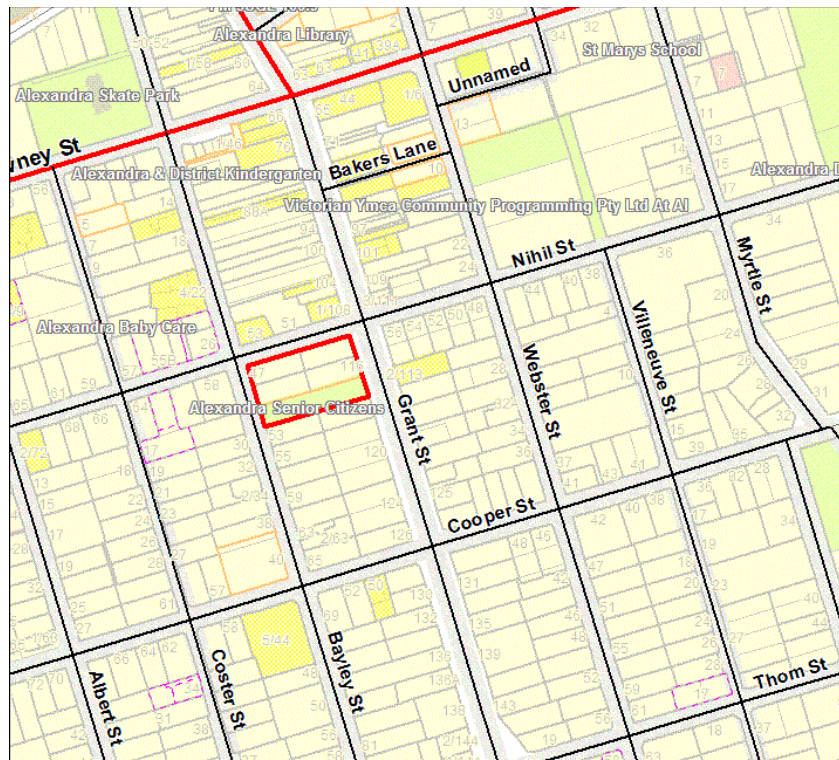
8.1 DEVELOPMENT & ENVIRONMENT

8.1.1 **Amendment C50, Murrindindi Planning Scheme - Rezoning of Land in Grant and Bayley Streets, Alexandra to Mixed Use and Public Use 6 (Local Government)**

File No: 58/07/63

Attachments: Proposed rezoning plan (Refer Encl 8.1.1)

Locality Plan:



Purpose:

The purpose of this report is to recommend that Council adopt Amendment C50 to the Murrindindi Planning Scheme to rezone 114 – 116 Grant Street, 47 – 49 Bayley Street and the eastern section of 51 Bayley Street from Residential 1 to Mixed Use and the western section of 51 Bayley Street from Residential 1 to Public Use 6 (Local Government) and to make a minor change to clause 21.07 to note the extension of the commercial precinct.

Recommendation:

That:

Having been authorised by the Minister for Planning to prepare Amendment C50 to the Murrindindi Planning Scheme under section 8A(3) of the *Planning and Environment Act 1987* ('the Act');

Having prepared and exhibited Amendment C50 to the Murrindindi Planning Scheme under section 19 of the Act;

Having in accordance with section 12 of the *Planning and Environment Act 1987* had regard to the Minister's directions and the Victoria Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects;

Having considered all submissions to Amendment C50 under section 22 of the Act;

Council resolves to:

- 1. Adopt Amendment C50 to the Murrindindi Planning Scheme, without changes, in accordance with section 29 of the Act, as outlined in the separately distributed Amendment C50 package.**
- 2. Submit Amendment C50 to the Murrindindi Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.**

Background:

An approach was made by the landowner of 114 Grant Street, Alexandra (a former medical centre) to rezone the land to allow a more flexible range of commercial uses on the land. Rather than simply rezoning this one parcel of land, Council exhibited Amendment C50 to address this general precinct.

The amendment proposes to rezone 114 – 116 Grant Street (former medical centre and a residence), 47 – 49 Bayley Street (presently used for veterinary surgery and a residence) and the eastern section of 51 Bayley Street (presently used for car parking) from Residential 1 to Mixed Use and the western section of 51 Bayley Street (presently used as a senior citizens centre) from Residential 1 to Public Use 6 (Local Government).

Council Plan/Strategies:

The proposed amendment and development plan are consistent with and implement the *Murrindindi Shire Council Plan 2013-2017*, specifically the Our Environment planning for future growth strategy *We will plan for future growth that is sensitive to the constraints of our natural environment whilst considering development needs* and the Our Economy investment attraction strategy *We will support local business retention and growth and attract new business and residential investment to the Shire.*

Legal/Policy Issues:

There are no particular legal or issues associated with the proposed amendment. The amendment supports Council policies to grow the rate base and facilitate economic development.

Financial/Resources/Risk

It is considered that the proposed amendment will not create any financial or resources risk to Council. A request to the Minister for Planning to approve the amendment will incur a fee of \$798.

Discussion:

The proposed rezoning of 114 – 116 Grant Street, 47 – 49 Bayley Street and eastern section of 51 Bayley Street to Mixed Use will provide for a greater range of residential and commercial uses than the existing Residential 1 Zone and will complement the adjoining commercial centre to the north. This extension will also link the commercial centre to the former tyre centre and former brick sales / transport depot at 124 Grant Street, which is zoned Commercial 2.

The rezoning of the western section of 51 Bayley Street from Residential 1 to Public Use 6 (Local Government) will provide for the ongoing existing ownership and use of the land for local government purposes (senior citizens centre).

The Mixed Use Zone is considered the best option for 114 – 116 Grant Street, 47 – 51 Bayley Street and the eastern section of 51 Bayley Street as it is effectively a residential zone providing maximum flexibility for future land use and development and is less restrictive than the Commercial 1 Zone (the zoning of the Alexandra commercial area), which requires a planning permit for a dwelling. The Mixed Use Zone allows various uses without a planning permit, including a dwelling, an office up to 250 square metres in area, a shop up to 150 square metres in area and food and drink premises up to 150 square metres in area. The Mixed Use Zone has previously only been applied to the Station Street precinct in Yea.

Consultation:

The amendment was exhibited for a minimum of one month, comprising notice to affected and nearby landowners, notice to relevant agencies, public notice in local press and notice to prescribed ministers. One submission was received, being from the Department of Environment and Primary Industries, raising no objection to the amendment.

Conclusion:

The proposed rezoning will allow a greater range of uses to effectively extend the existing Alexandra commercial centre and to link the centre with Commercial 2 zoned land to the south. The proposed Mixed Use zoning will provide for both commercial and residential uses, allow existing uses to continue and complement the adjoining Alexandra commercial centre.

8.1.2 *Exhibition of Development Plans - Wattle Street, Alexandra and Lawrances Road, Yea*

File No: 58/02/21

(Refer Encl 8.1.2a - Wattle Street, Alexandra draft development plan (text & plan) proposed for exhibition and Encl 8.1.2b - Lawrances Road, Yea draft development plan (text & plan) proposed for exhibition)

Purpose:

This report seeks approval from Council to exhibit the draft development plans for Wattle Street, Alexandra and Lawrances Road, Yea.

Recommendation:

That Council:

- 1. Endorse the exhibition of the revised draft development plans for Wattle Street, Alexandra and Lawrances Road, Yea for a minimum of one month.**
- 2. Not proceed with the development plan for Plantation Lane, Alexandra and that the Development Plan Overlay applying to this parcel of land be removed under future Amendment C46.**

Background:

Development plans are prepared when the Development Plan Overlay (DPO) has been applied to land to guide the overall layout, use, development and servicing of land.

A review of Council's use of the Development Plan Overlay (DPO) and expired development plans was undertaken in late 2012/3 through DTPLI funding. Revision of the Wattle Street,

Alexandra, Plantation Lane, Alexandra and Lawrances Road, Yea were an important part of the review as the 2001 plans for each area had expired.

Meetings were held for the three plans in January 2013 with Council officers, affected landowners and the consultant. The three draft plans were exhibited 'informally' for landowner comment. A Development Plan Overlay (DPO) is particularly relevant to coordinate development over multiple land ownerships, which is the case for Wattle Street, Alexandra and Lawrances Road, Yea.

Council Plan/Strategies:

The development plan review is consistent with the Our Environment goal in the Council Plan 2013 - 2017 specifically in relation to the following strategic objective:

- *Implement ongoing changes and improvements to the Murrindindi Planning Scheme.*

Legal/Policy Issues:

There are no particular legal or policy issues associated with the proposed development plans.

Financial/Resources/Risk

While Council received DTPLI 'Flying Squad' funding to undertake the initial development plans review, additional Council staff resources have been required to complete the review.

Discussion:

Informal exhibition:

Draft development plans were developed in late 2012, with meetings held with landowners in January 2013. Following finalisation of draft plans, the plans were informally exhibited with notice given to affected landowners and relevant agencies. Detailed information on submissions received to the informal exhibition have been reported to Council through the councillor briefing session process.

Wattle Street, Alexandra:

Most issues raised from the informal exhibition of Wattle Street, Alexandra have been addressed and met. The revised draft plan for this area has been amended to include relevant adjustments and is now recommended for formal exhibition. The plan includes the following key features:

- Layout to accord with the topography and natural features of the land;
- Road access from the existing Dockings Lane and a new road off Wattle Street;
- Indicative internal roads and lots to create a range of residential densities and lots;
- Provision of a future link road to the east to link with a road proposed in the *Development Plan, Goulburn Valley Highway, Alexandra*;
- Protection of remnant native vegetation and waterway in the northwest along Wattle Street as a recreation reserve;
- Deletion of a recreation reserve in the southeast (as a result of a submission to the informal exhibition);
- Protection of drainage and biodiversity functions in the northwestern section of the land with a 15 metre drainage easement to provide for drainage along the natural watercourse on private land (added as a result of a submission to the informal exhibition);
- Recognition that land to the south of the plan will not be developed for standard residential purposes and will be rezoned to 'Low Density Residential' in the future.
- Deletion of land to the west of Wattle Street from the development plan. Given the extent of existing development and construction of the hospital and ambulance station in this area, it is considered that there is no need to proceed with a development plan for this

area and that future subdivision may be adequately considered through an application for planning permit. Officers consider that the DPO should ultimately be removed from this section of land when Amendment C46 is prepared and exhibited to implement all recommendations of the development plan review.

Lawrances Road, Yea:

Most issues raised from the informal exhibition of Lawrances Road, Yea have been addressed and met. The revised draft plan for this area has been amended to include relevant adjustments and is now recommended for formal exhibition. The plan includes the following key features:

- Layout to accord with the topography and natural features of the land;
- Existing road access from Lawrances Road;
- Similar subdivision layout and features to the 2001 expired development plan, allowing current development to be completed;
- Future residential lots to be determined through future individual subdivision proposals;
- Protection of remnant native vegetation and waterway along Boundary Creek through provision of public open space;
- Provision of recreation facilities in public open space along Boundary Creek, comprising a pedestrian link and possible formal playground;
- Recognition that future residential development to the south of the plan will be developed at lower densities.

Plantation Lane, Alexandra:

At informal exhibition, no submissions were made to the plan draft, but a submission was received from one landowner seeking the rezoning of land and removal of the DPO in the general area. Given the small area that the development plan for the Plantation Lane, Alexandra is applied to, it is considered that there is no need to proceed with a development plan for this area and that future subdivision may be adequately considered through an application for planning permit. Officers consider that the DPO should ultimately be removed from this land when Amendment C46 is prepared and exhibited to implement all recommendations of the development plan review.

Exhibition and implementation:

Formal exhibition of the two draft development plans will provide additional opportunity for landowners, relevant agencies and the general public to comment on the draft layout, use, development and servicing of these residential areas.

New development plans will allow the completion of residential development in the Lawrances Road, Yea area and provide certainty for the future residential subdivision and development of the Wattle Street, Alexandra area. Following exhibition, submissions on the respective development plans will be further reported to Council.

After the development plans have been considered and approved by Council, Amendment C46 will be drafted and exhibited to implement all recommendations of the development plan review.

Consultation:

The draft plans have been subject to meetings with affected landowners and an informal exhibition; the plans have been revised to meet issues raised through these actions. Further consultation is now proposed through formal exhibition of the plans for a minimum of one month by giving notice to all affected landowners, relevant agencies and the general public.

Conclusion:

The proposed development plans will provide guidance for landowners, Council and service authorities in identifying the appropriate layout, subdivision and development of the land. The exhibition of the plans will provide an opportunity for landowner and agency input prior to the finalisation of the plans.

The plans recommended for exhibition have been revised to meet issues raised in informal consultation. Once exhibited, the plans will be further reported to Council for consideration and approval.

8.2 INFRASTRUCTURE SERVICES**8.2.1 Reforms to Regional Waste Management Groups (Resource GV)**

File No: SF/952

(Refer *Encl 8.2.1a* - Draft Goulburn Valley Local Governments' Waste and Resource Recovery Forum Operating Guidelines and *Encl 8.2.1b* - Notification of the inaugural Goulburn Valley Local Government Waste and Resource Recovery Forum)

Purpose:

The purpose of this report is to update Council on the impending regulatory changes to Regional Waste Management Groups and the actions required to maintain involvement in the soon to be formed Waste and Resource Recovery Group.

Recommendation:**That Council:**

- 1. Nominates the Councillor holding the Waste portfolio (Cr B Magner) to be the Forum Representative of Murrindindi Shire Council at the Regional Waste and Resource Recovery Group for 2014-2015.**
- 2. Nominates the General Manager Infrastructure and Development Services as an Advisory Member with deputies being the Manager Infrastructure Operations and Coordinator Waste Management.**

Background:

In August 2013 the Minister for the Environment, Ryan Smith MP announced the outcomes of the Ministerial Advisory Committee responsible for making recommendations around the Waste and Resource Recovery Governance Reforms.

Key reform outcomes affecting Regional Waste Management Groups (RWMG's) included:

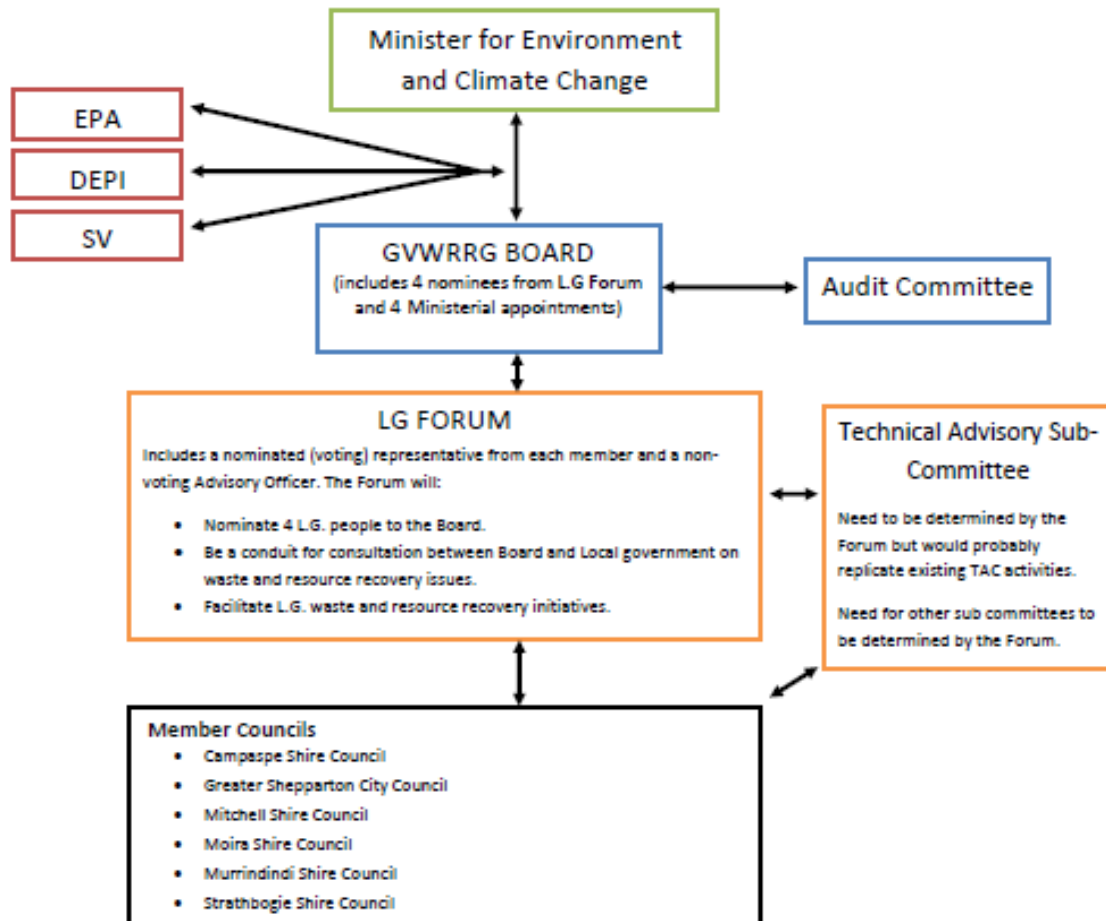
- Amalgamation of twelve RWMG's into six larger organisations. The Goulburn Valley RWMG (Resource GV) will retain its current boundaries/membership, as will the North East RWMG, and the Gippsland RWMG.
- Assigning RWMG's with a clear statutory role to plan for all waste streams.
- Enabling RWMG's to facilitate joint procurement opportunities by local governments to enable realisation of economies of scale and potential cost savings.
- Establishing a new Board structure for the RWMG's that recognises the joint interest of the State and Local Governments. The Board membership will consist of four Local Government representatives and four expertise based nominees of the Minister.
- The Chair will be a representative from Local Government and will be selected by the Minister.

- Statutory functions of the Groups will be aligned with the Victorian Waste and Resource Recovery Policy – Getting Full Value, and will seek to reduce duplication of State programs in the delivery of market development, waste education and data management.
- Transfer of liability from the RWMG member councils, to the State Government.

The government has prepared a Draft *Environment Protection and Sustainability Victoria Amendment Bill 2014* that will, among other things, facilitate the establishment of a Goulburn Valley Waste and Resource Recovery Region which includes the current members of Resource GV, including the Murrindindi Shire Council.

The Minister has recently issued directions to the Resource GV Chair to oversee the winding up of the current Goulburn Valley RWMG by 31 July 2014. The Minister further directed that the Chair work with local governments in the proposed Goulburn Valley Waste and Resource Recovery Region to conduct preliminary preparations for the change in governance structure to a Waste and Resource Recovery Group by the 1 August 2014.

The new Goulburn Valley Waste and Resource Recovery Group will have an altered structure. The Group will have a Board and Forum as illustrated below:



Council Plan/Strategies:

The strategy in the Council Plan 2013-2017 which relates to this report includes: Our Environment - Conservation of Resources, which includes more effective and efficient delivery of waste management services, as facilitated through participation in regional initiatives.

Legal/Policy Issues:

The passing of the draft legislation will result in the following statutory implications:

- Upon wind up of Resource GV the liability for the organisation will be removed from Council and transferred to the State.
- All members in the Waste and Resource Recovery Region may nominate to the Forum, but only four members will represent the Region on the Board.

Financial/Resources/Risk

The Department of Environment and Primary Industry (DEPI) is currently coordinating a financial audit of the twelve existing groups across the State including Resource GV to determine the estimated position of each group at 31 July 2014. Further advice will be provided by DEPI on options to wind up the organisation and their assets in the coming months.

The Resource GV Chair wrote to Council in December 2013 advising that the new organisation would still have the legislative function and ability to deliver priority regional projects through member contributions and advising that the new organisation would be seeking member contributions at the same level as 2013/2014 for the 2014/2015 financial year in August 2014. Annual membership contributions are relative to population, and for Murrindindi in 2013-14 were \$7,965.60.

Discussion:

The Resource GV Chair, Greg Toll has written to the Mayor requesting that each Council consider the draft Goulburn Valley Local Governments' Waste and Resource Recovery Forum Operating Guidelines which were endorsed by the Resource GV Board at its meeting on 28 February 2014. These are included in Enclosure 8.2.1a. The letter from Mr Toll is provided in Enclosure 8.2.1b.

Mr Toll has advised that the draft Forum Guidelines will be considered at the first meeting of the Forum to be held on 9 May 2014. Any feedback or proposed changes to the rules are requested to be back with Mr Toll by 24 April 2014. Council officers have reviewed the Forum guidelines and are not proposing any changes. This is a model that has successfully been used in the Metropolitan Waste Management Group for many years.

Under the draft Forum operating guidelines Council must nominate a Councillor as a Forum Representative, and an Advisory Member who may participate fully but without a vote unless acting as a proxy. The Forum Representative may nominate to be a director of the Board, however there are only 4 directorships allocated to the 6 member Councils and these are allocated by a vote of the Forum. After consultation with the Portfolio Councillor for Infrastructure and Waste a nomination for a directorship on the Board will not be sought.

Consultation:

A Ministerial Advisory Committee (MAC) was convened to provide advice on the governance arrangements that would be needed to deliver the Victorian Waste and Resource Recovery Policy – *Getting Full Value*. The MAC consulted widely and their recommendations were released in May 2013. Responses to the recommendations were coordinated through Resource GV, and the government adopted the revised recommendations in August 2013.

Conclusion:

Ongoing participation in the Goulburn Valley Waste and Resource Recovery Group is necessary so that the issues relating to waste in the Shire of Murrindindi are taken account of in the regional waste management planning process, and so that Council can capitalise on the benefits of a strong and well managed regional network.

8.3 BUSINESS SERVICES

8.3.1 Governance Local Law 2

REF: SF/909

(Refer *Encl 8.3.1a* Draft Governance Local Law 2, 2014 and *Encl 8.3.1b* Local Law 2, 2014 Discussion Paper)

Purpose:

The purpose of this report is to recommend the commencement of a statutory public process, to create a new Governance Local Law, required under the *Local Government Act 1989 (the Act)*.

Recommendation:

That Council:

1. Pursuant to Part 5 of the *Local Government Act 1989 (the Act)*, propose to make the Governance Local Law 2, 2014 (the proposed Local Law).
2. Note the issues covered in the proposed Local Law are substantially the same as the former Local Law with minor amendments to achieve the following:
 - i. To make necessary changes arising from amendments to legislation and consultation with Council
 - ii. To ensure its impact on human rights is consistent with the Charter of Human Rights and Responsibilities
 - iii. To remove redundant provisions.
 - iv. Update format and structure of the Local Laws in accordance with Local Government Victoria's '*Guidelines for Local Laws Manual*' released in 2010.
3. Note that the proposed Governance Local Law 2, 2014 will be advertised in the Government Gazette, Alexandra Standard, Yea Chronicle, Marysville Triangle, Mountain Monthly and North Central Review.
4. Note the Discussion Paper being exhibited for public comment in conjunction with the proposed Governance Local Law 2, 2014.
5. Note that in accordance with section 223 of Local Government Act 1989 any person who has made a written submission and has requested to be heard in support of the written submission is entitled to appear in person, or by a person acting on his or her behalf, before a Special Meeting of the Council.

Background:

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

It is important that the Governance Local Law reflects the needs of Council with respect to its meeting procedures, the level of interaction with the Community and the behaviour that is expected by Council in Council Meetings.

The Governance Local Law 3, 2011 has undergone a review and is proposed to be replaced by the new Governance Local Law 2, 2014 (the proposed Local Law) (*refer Enclosure 8.3.1a*). The content of the proposed Local Law has remained very similar to the Governance Local Law 3, 2011. The review has incorporated necessary changes arising from amendments to legislation, ensuring that formatting and language used is logical and easily understood by the reader, and processes have been altered to enable Meetings of Council to run more efficiently and effectively for both Council and the community.

Council must first advertise its intention to make a Local Law, which commences a process under Section 223 of the Act seeking submissions from the public. Once the Section 223 process has been conducted and Council makes the Local Law by resolution, it must then advertise the making of the Local Law in the Government Gazette, the Marysville Triangle, the Alexandra Standard and Yea Chronicle. The second advertisement is not subject to Section 223 of the Act.

Early in 2010, State Guidelines were published about the process to be followed when making or reviewing existing Local Laws. These need to be taken into consideration in developing new Local Laws and replacing/amending Local Laws. The Draft Governance Local Law Discussion Paper provides a summary and analysis of the changes proposed in the proposed Local Law (*Enclosure 8.3.1b*).

Council Plan/Strategies:

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

Legal/Policy Issues:

To ensure compliance with Section 91 of the *Local Government Act* Council must set Local Laws that govern meeting procedures and ensure that the various sections of *the Act* are adhered to in the process of undertaking an Ordinary or Special Meeting of Council.

The proposed Local Law may require further review if legislation being considered by the Minister for Local Government in relation to Councillor conduct is enacted.

Financial/Resources/Risk

There are no perceived risks or financial consequences to Council in undertaking the Local Law review. If Council were not to review its Governance Local Law there would be some risk that Council may not comply with recent legislative changes or fail to employ up to date best practice governance procedures.

Discussion:

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

- Compliance with legislation and the relevant amendments that have been enacted
- Feedback from the community regarding the processes allowing the public to be heard by Council
- Councillor feedback regarding the current processes and procedures
- Best practice principles across the industry

Extensive research and comparison was undertaken of various Councils' Local Law provisions in relation to Meeting Procedures and Governance. Recommendations for change or improvement were compiled and presented to Council for feedback.

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

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

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

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

Consultation:

Once Council has resolved to commence a Section 223 process in the creation of this proposed Local Law, a public notice will be placed in the Government Gazette, Marysville Triangle, Alexandra Standard, Yea Chronicle, North Central Review, Mountain Monthly and on Council's website, seeking submissions from the public in response to the proposed Local Law. Members of the public will have until 29 May 2014 to make a submission and requests to address Council in relation to the creation of the proposed Local Law are sought.

Newspaper / Other	Publishing Date(s)
Newspaper:	
Alexandra Standard, Yea Chronicle	2 April 2014
Marysville Triangle	3 April 2014
North Central Review	1 April 2014
Mountain Monthly	1 May 2014
Consultation:	
Open for submissions or requests to address Council	27 March 2014 to 29 May 2014
Availability	Available of Council's Website or a copy can be requested from a Council Office

Conclusion:

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

8.3.2 Authorised Signatories – Council Banking

File No: 24/05/01

Purpose:

The purpose of this report is to seek Council's endorsement of certain officers to operate the Council's bank accounts.

Recommendation:**That Council:**

1. Approves the list of authorised signatories for all Council's bank accounts and that (2) two officers be required to sign.

Margaret Abbey – Chief Executive Officer

Tamara Johnson – General Manager Infrastructure & Development

Michael Chesworth – General Manager Corporate & Community Services

Andrew Bond – Manager Business Services

Naomi McNamara – Manager Community Services

Stephen Mortensen – Management Accountant

2. Opens a new bank account with the Bendigo Bank in Kinglake.

Background:

The Council's banks require a resolution of Council for authority for officers to operate the bank accounts. The signing of cheques by two officers is one of a range of internal control mechanisms in place consistent with Council's policies on financial management and cash handling.

To bring Council's bank authorities up to date with current officers, it is recommended that the Chief Executive Officer update the authorised signatories on all Council Bank accounts with the following Council Officers.

All accounts will require the signatures of any two (2) of the following officers.

Margaret Abbey – Chief Executive Officer

Tamara Johnson – General Manager Infrastructure & Development

Michael Chesworth – General Manager Corporate & Community Services

Andrew Bond – Manager Business Services

Naomi McNamara – Manager Community Services

Stephen Mortensen – Management Accountant

It is also proposed to open a new bank account with the Bendigo Bank branch in Kinglake to allow for more prompt banking of funds received through the Kinglake office.

The signatory structure for this new bank account will be the same as detailed above that exists for all of Council's bank accounts.

The bank requirement for the Council to authorise bank signatories is not a requirement under the *Local Government Act* but it is necessary to meet the compliance requirements that banking institutions are obliged to meet under the *Banking Act 1959* and *Anti-Money Laundering & Counter-Terrorism Financing Act 2006*.

Council Plan/Strategies:

This report is consistent with the Council Plan 2013-2017 strategic objective to administer sound financial management practices.

Legal/Policy Issues:

The bank requirement for the Council to authorise bank signatories is not a requirement under the *Local Government Act* but it is necessary to meet the compliance requirements that banking institutions are obliged to meet.

As part of the S7 Instrument of sub-delegation by CEO, the CEO has the power to delegate the signatories on Council's bank accounts.

Financial/Resources/Risk

There are no budgetary impacts associated with this report.

The requirement that all transactions require the signature of two (2) Council officers is a risk management measure to reduce the likelihood of fraudulent transactions.

Discussion:

The bank requirement for the Council to authorise bank signatories is not a requirement under the *Local Government Act* but it is necessary to meet the compliance requirements that banking institutions are obliged to meet

From a Council perspective, should a senior member of staff (signatory) leave the organisation, it is good practice that Council reviews signatories promptly and advise banks accordingly.

Consultation:

There was no community consultation required for this issue.

Conclusion:

A regular review of signatories provides banks with the security that Council updates signatories regularly to meet the requirements of banking institutions and changes in Council staff.

8.4 COMMUNITY SERVICES**8.4.1 Community Grants Round October 2013 to February 2014**

File No: 24/07/139-10

(Refer Encl 8.4.1 - Community Grants Summary October 2013 to February 2014)

Purpose:

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

Recommendation:

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

Application	Funding sought	Recommendation
Bushrodders Road and Custom Club Inc.	\$ 2,870	Supported
Koori Kids	\$ 450	Supported
Anglican Parish Yea	\$ 900	Application held to a future grant round
Yea Pioneer Recreation Reserve	\$ 5,000	Supported

Background:

Applications for the October 2013 to February 2014 cycle of Council's Community and Emergency Grants Program were assessed by the Community and Emergency Grants Committee comprising the Mayor, Deputy Mayor and the Chief Executive Officer. Four applications for grant funding were received in this cycle. All applications and the Committee's recommendations are summarised in the attached document.

Council Plan/Strategies:

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

Legal/Policy Issues:

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

Financial/Resources/Risk

The Assessment Committee is recommending that a total of \$8,370 in funding be granted this round; this amount falls well within the remaining budget allocated to Community and Emergency Grants therefore there is very little financial risk to Council. Funds remaining unallocated in the 2013/2014 year amount to \$20,840. There is one remaining grant round for this financial year.

Discussion:

In total, four applications were received from community organisations for the October 2013 to February 2014 round. These applications are listed in Enclosure: A3 Summary October 2013 to February 2014 of this report. One of the four applications has been supported by the Community and Emergency Grants Committee and is recommended to be noted by Council.

- Koori Kids sought \$450 to support NAIDOC week school initiatives in Murrindindi. Funds will be used to develop and distribute information packs to all schools to encourage participation in local competitions promoting NAIDOC week.

The Committee recommend Council support the following applications:

- Bushrodders Road and Custom Club Inc. are seeking a total of \$2,870 to support the Annual Bushrodders Picnic and Show and Shine (display and competition for hot rods) in Yea. Funds will be used to contribute to the purchase of trophies, catering and equipment and live music.
- Yea Pioneer Recreation Reserve (auspice by the Yea High School) are seeking \$5,000 to support the Yea Celebrates 155 Years of State Education event in 2015. Funds will be used to develop a publication documenting the history of Yea through stories, photos and significant events.

The committee recommend that one application be held over to a future grant round to allow for further discussion:

- The Anglican Parish Yea has requested \$900 to cover the tip fees for their Opportunity Shop for a period of three years.

The Infrastructure Operations Department is in the process of developing a Waste Management Strategy that will provide further direction and ensure a consistent approach to how Opportunity Shops are supported in the future.

Consultation:

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

Conclusion:

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

9. SEALING REGISTER

File: 13/6325

<i>File Reference</i>	<i>Date Seal Affixed</i>	<i>Description of Documents</i>	<i>Signatures of Persons Sealing</i>
14/02/02-2	19 March 2014	Transfer of Land Title Volume 11433 Folio 042 from Murrindindi Shire Council to Her Majesty Queen Elizabeth II	Margaret Abbey Margaret Rae

Recommendation:

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

10. COUNCILLOR PORTFOLIO REPORTS

10.1 LAND USE PLANNING PORTFOLIO

10.2 ECONOMIC DEVELOPMENT PORTFOLIO

10.3 INFRASTRUCTURE AND WASTE PORTFOLIO

10.4 COMMUNITY SERVICES PORTFOLIO

10.5 CORPORATE SERVICES PORTFOLIO

10.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO

10.7 MAYOR AND DELEGATED COMMITTEE REPORTS

10.8 GENERAL BUSINESS

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

REF: CY14/117

Purpose:

This report presents the records of assemblies of Councillors for the 19 February 2014 to 12 March 2014, for Council to note in accordance with Section 80A of the *Local Government Act 1989 (the Act)*.

Recommendation:

That Council receives and notes the record of assemblies of Councillors for 19 February 2014 to 12 March 2014.

Background:

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

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

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

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

Summary:

Meeting Name / Type	Councillor Briefing Session
Meeting Date	19 February 2014
Matters discussed	<ol style="list-style-type: none"> 1. MSS Review Workshop 2. Yea Structure Plan 3. Draft Capital Works Program for 2014-15 4. Alexandra Visitor Information Centre 5. Strategic Resource Plan Revenue Scenarios
Attendees: Councillors – Cr Rae, Cr Kennedy, Cr Walsh, Cr Challen, Cr Derwent	Staff –M Chesworth, T Johnson, J Canny, M Parsons, G Scale, A Bond, B Elkington
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Discussion prior to Ordinary Meeting
Meeting Date	26 February 2014
Matters discussed	1. Tender Report Yea Drainage Initiatives

	2. Glenburn CFA Station 3. Review of Asset Management Policy 4. Progress on Memorials Project
Attendees: Councillors – Cr Rae, Cr Kennedy, Cr Derwent, Cr Ruhr, Cr Challen, Cr Walsh	Staff – M Abbey, M Chesworth, T Johnson, J Canny, L Kelly, M Parsons, M Crane
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	5 March 2014
Matters discussed	1. Capital Works Program Update 2. Development Plans 3. Waste Fees and Charges 4. Governance Local law No. 2
Attendees: Councillors –Cr Rae, Cr Kennedy, Cr Challen, Cr Magner, Cr Walsh, Cr Derwent	Staff – M Abbey, T Johnson, M Chesworth, J Canny, M Leitinger, J Russell, A Bond, T Carter
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	12 March 2014
Matters discussed	1. Integrated Early years Services Feasibility Study 2. Draft 2014-15 Budget 3. Bushfire Management Overlay 4. Draft Capital Works Program 5. Governance Local Law No. 2
Attendees: Councillors –Cr Rae, Cr Walsh, Cr Derwent, Cr Magner, Cr Challen	Staff – M Abbey, M Chesworth, N McNamara, T Johnson, M Parsons, J Canny, M Leitinger, A Bond, T Carter
Conflict of Interest disclosures - Nil	

14. URGENT BUSINESS

15. CONFIDENTIAL ITEMS

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

- APPOINTMENT OF A PANEL OF PROVIDERS

The meeting is to be closed to members of the public as the discussion of this item is confidential pursuant to (Section 89(2)(h) of the *Local Government Act 1989*) - any other matter which the Council or special committee considers would prejudice the Council or any person.