



AGENDA
of the
ORDINARY MEETING OF COUNCIL
To be held on
WEDNESDAY 27 MAY 2015
in the
TAGGERTY COMMUNITY HALL
commencing at
6.00 pm

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

REF: SF/306

3. CONFIRMATION OF MINUTES

➤ Minutes of the Ordinary meeting of Council held on 22 April 2015 be confirmed.

Recommendation:**That the Minutes of the Ordinary meeting of Council held on 22 April 2015 be confirmed.**

➤ Minutes of the Special meeting of Council held on 20 May 2015 be confirmed.

Recommendation:**That the Minutes of the Special meeting of Council held on 20 May 2015 be confirmed.****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

REF: SF/783

5. PUBLIC PARTICIPATION TIME**5.1 QUESTIONS OF COUNCIL****5.2 OPEN FORUM**

REF: SF/130

5.3 PETITIONERS SPEAKING TO PETITIONS

REF: SF/132

6. OFFICER REPORTS**6.1 2014/110 – MOTEL AND RETAIL BUILDING, ALEXANDRA**

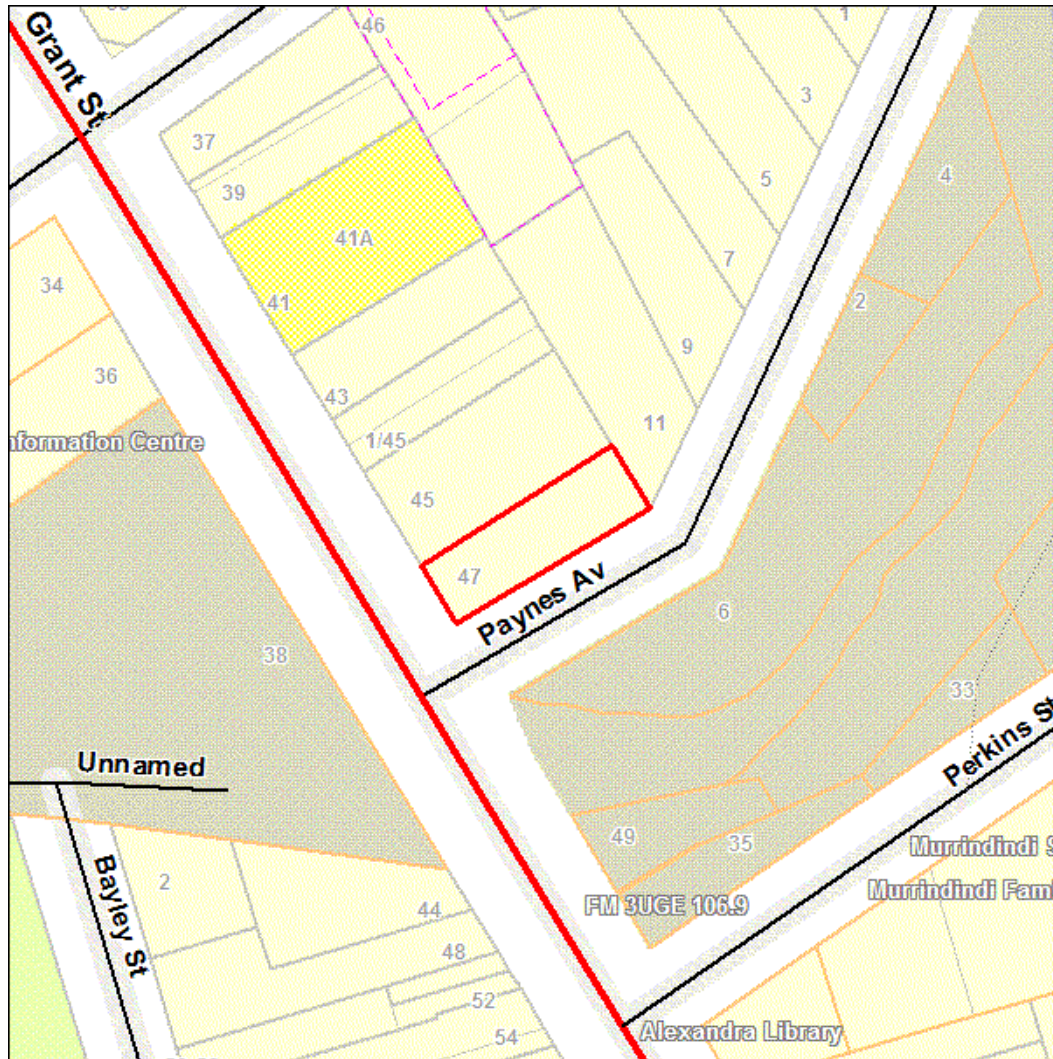
File No: 2014/110

Land: 47 Grant Street ALEXANDRA 3714

Proposal: Construction and use of motel and construction of building for retail purposes

Applicant: SM Coward
 Zoning: Commercial 2
 Overlays: None
 Attachments: Aerial photograph and submissions distributed separately
 (Refer Encl 6.1 – Application details (TRIM 15/22563))

Locality Plan



Purpose:

This report recommends that a notice of decision to grant a permit be issued for the construction and use of a motel and construction of a building for retail purposes and the reduction in carparking at 47 Grant Street, Alexandra.

Recommendation:

That Council issue a notice of decision to grant a permit for the construction and use of motel and construction of building for retail purposes, and for the reduction in car parking requirements at 47 Grant Street, Alexandra (SEC: 65 C/A: 1, Parish of Alexandra), subject to the following conditions:

- (1) Prior to the commencement of any buildings or works three (3) copies of a plan or plans shall be submitted and approved by the Responsible Authority. Such plans must show the nature of all external materials and finishes, siting and dimensions

- of all buildings, details of water storage tanks and any proposed excavations. When approved these plans shall be endorsed and form part of this permit. The plans shall generally be in accordance with the plans submitted with the application but amended to show:
- a. Weathertex Woodspan Natural panel, with modest inserts of Cor-Ten steel panelling from a 3000mm height on the northern elevation.
 - b. Access point setbacks in accordance with condition 10.
- (2) This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before three months after such expiry.
 - (3) All external cladding including the roof and trims of the building allowed must be coloured or painted in a colour approved in writing by the Responsible Authority.
 - (4) All refuse and rubbish associated with the use allowed must be removed from the area at least once weekly, and more often if required by the Responsible Authority.
 - (5) The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.
 - (6) Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
 - (7) The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
 - (8) **Road Upgrading**
Prior to commencement of use of the development the developer must provide footpath, kerb and channel and seal the court bowl located adjacent to the site of development in Paynes Avenue, Alexandra.
 - The kerb and channel needs to be constructed from the rear boundary along the property to join the existing towards the corner of Paynes Avenue and Grant Street
 - The footpath is to be 1.5m in width and be constructed along the Paynes Avenue boundary connecting to the existing footpath on Grant Street
 - Paynes Avenue Court bowl will require sealing to a standard that is appropriate and approved by the relevant authority
 - All landscaping in affected areas will need completion to the relevant authorities standards
 - Where the development impacts on adjoining road and service authority infrastructure that requires adjusting, the developer will undertake all required works as part of the development including and is responsible for all associated costs.

The design and plans must be drawn to scale with levels and dimensions and comply with the requirements of Council's *Infrastructure Development Manual*

where there is construction external to the site. These plans need to be submitted to this department for approval before construction commences.

(9) Urban Drainage

All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system with one single point of discharge. A drainage strategy including an overall site drainage catchment plan and stormwater calculations must be provided for approval by council prior to the approval of any construction drawings and/or the certification of any plan of subdivision.

(10) Access setbacks

Setbacks of at least 1m from the property boundary are required for all pedestrian access points of the building allowing space for appropriate ramping in order to prevent flooding and to match the existing levels externally.

Council will not accept any modifications to existing levels within the road reserve. Any change in levels to match existing surface levels along the property boundary line must be made within the property boundary.

(11) Vehicle Crossings

Industrial Vehicle crossings are to be constructed in accordance with the *Infrastructure Design Manual, Chapter 12.9: Design of Roads, Vehicular access* and to the specifications in the drawing *SD 250 'New Industrial Vehicle Crossing Detail'* in the *Infrastructure Design Manual*. Appropriate signage is needed warning loading bay and car park users to ensure pedestrian safety around the property.

Also, any proposed vehicular crossing must have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and must be at the applicant's expense

(12) Construction Phase

Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority. Before the development starts, a construction management plan shall be submitted to and approved by the Responsible Authority. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.

Management measures are to be in accordance with EPA guidelines for Environment Management.

(13) Supervision / Checking Fees and Bonds

Where council maintained infrastructure is created the developer must provide:

- (a) payment to the Responsible Authority of a engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority;

- (b) **payment to the Responsible Authority of a supervision fee to a maximum of 2.5% of the actual cost of road and or drainage construction works, the amount to be determined by the Responsible Authority**
- (c) **the maintenance of all constructed works for a period of 3 months from the agreed date of Practical Completion. The Defects Liability period for the new works must be 3 months. Council will only accept the works at the end of the 3 months Defects Liability period if there is no defects / damage to any infrastructure and all of the work meets Council requirements.**
- (d) **payment of a maintenance bond of maximum of 5% of the actual cost of road and or drainage construction works, to be held by the Responsible Authority for a period of twelve (3) months from Practical Completion, to ensure that all works are maintained to the satisfaction of the Responsible Authority;**

(14) Consent for works within existing road reserves

Prior to the commencement of any works on the road reserve a “Consent to Work on Roads” application must be made to the relevant Co-ordinating Road Authority in accordance with the Road Management Act 2004 and associated regulations.

Proposal:

An application was originally received for the construction of a two storey building with a retail/wholesale space and car park on the lower level, and 6 motel units on the upper level. The application documents were amended later to reconfigure the top of the building to accommodate 8 motel units. Eight car spaces are provided on site in an enclosed garage, with stair and lift access to the upper storey. The lower level of the building has a roller door access to the rear of the retail shop onto Payne’s Avenue for loading purposes. The applicant is proposing to give a simplified Trompe L’oeil treatment to the north facing wall. Trompe L’oeil is an art technique that uses realistic imagery to create the optical illusion that the depicted objects exist in three dimensions.

The lower level of the building extends from boundary to boundary, front to back. It has a small corner articulation at the Payne’s Avenue/Grant Street Intersection. The first floor has a 3 metre setback from the front in Grant Street, a 2 metre setback at the rear, adjoining the residential property at 11 Payne’s Avenue, and balconies on the southern elevation facing Payne’s Avenue provide a level of articulation from the street. The north elevation has a 38 metre long, 7.5 metre high concrete wall, with the first 6 metres of the Grant Street end of the wall proposed to be clad in Weathertex Woodspan Natural panel.

The Land & Surroundings:

The subject land currently contains a single dwelling and associated shedding. It is fenced on all boundaries with a 6 foot high wire fence. The property to the north contains a single dwelling, to the east is a vacant residential allotment, to the south is the Payne’s Avenue road reserve and the UT Creek river reserve, and the west is the Grant Street Road reserve and Rotary Park.

The subject land is on the edge of the Commercial 2 Zone, and is bounded by the General Residential Zone to the east.

Referrals:

The application was referred internally to Council’s Building Unit, Economic Development Department and Infrastructure Assets Department. No objections were received subject to conditions.

Consultation:

The application was advertised to adjoining and nearby landowners, by way of a sign on site and with a notice in the Alexandra Standard. Three submissions were received. The issues raised in the submissions are summarised as follows:

- Vehicle access via Payne's Road is not adequate for a commercial building (1 submitter)
- Will ruin the tranquil area (1 submitter)
- Pedestrian safety will be compromised due to increased traffic (2 submitters)
- Council should not pay for upgrade to the road (1 submitter)
- Units 7 & 8 overlook a residential property and affect amenity (1 submitter)
- Car park vents face residential property and should face Payne's Avenue (1 submitter)
- The boundary wall should be treated to minimise impact (1 submitter)
- Payne's avenue already under pressure from traffic to Leckie Park and Bowls Club (1 submitter)
- Cars that don't fit in the car park will need to be parked in Payne's Avenue (1 submitter)
- No provisions made for commercial vehicles to be parked on site (1 submitter)
- Turning from Payne's Avenue to Vickery Street can be hazardous (1 submitter)
- The use of the retail building is unclear and could lead to increased traffic in Payne's Avenue (1 submitter)
- Insufficient parking on Grant Street (1 submitter)
- The proposal doesn't respect the residential character of Payne's Avenue (1 submitter)

The applicant provided a response to the issues, and this can be summarised as follows:

- Vehicles and/or trailers may have to park in the road, but this is the same for residential properties at times.
- The road is of sufficient standard to handle the medium sized commercial vehicles expected.
- The final use of the retail space has not been determined, but has a range of options available.
- They do not see the road needing alterations, and will construct crossovers and appropriate footpaths.
- Considering extending the Weathertex Woodspan panel to break up the rendering on the building.
- The build will encourage tourism and provide employment.

The response was forwarded to all submitters, and no submissions were withdrawn.

Newspaper / Other	Publishing/Consultation Date(s)
<i>Newspaper: Alexandra Standard</i>	22 October 2014
<i>Consultation: Sign on Site</i>	15 October 2014
<i>Mail out: Nearby and adjoining owners</i>	15 October 2014

Planning Considerations:

The applicant had approached council officers prior to lodging the planning application and the submitted plan varies significantly from what was originally considered for the site by the owner. The final lodged plan was generally in accordance with what had been recommended by Council officers, with the exception of the northern elevation treatment. As the site is important from a streetscape perspective, with due consideration for the interface with Grant Street, Payne's Avenue, the creek reserve and the residential properties, independent urban design advice was sought on the proposal.

The applicant provided some reduction in the visual bulk of the building on both the Grant Street elevation and toward the eastern neighbour, and the arrangement of the balcony spaces in the southern and eastern elevations were amended to assist with this. This was considered appropriate as the units interfacing with the residential property would only be able to overlook a front yard, and not the private open space that would be located behind a future house. The

main concerns raised by the urban designer were the overall mass of the building and the scale of the wall on the north elevation. An untreated concrete finish is not considered to be an appropriate response for the site. This is due to the interface with the adjacent neighbour, and the visibility of the wall beyond this property as people enter Alexandra from a westerly direction. Prior to application it was recommended that the applicant consider using Weathertex Woodsman Natural Panel from a 3000mm height along the entire length of this elevation. Further, modest inserts of Cor-Ten steel panelling inserts could have been considered to break down the visual scale. The application was received without this suggestion being incorporated into the design, with the applicant citing cost issues as the reason for not wishing to extend the panelling. They have proposed a Trompe L'oeil treatment, which is a form of painting, which council officers do not believe will have the desired impact.

Council officers consider that the overall design of the building and its impact on the wider streetscape needs to be more carefully considered, and will be recommending a permit condition that will require the extension of the panelling on the northern elevation. Should the cost continue to be prohibitive, the applicant has been provided with options to decrease the bulk of the building that would not require this type of treatment.

The planned commercial use of the retail premises has not been defined, however in the Commercial 2 Zone, the use of the retail premises has limitations as to what can be undertaken without a planning permit. A food and drink premises (under 100 square metres), an office, trade supplies or a restricted retail premises are some of the uses that can be undertaken without a planning permit. To clarify, a restricted retail premises is defined as:

“Land use to sell or hire:

- (a) Automotive parts and accessories
- (b) Camping, outdoor and recreation goods
- (c) Electrical light fittings
- (d) Animal supplies including equestrian and pet goods
- (e) Floor and window coverings
- (f) Furniture, bedding, furnishings, fabric and Manchester and home wares
- (g) Household appliances, household electrical goods and home entertainment goods
- (h) Party supplies
- (i) Swimming pools
- (j) Office equipment and supplies
- (k) Baby and children's goods, children's play equipment and accessories.
- (l) Sporting, cycling, leisure, fitness goods and accessories or
- (m) Good and accessories which:
 - a. Require a large area for handling, display and storage of goods, or
 - b. Require direct vehicle access to the building by customers for the loading of unloading goods into or from their vehicles after purchase or hire.

It does not include the sale or hire of food, clothing or footwear unless ancillary to the primary use.”

The use for an electrical retail outlet, a cycle shop or the like would be able to operate without the need for further planning approval but a use such as a larger food and drink premises

would. The use of the building for a motel does require a planning permit. A motel is defined as:

“ Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests’ vehicles convenient to the rooms.”

Under Clause 52.06 *Car Parking*, 1 car space is required to be provided per motel unit. The retail premises would be 4 car spaces per 100 square metres of leasable floor space. With a leasable floor space of 430 square metres, the car parking should be 17 car spaces. Should the application not provide the total 25 car spaces, Council are able to consider a reduction in the car parking requirement as part of the permit. The application provides for 8 car spaces on site, and proposes to utilise existing on site car parking for the retail premises. Grant Street currently has access to a number of formed and delineated car spaces that are considered sufficient for the level of use a restricted retail premises would require.

Should someone wish to use the shop for another purpose, such as a larger food and drink premises or a retail shop, a planning permit would be required and parking could be further considered.

In this instance the design allows for vehicle access into the shop space for loading and unloading from Payne’s Avenue. Customer access would primarily be from Grant Street with the majority of use being normal trading hours. The competing use for car spaces in this vicinity are mainly the tourist use and access to the park which is more likely to occur outside normal trading hours.

The application was referred to Council’s Infrastructure Assets department, who have considered the impact of the development on Payne’s Avenue. While the applicant has advised they are prepared to put in crossovers and a footpath, the response in relation to the infrastructure requirements will include kerb and channel along the frontage, a footpath along the Payne’s Avenue frontage, sealing of the court bowl, and landscaping the interface with the street.

When considering the zoning of the land, a restricted retail premises will create its own limitation in relation to car parking. The second vehicle access to the front part of the building from Payne’s Avenue will allow vehicles to enter the building for loading and unloading, as considered in the definition of a restricted retail premises. While there will be an increase in traffic along Payne’s avenue as a result of this development, it would be reasonable to assume any development in line with the zoning of the land will have an impact on this road. The road is sealed and the conditions required by the Infrastructure department have appropriately considered this impact.

The articulation of the entrance at the corner of Payne’s Avenue and Grant Street will allow a better flow of pedestrian traffic around that corner, along the existing and proposed path than currently experienced. This fact, supported by the changes to the design to increase the articulation of the building, provide the necessary basis for a recommendation to issue a notice of decision to grant a permit, subject to a condition requiring further panelling on the northern elevation.

Conclusion:

The proposal to build a retail premises and motel at 47 Grant Street Alexandra is an appropriate use in the Commercial 2 Zone, which capitalises on the access to the public space and walking/bike path along UT Creek, and should be supported by Council.

Legal/Policy Issues:**State Planning Policy Framework**

11.10 Hume Regional Growth

Objectives:

- To develop a more diverse regional economy while managing and enhancing key regional economic assets.
- To focus growth and development to maximise the strengths of existing settlements.

17.01 Business

Objectives:

- To encourage development which meets the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

17.03 Tourism

Objectives:

- To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.

Local Planning Policy Framework

21.06 Tourism and Heritage strategies

Strategies and objectives:

- Facilitate tourist uses and developments that are linked to the natural environment.

21.07 Service Township Strategies

Strategies and objectives:

- Consolidate commercial development within the Bayley Street, Myrtle Street and Nihil Street precinct, also providing for limited mixed commercial and residential use expansion of the centre south of Nihil Street, west of Grant Street and east of Bayley Street.

22.03 Townships

Objectives:

- Ensure that all new use and development has regard to the existing townscape, to design, siting and landscape issues.
- Ensure that all use and development assist in the presentation of the main road entrances into townships.

Policy:

It is policy that:

- Development at township entrances should be designed with respect to the built environment and sited to contribute to the overall appearance and character of the town.
- The presentation of development to the street and how the proposal addresses and assists in landscape presentation, attracts tourism and demonstrate civic pride.

Zoning

34.02 Commercial 2 Zone

Purpose:

- To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Decision Guidelines:

- The interface with adjoining zones, especially the relationship with residential areas.
- The effect that existing uses may have on the proposed use.
- The effect of traffic to be generated on roads.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of fronts and backs of buildings and the appurtenances, illumination of buildings or their immediate spaces and landscape of land adjoining a road.
- The design Floodway Overlay buildings to provide for solar access.

A planning permit is required for the construction and use of a motel, and for the construction of a restricted retail premises.

Particular Provisions**52.06 Car Parking**

Purpose: To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

Decision Guidelines:

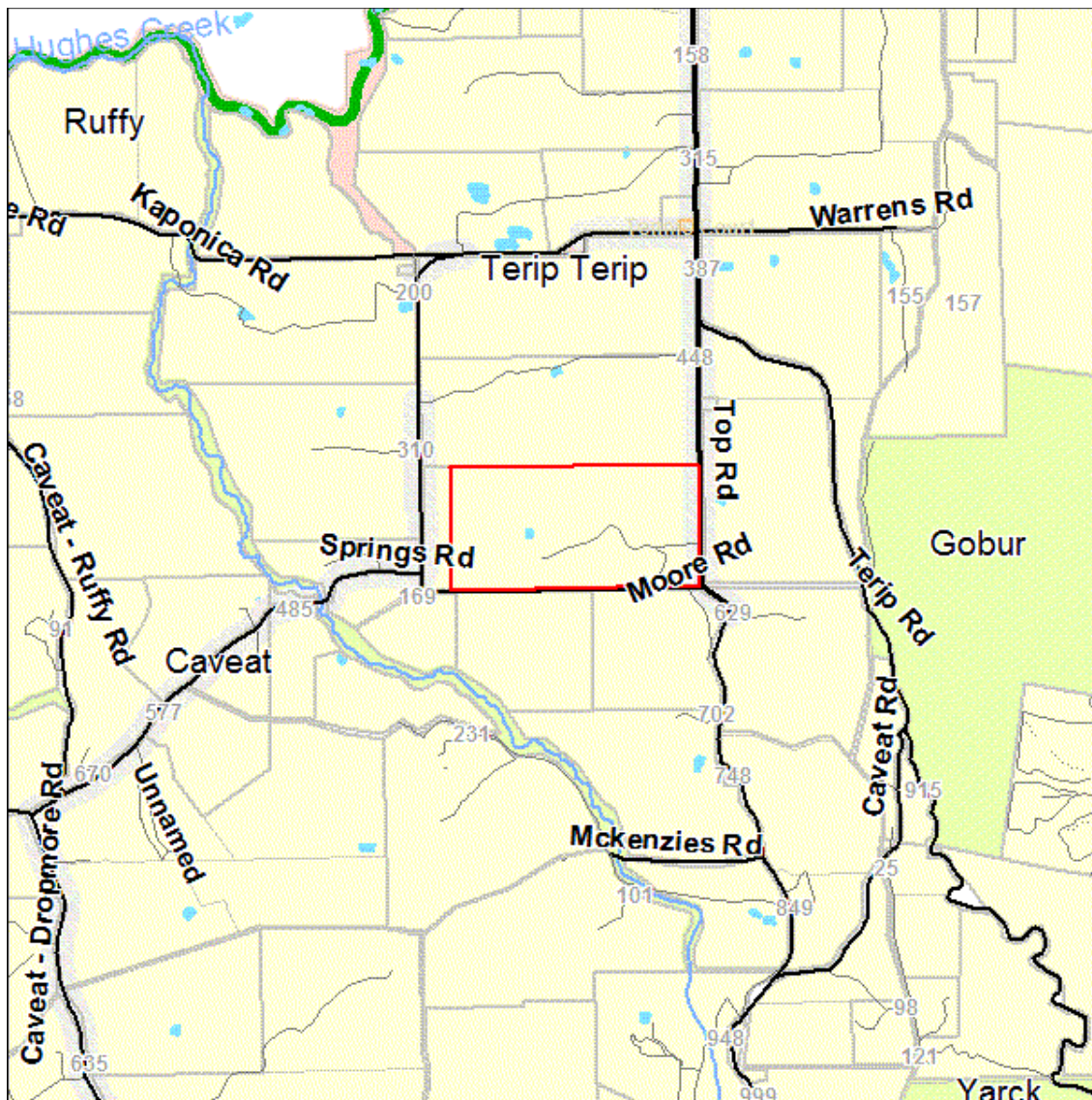
- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.

A planning permit is required to reduce the car parking requirement.

6.2 2015/41 – TWO LOT SUBDIVISION, TERIP TERIP

File No: 2015/41
Land: 572 Top Road TERIP TERIP 3719
Proposal: Two (2) lot subdivision
Applicant: R A Eddy
Zoning: Farming
Overlays: None
Attachments: (aerial photograph and submissions distributed separately)
(Refer Encl 6.2 - Application details (TRIM 15/22559))

Locality Plan



Purpose:

This report recommends that a notice of decision to grant a permit be issued for a two (2) lot subdivision at 572 Top Road, Terip Terip.

Recommendation:

That Council issue a notice of decision to grant a permit be issued for a two (2) lot subdivision at 572 Top Road, Terip Terip (SEC: C C/A: 27, Parish of Dropmore), subject to the following conditions:

- (1) The subdivision must be in accordance with the endorsed plan. This endorsed plan can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.
- (2) This permit shall expire if the plan of subdivision hereby permitted is not certified within two (2) years of the date hereof or any extension of such period, the Responsible Authority may allow in writing on an application made before or within three months after such expiry.

- (3) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- (4) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- (5) The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
- (6) The owner of the land must enter into an agreement with:
 - A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- (7) Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Proposal:

An application was received to subdivide a 129.3 hectare allotment into 59.8ha and 69.5 ha allotments. The 59.8 hectare allotment will contain the existing house and shedding and the 69.5 hectare allotment is vacant with fenced paddocks and a dam on the site.

The applicant has advised that they have a conditional sale to the neighbouring property owner to the south on the other side of Moores Road for the vacant allotment.

The Land & Surroundings:

The subject land currently contains grassed paddocks, a dwelling and associated shedding. It has formed accesses from both Top Road and Moore Road. The property is surrounded by other farming properties used for agricultural purposes. Hughes Creek is to the south of the subject land. The area is generally characterised by larger allotments used for farming purposes with many lots being similar in size to the subject land and the smallest lot in the general vicinity being 12 hectares in area.

Referrals:

The application was referred internally to Council's Assets and Development Unit, who had no objections to the application.

Consultation:

The application was notified to nearby and adjoining owners, by way of a sign on the site and with a notice in the Yea Chronicle. Two objections and 1 support submission were received. One of the objections has since been withdrawn and one objection to the application remains. The objection can be summarised as follows:

- Subdivisions in the farming zone will change the character of the district from farming to rural residential.
- Fails to protect high quality agricultural land, as it creates small lots that are not viable on their own.
- Will affect the ongoing feasibility of food production in the area.

The supporting submission is from the owner to the south.

Newspaper / Other	Publishing/Consultation Date(s)
Newspaper: Yea Chronicle	25 March 2015
Consultation: Sign on Site	25 March 2015
Mail out: Nearby and Adjoining Owners	18 March 2015

Planning Considerations:

The minimum lot size for subdivision in the Farming Zone is 40 hectares, therefore with a property of this size, the owner could have applied to create 3 lots all above 40 hectares in size. This proposal creates two lots only, neither of these lots has the capacity to be further subdivided. The proposed line of subdivision is on an existing fence line and has an existing access from a formed gravel road.

When considering the purpose of the farming zone, it can be considered that this type of subdivision creates two lots that are both capable of supporting a dwelling and an agricultural use. While the prospective owner does not intend to build a dwelling on the allotment, no planning permit would be required for a dwelling on the allotment as the land is greater than 40 hectares in area and there are no overlay controls.

The objector expresses concerns about protecting high quality agricultural land and the potential creation of lots that are not viable. With both lots well above the 40 hectare minimum lot size, the zone itself does not prohibit the development of these lots and the land is of a size that can be used productively. The report that came with the application states that the use of surrounding land generally relates to animal grazing and this is compatible with the continued use of this property for grazing.

When considering the use of the land for agricultural purposes, the planning scheme requires that we protect farmland of strategic significance. The land is currently used in a productive manner and this will continue with the subdivision. Should a dwelling be developed on this allotment, the size of the property will still require a significant amount of management in terms of its agricultural use. The subdivision will not remove the land from primary production and the land is likely to continue to be farmed in the current manner. The subdivision will allow another farming enterprise to be undertaken on the land, which is in accordance with Clause 21.04 *Agriculture and rural land strategies*. Upon assessment of the proposal for the subdivision of the land into two allotments, both have the capacity to support and enhance agricultural production on their own merits.

Conclusion:

The proposed subdivision is in accordance with the purpose of the Farming Zone, is actively farmed and can continue to be a productive property when managed by a new owner.

Legal/Policy Issues:**State Planning Policy Framework**

14.01 Agriculture

Objective: To protect productive farmland which is of strategic significance in the local or regional context.

Strategies:

- Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes to land use.
- In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:
 - The desirability and impacts of removing the land from primary production, given its agricultural productivity.
 - The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
 - The compatibility between the proposed or likely development and the existing uses of the surrounding land.
- Subdivision of productive agricultural land should not detract from the long-term productive capacity of the land.

Local Planning Policy Framework

21.04 Agriculture and rural land strategies

Strategies and objectives:

- Ensure that the use and development of rural land is both compatible with and complementary to agricultural activities and protect agricultural potential.
- Encourage agricultural diversity and promote opportunities for new farming enterprises.

Zoning

35.07 Farming Zone

Purpose:

- To provide for the use of land for agriculture
- To encourage the retention of productive agricultural land.

Decision Guidelines:

General Issues

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.

A planning permit is required to subdivide land in the Farming Zone.

6.3 ADOPTION OF 2015-16 COUNCIL PLAN REVIEW AND SRP

REF: SF/308

(Refer Encl 6.3a Council Plan 2013-2017 – 2015 Review incl SRP – For Adoption (15/9108))

Purpose:

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

Recommendation:

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

1. **To adopt the Council Plan 2013-2017 (Year 2 Review) and the accompanying Strategic Resource Plan as exhibited and as attached at Enclosure 6.3.**
2. **That the statutory processes under Sections 125 and 126 of the Act be completed.**

Background:

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

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

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

Council Plan/Strategies:

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

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

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

Legal/Policy Issues:

The requirement for the Council Plan 2013-2017 inclusive of Strategic Resource Plan is detailed under Sections 125 and 126 of the *Local Government Act 1989*.

The Plan is to be reviewed annually.

Financial/Resources/Risk

The third year of the Council Plan 2013-2017 and Strategic Resource Plan continues to be conservative in its scope of discretionary spending, whilst balancing Council's commitment to the Community with regards to rate increases for 2015-16, providing a responsible and viable financial plan for the ensuing years.

Discussion:

The 2015-16 Draft Budget, Council Plan and Strategic Resource Plan ultimately details

resource and project priorities that are in accordance with the key strategic directions outlined in the Council Plan.

The review of the Council Plan (2013-17) has seen minor adjustments of the key strategies aligned to the four goals of Council, namely:

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

With some minor exceptions, it is proposed that the strategic objectives and strategies remain unchanged from 2014-2015. The proposed Year Three Actions have been updated to reflect anticipated progress on implementing the Council Plan as at 30 June 2015. Key actions proposed for 2015-16 include the following:

- Commence implementation of Council's 2030 vision.
- Coordinate a master plan for growing the rates base.
- Progress the redevelopment of the Yea Swimming Pool.
- Develop an advocacy plan to support the need for new public and social housing options in the Shire.
- Develop a policy which guides Council's decision making in relation to new infrastructure development.
- Continued implementation of the new Waste Management Strategy.
- Participate in the Indi Electorate Mobile Blackspots project.
- Finalise and implement the Murrindindi Business Prospectus.
- Implement Council's new Rating Strategy.

The draft Council Plan Second Year Review 2013-2017 (including the draft Strategic Resource Plan) and draft Budget 2015-2016 have been prepared to provide an opportunity for community comment prior to adoption and submission to the Minister of Local Government before the commencement of the 2015-16 financial year.

A number of significant factors have influenced the review of the Council Plan, and the preparation of the 2015-2016 Budget.

The Strategic Resource Plan 2013-2017 and 2015-2016 Budget are based upon the following key assumptions in the 10 year timeframe:

- Rate increases are limited to 6% for the general rate in 2015/16, although the incorporation of the two new differential rating categories for vacant land and commercial / industrial properties will result in higher rate increases for these property class owners in 2015/16.
- From 2016/17 there will be a gradual reduction in the annual rates increase, with the annual rate increase decreasing to 4% by 2023/24.
- An additional 1% growth of the rate base is factored in each year; with a third of the general increase for each year allocated to an Infrastructure Reserve.

- The organisational establishment will remain static in 2015/16, although a small number of limited tenure positions that were scheduled to finish at 30 June 2015 have been continued into the 2015/16 financial year to ensure continuation of service delivery to the community. No other service level changes have been considered in the longer term financial plan for Council.
- Limited new initiatives or programs other than those that have been included in the 10 year capital improvement plan.
- The maintenance and operating costs of the new and gifted assets have now been reduced based on revised lower service level expectations, following the decision by State Government to not provide any further funding to Council to manage and operate these assets.
- Capital works will occur in accordance with the Ten Year Capital Improvement program.
- Provision each year has been made to expense \$300,000 as a contingency for future defined benefits superannuation calls and to quarantine this until such time as a call is made on Council.
- Rebuilding of the Long Service Leave reserve with 50% of the current liability component being cash backed by 30 June 2015. This program commenced in 2013-14 and is aimed to be completed over a 4 year period by 2016-17.

No submissions from the public were received in regard to the Council Plan and Strategic Resource Plan.

Consultation:

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

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

Newspaper / Other	Publishing Date(s)
Newspaper: Alexandra Standard Yea Chronicle Marysville Triangle North Central Review	15 April 2015 15 April 2015 16 April 2015 14 April 2015
Website	14 April 2015
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre and Marysville Visitor Information Centre	14 April 2015

No submissions from the public were received in regard to the Council Plan and Strategic Resource Plan.

Conclusion:

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

6.4 ADOPTION OF 2015-16 ANNUAL BUDGET

REF: FY3-03

(Refer Encl 6.4 MSC Budget 2015/2016 (15/9108))

Purpose:

This report provides an opportunity for Council to adopt the 2015-2016 Budget.

Recommendation:

That having given notice under section 129 of the *Local Government Act 1989* and invited and considered submissions under Section 223 of the *Local Government Act 1989*, the Council hereby resolves:

1. That the 2015-2016 Budget be adopted as generally exhibited and as attached at Enclosure 6.4.
2. That responses to issues contained within the one (1) submission received, in respect of the draft 2015-2016 Budget, be issued by the Manager Business Services.
3. That the Chief Executive Officer be authorised to give public notice of this decision to adopt the 2015-2016 Budget, in accordance with Section 130(2) of the *Local Government Act 1989*.
4. To confirm the differential rates as detailed in the Budget document per Enclosure 6.4.
5. That the rates officers of Council be authorised to levy and recover the differential rates so declared in accordance with the *Local Government Act 1989*.
6. That Council note the due dates for instalments will be as follows:
 - 30 September 2015
 - 30 November 2015
 - 29 February 2016
 - 31 May 2016

Background:

Council endorsed the Draft 2015-2016 Budget for public consultation at a Special Meeting on 8 April 2015. Consultation in accordance with Section 127 of the *Local Government Act 1989* has taken place. The Budget document was placed on public exhibition at all Council offices, on Council's website and was advertised in the local newspapers in accordance with the Council resolution.

Council Plan/Strategies:

The Budget is part of the Council Plan, budget and annual report process.

Legal/Policy Issues:

The adoption of the Budget is a statutory requirement of the *Local Government Act 1989* and sets the financial framework in which Council will operate for the 2015-16 financial year.

Financial/Resources/Risk

Adoption of the 2014-2015 Budget is an essential part of strong corporate governance.

Discussion:

One (1) submission was received in relation to the Draft 2015-2016 Budget.

The general tenor of the budget submission received can be summarised as follows and comments are provided to inform Council's consideration of the budget's content:

Submitter 1

The submission raises many questions, those specifically related to the budget include:

- a) What is the effective rate increase for fiscal year 2015-16 with the inclusion of the new differential rates (7.85%)?
- b) Where is it shown that 2% for funding existing and additional infrastructure maintenance and replacement is shown in the future funds accounting?
- c) What is the current equity held to enable the proposed budget deficit in the 2015-2016 year?
- d) What is the budgeted amount for additional review and savings from the proposed review of community and users of public facilities?
- e) What Calculation is being used for the proposed impact of rate capping and requirement that Council contains costs for non-essential services for 2015-16 fiscal year?
- f) How does Council propose to budget with only a stated 4% rate increase available for operating costs for 2015-16?
- g) Why has council refused to apply uniform rating instead of the 5 different levels of rate proposed?
- h) Why does Council apply the Municipal Charge for administrative costs, which is also part of, and factored into operating costs, whilst other Councils do not?
- i) How many rate assistance programs for disadvantaged or aged or unemployed ratepayers are currently in place?
- j) How many ratepayers are currently on concessions for payment of rates?
- k) Why is it that Council does not comply with Local Government Act S223 to require all submission available for public inspection and with names deleted?
- l) How does Council propose to contact all or every submission to the draft budget?

Comment – The majority of the questions raised by the submitter relate to matters that Council has recently addressed through the adoption of its new Rating Strategy. The rationale behind Council's decision to review its previous Rating Strategy, particularly with regard to the review of its differential rating structure has been well articulated through this process and the final published document. That being stated, the answers to each of the submitters queries are as follows:

- a) As detailed in Section 9 and at Appendix B of the Annual Budget, Council has recently revised its rating strategy. As such, the rate of increase for different types of properties will be dependent on the type of assessment that they fall under for the 2015/16 year as these new differential rating classes come into effect for the first time.

The increase for Council's various rates, municipal charge and service charges for the 2015/16 are fully detailed at Appendix B of the budget, as is the expected total increase in Council revenue for these charges when compared to the previous year, which is 7.76% for 2015/16.

- b) The impact of the funds that are being put aside by Council to ensure the future renewal and replacement of infrastructure (ie. managing its renewal gap) is shown in the Strategic Resource Plan. Section 6.7 of the Strategic Resource Plan details the challenges that face Council with regard to long term asset management, and the steps that Council is undertaking to manage this issue.

The specific funds that are budgeted to be put aside each year is detailed in the long term financial plan in the Strategic Resource Plan, which shows Council growing its future capital works reserves from \$5.6 million in 2015/16 to \$9.4 million by 2024/25. This forms a component of Council's total equity which is addressed further below.

- c) As detailed in Section 7 of the Annual Budget, Council's budgeted equity position for the 2015/16 financial year is forecast to be \$306.76 million as of 30 June 2016. This is generated by three major components; Council's asset revaluation reserve (\$171.45 million), Council's accumulated surplus (\$123.32 million) and Council's other reserves, which are separately identified as funds being set aside to meet specific purposes for community assets in the future (\$11.99 million).
- d) The review of community and public facilities referenced in the submission is an ongoing exercise that will require extensive community consultation and engagement with other government stakeholders. The timing of these impacts are dependent on a number of parties external to Council, and thus whilst some financial savings are expected to occur in 2015/16, they have not been included in the budget from a prudent financial point of view as the quantum and timing are yet to be finalised.
- e) The impact of rate capping referenced in the submission is an issue that is at the forefront of Council's mind, but the full impacts and timing of this initiative proposed by the State Government are yet to be determined, and are subject to a current independent review being conducted by the Essential Services Commission. As soon as this review is completed, and the impacts and timelines are understood by Council these will be communicated with the community and are expected to form a large part of Council's planning for the 2016-17 budget.
- f) Council's budget provides full details on its proposed expenditure for the 2015/16 financial year. It fully recognises that there will be an expected operating deficit for the 2015/16 financial year, however the Strategic Resource Plan and accompanying Long Term Financial Plan details how this is forecast to be returned to surplus in the coming years.

Section 4 of the Annual Budget provides an analysis of Council's operating budget for the 2015/16, which details a breakdown of Council's forecast revenue and operating expenses for the 2015/16 financial year.

Section 6 of the Annual Budget provides an analysis of Council's capital budget for the 2015/16, which details the infrastructure projects across a range of asset classes that are forecast to be undertaken in the 2015/16 financial year, including a number of items that will be carried forward from the 2014/15 budget.

Council's annual budget is prepared in accordance with the Chartered Accountants Australia and New Zealand "Victorian City Council Model Budget 2015/2016" a best practice guide for reporting local government budgets in Victoria. This version of the Model Budget reflects the authorised version of the Local Government (Planning and Reporting) Regulations which were made in April 2014.

- g) As discussed in Section 6 of Council's recently adopted Rating Strategy, Councils have the option to declare differential rates in accordance with Section 161 of the Local Government Act. This practice is adopted by the vast majority of Councils across Victoria, and one that Murrindindi has had in place for many years. Differential rating provides Council with the greater flexibility to distribute the rate burden between all classes of properties and also allows Council to reflect the

unique circumstances of some rating categories where the application of a uniform rate may create an inequitable outcome (e.g. farming enterprises).

Differential rating also provides Council with the ability to align its broader strategic direction, as stated through its Council Plan and Strategic Resource Plan with its primary revenue stream, through allowing Council discretion in the imposition of rates to 'facilitate and encourage appropriate development of its municipal district in the best interest of the community'.

- h) Another principle rating option available to Councils is the application of a municipal charge. Under Section 159 of the Local Government Act, Council may declare a municipal charge to cover some of the administrative costs of the Council. The legislation is not descriptive on what comprises administrative costs and does not require Council to specify what is covered by the charge or how the funds are to be allocated.

Again, the vast majority of Councils in Victoria **do** impose a municipal charge, as this allows Council to collect a portion of revenue not linked to property value but paid equally by all ratepayers. This helps to redistribute the burden of rates as they are paid equally by all ratepayers and reduce the total property rates required by a council to fund its annual budget.

- i) There are a number of options available for residents of Murrindindi to manage their rates obligation that is due to Council. As detailed below, for the 2014/15 financial year, there are 1,430 rateable assessments in the Shire that have applied for and are eligible to receive pension concessions. A growing proportion of ratepayers in the Shire are now choosing to make their rates payment to Council via the quarterly payment option, rather than as an annual lump-sum payment. In 2014/15 this accounted for 41.2% of ratepayers, which grew from 39.7% in 2013/14.

For ratepayers that are experiencing a form of hardship and have requested a formal arrangement to assist in managing their financial debt to Council, there are currently 223 arrangements in place, which represent just over 2% of total rating assessments.

- j) For the 2014/15 financial year, there are 1,430 rateable assessments in the Shire that have applied for and are eligible to receive pension concessions.
- k) Council has fully complied with its obligations under S223 of the Local Government Act with respect to the rights of making a submission to Council. The Act states the following:

the Council must publish a public notice—

- (i) specifying the matter in respect of which the right to make a submission applies;*
- (ii) containing the prescribed details in respect of that matter;*
- (iii) specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;*
- (iv) stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be*

represented by a person specified in the submission, at a meeting to be heard in support of the submission;

The Act further states:

if a request has been made under paragraph (a)(iv), the Council must—

- (ii) provide the person with the opportunity to be heard in support of the submission in accordance with the request at a meeting of the Council or of a committee determined by the Council;*
- (iii) fix the day, time and place of the meeting;*
- (iii) give reasonable notice of the day, time and place of the meeting to each person who made a request;*

The Draft 2015-2016 Budget was advertised for public consultation and submissions in the following publications. Full details of the submission process and the Meeting of Council to consider submissions were included in all advertising to fulfil Council's obligations under Section 223 of the Act.

Newspaper / Other	Publishing Date (s)
Alexandra Standard	15-Apr-15
Yea Chronicle	15-Apr-15
Marysville Triangle	16-Apr-15
North Central Review	14-Apr-15
Website	14-Apr-15
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre & Marysville Visitor Information Centre	14-Apr-15

- I) Council will individually respond to each submitter to the budget, as required by S223 of the Local Government Act, to address the particular queries raised by the submitter in question.

Consultation:

The Draft 2015-2016 Budget was advertised for public consultation and submissions in the following publications.

Newspaper / Other	Publishing Date (s)
Alexandra Standard	15-Apr-15
Yea Chronicle	15-Apr-15
Marysville Triangle	16-Apr-15
North Central Review	14-Apr-15
Website	14-Apr-15
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre & Marysville Visitor Information Centre	14-Apr-15

Conclusion:

Having considered submissions from ratepayers it is now appropriate that Council adopt the 2015-2016 Budget.

6.5 MURRINDINDI 2030 VISION IMPLEMENTATION STATEMENT

REF: SF/425

(Refer Encl 6.5 - Murrindindi 2030 Vision Implementation Statement)

Purpose:

This report presents the Murrindindi 2030 Vision Implementation Statement to Council for adoption.

Recommendation:

That Council adopts the Murrindindi 2030 Vision Implementation Statement as contained in Enclosure 6.5 to this report.

Background:

The Council Plan 2013-2017 includes an activity to undertake a community visioning exercise to develop a Murrindindi 2030 Vision. Long Term Community Plans provide the opportunity for Councils to clearly articulate their visions for the municipality and their communities. A number of Councils have undertaken the preparation of such plans as they provide an important mechanism for community engagement and participation.

Council agreed in June 2012 to undertake a two stage process which involved the conduct of a Community Visioning Session on 12 August 2012 and the distribution of a simple form to all households in the municipality. This feedback provided the foundation for the development of the four goals within the Council Plan 2013-2017 as well as a checklist against which the strategies within the Council Plan were assessed. Following this initial consultation, the second stage of the project involved the establishment of working groups (comprising Councillors and officers) which refined the feedback from Stage 1, the conduct of a second Community Visioning Session in May 2014 and further community feedback on the areas that the community value and wish to see improved.

Council adopted the Murrindindi 2030 Vision at its Ordinary Meeting held on 22 October 2014. At that meeting it was noted that a further report would be presented to Council on the development of an Implementation Plan.

Council Plan/Strategies:

The Council Plan 2013-2017 includes as a Year 2 Action: Commence implementation of Council's 2030 Vision.

Legal/Policy Issues:

The development of the Murrindindi 2030 Vision provides a sound strategic framework for Council's planning and advocacy on behalf of the local community.

Financial/Resources/Risk

Having a long term community plan such as the Murrindindi 2030 Vision enables Council to proactively seek out government grants and other financial support as well as the assistance of advocacy partners to support it in addressing the needs of the Murrindindi community. The Implementation Statement recognises that the success of the Vision will be achieved through shared responsibility between Council and the community.

The financial cost to Council of developing the Murrindindi 2030 Vision has primarily comprised officer time.

Discussion:

Participation from both community organisations and residents during this project has highlighted their strong commitment to a sustainable, vibrant and resilient community in 2030. Responses from the May 2014 follow up session and the residents / community groups who participated in the feedback program confirmed the importance of having a vision for the future and a strategic plan to work towards that vision.

This Vision adopted by Council in October 2014 is based upon the three sections of:

- The Community
- The Place
- The Opportunity

Since the adoption of the Vision, work has continued on the development of an Implementation Statement. Rather than having a more detailed Implementation Plan, as was originally envisaged, this Statement provides a succinct direction for achieving the Murrindindi 2030 Vision. Therefore, rather than being a separate document, it is proposed that the Implementation Statement be appended to the Murrindindi 2030 Vision and thus form a complete document.

The Implementation Statement recognises that the success of the Murrindindi 2030 Vision is contingent upon the continuation of community engagement and involvement and will be achieved through shared responsibility between Council and the community.

The Murrindindi 2030 Vision will be used as a resource to guide the review of the Council Plan, the Municipal Strategic Statement, annual budgets and other strategies.

A key priority will be for Council to develop tools and methodologies to support communities to identify and develop their own priorities and actions in line with the Vision. This aligns with Council's approach in relation to community and asset management where it is working to enable community organisations and committees to take a stronger lead and greater responsibility in the management of their local assets.

Consultation:

Community consultation has been a fundamental element of the development of Murrindindi 2030 Vision. It has involved:

- Community Visioning session in August 2012.
- Distribution of a feedback form to all residents in the Shire in September 2012 with close to 300 responses being received.
- Community Visioning follow up session held in May 2014. This involved participants from the first session as well as other community leaders.
- Distribution of a workbook with the information from the Community Visioning follow up session to all residents who indicated that they wished to be involved in further work as well as a range of community organisations.

Given the level of community involvement to date, Council is well placed to adopt the Murrindindi 2030 Vision and the Implementation Statement without needing to proceed to a further round of community consultation.

Conclusion:

The adoption of the Murrindindi 2030 Vision Implementation Plan completed the framework for future Council strategies, the next review of the Council Plan 2013-2017 and provides the foundation for Council's ongoing community engagement.

6.6 QUARTERLY COUNCIL PLAN 2013-2017 REPORT TO 31 MARCH 2014

REF: SF/291

(Refer Encl 6.6 - Council Plan Quarterly Report – March 2014 (TRIM 15/21659))

Purpose:

This report provides an update on the progress on year two activities listed in the Council Plan 2013-2017 for the third quarter ending 31 March 2015.

Recommendation:

That the report for the third quarter activities of year two of the Council Plan 2013-2017 be received.

Background:

The Council Plan for the period 2013-2017 was adopted by Council at its Ordinary Meeting of 26 June 2013 in accordance with Section 125 of the *Local Government Act 1989*. The annual review of the Plan was conducted in early 2014 and the Council Plan 2013 -2017 Year 2 was adopted by Council at its Ordinary Meeting of 25 June 2014.

Council Plan/Strategies:

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

- guides Council's strategic direction
- identifies Council priorities and strategic indicators
- contributes to the development of the annual budget for the next four years

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

Legal/Policy Issues:

Council is obliged under the *Local Government Act 1989* to review its Council Plan on an annual basis.

Financial/Resources/Risk

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

Discussion:

The third quarter progress report on year two actions of the Council Plan 2013-2017 is contained in Enclosure 6.6.

At the end of the third quarter 8 actions for the year had been completed and 53 actions were progressing without delays. Three actions were underway but experiencing some delay in progress. It is anticipated that all of these delayed actions will be completed by the end of the financial year. Two actions have been deferred to the following year.

The highlights for the first quarter include the following:

- The Children's Network Face Book Page went live and was promoted through Council's service provider and community networks.
- A strategic planning meeting with Health and Wellbeing Consortium members was held to gain agreement on the major issues facing vulnerable communities across Murrindindi and to further explore how we can best work together as a group to improve outcomes in the context of changing funding arrangements and social policy initiatives.
- The second round of the Community Grants Program was finalised during the quarter with funding to support members of the Murrindindi Men's Shed Cluster Choir to attend and perform at the Men's Shed Conference in Canberra in October 2015.
- Council is now recycling 70% of all waste entering the Resource Recovery Centres.
- Council supported a total of nine (9) successful Cleanup Australia Day activities. Planning for a community workshop on energy efficiency continued with the support of the Watts Working Better Education program.
- Council has appointed its own Emergency Management Fire Coordinator (EMFC) to assist in ensuring Council's emergency management responsibilities are better aligned with state and regional objectives.
- Six officers participated in the Local Government Management Challenge and performed amongst the top 3 in Australia in the pre-challenge task.
- Advocacy for support for the Murrindindi Training Institute (MTI) was initiated with the new executive officer of the Central Ranges Local Learning and Employment Network (CRLLEN)
- A Memorandum of Understanding was entered into with Telstra, outlining Council's co-contribution offer with a view to gaining a commitment to improve mobile phone coverage in black spots across the shire
- Council's efforts have shifted from seeking State funding support for its new and gifted assets to looking at ways to encourage funding which will help boost the economy and development within the Shire
- Council made a successful bid for the Rural Council's Victoria Summit to be held in Marysville in 2016.
- Council received a successful report from Local Government Victoria highlighting Council's ability to comply with the new Performance Reporting Framework for Local Government following Council's participation in a trial of the new Framework.
- Council's new Rating Strategy was adopted at the March 2015 meeting of Council.
- Time lost through injury in the workplace has continued to be extremely low in the quarter, maintaining the trend of the previous two quarters and showing substantial improvement on previous years.
- Planning for unscheduled business interruptions continued during the quarter, with all Managers completing business continuity plans for their departments.

Consultation:

Community consultation is undertaken in relation to individual projects and activities identified in the Council Plan. This report provides the opportunity for Council to promote its achievements for the second quarter of the 2013 -2014 financial year in relation to the implementation of the strategies from the Council Plan.

Conclusion:

The 31 March 2015 report for the Council Plan 2013-2017 reflects the outcomes of the third quarter for year 2 of this Council Plan. The majority of activities are on schedule, ongoing or target likely to be achieved reflecting a strong commitment by Council to meet the requirements set by the Council Plan.

6.7 QUARTERLY FINANCIAL REPORT TO 31 MARCH 2015

REF: FY1-02

(Refer Encl 6.7 - March 2015 Quarterly Financial Statements (TRIM: 15/18435))

Purpose:

This report provides the quarterly financial report for the period ending 31 March 2015.

Recommendation:

That Council receives the Quarterly Financial Report to 31 March 2015.

Background:

Financial governance is important for a Council's good governance because the consequences of failure can be very significant for a Council.

Councillors, sitting as Council, have an overall accountability for the Council's finances. This comes in two ways. Firstly, the Council is required to prepare and periodically review its long term financial plan. This is called the Strategic Resource Plan and forms part of the Council Plan.

Secondly a Council must prepare and adopt the annual budget. The Council must also receive regular financial reporting. As a minimum a Council must receive a quarterly financial report which compared actual and budgeted revenues and expenses.

The format of the budget is prepared generally in accordance with both the financial regulations affecting local government and the best practice guide for reporting local government budgets.

At the end of the financial year, the draft Annual Financial Statements, comprising the Financial Report, Standard Statements and Performance Statement, are considered by the Audit Committee and presented to Council prior to them being submitted to the Auditor General.

It is important that the Annual Budget is framed within the Strategic Resource Plan and contributes to achieving the strategic objectives specified in the Council Plan.

To enable the progress of each to be monitored throughout the year, Council receives quarterly reports on the Annual Budget, the Council Plan activities, and the Capital Works Program.

Council Plan/Strategies:

This report, in relation to the Annual Budget and quarterly financial reporting, is consistent with the Council Plan 2013-2017 "Our Council" theme which has a strategic objective of delivering

visible leadership and advocacy for the community backed by a financially strong organisation. A key strategy objective is to administer sound financial management practices.

Legal/Policy Issues:

The *Local Government Act 1989* (“the Act”) requires, under *Section 126*, that a Council must prepare a Strategic Resource Plan for a period of four years.

The Act also sets out in *Section 127* that the Council must prepare a budget for each financial year.

Then, in *Section 138*, the Act requires that quarterly financial reports must be presented to Council.

Financial/Resources/Risk

The financial governance of a Council is an important role for Councillors. The risk of poor financial management can have a significant impact upon the governance of the Council. The financial implications flowing from this quarterly financial review are outlined in this report.

Discussion:

Annual Council Budget

The Council Budget essentially comprises four components. Firstly it provides a description of the activities and initiatives to be funded in the Annual Budget and how these will contribute to achieving the strategic objectives that are specified in the Council Plan.

Secondly, it describes the various influences which have impacted upon the preparation of the Annual Budget. These have included such things as Federal and State funding programs, such as Road to Recovery Allocations or costs such as the EPA levies.

Thirdly, it includes an analysis of the budget including the sources of revenue such as rates, user fees and grants as well as key expenditure categories.

Finally it includes an analysis of the cash flow and capital works statements along with the five Budgeted Standard Statements of:

- Budgeted Comprehensive Income Statement
- Budgeted Balance Sheet (incorporating Changes in Equity)
- Budgeted Statement of Cash Flow
- Budgeted Statement of Capital Works
- Budgeted Statement of Investment Reserves

These five Standard Statements are replicated in the quarterly financial report that is presented to Council (*refer Encl 6.7 - Statements A – E*)

It is important to note that these Standard Statements are based upon public sector financial reporting, the key principle of which is that Council is required to account for the revenue in the year that it is received rather than when it is expended. As capital works projects and grant funded programs often extend over one financial year, then a principle of public sector reporting is also that carry forward adjustments need to be made.

Quarterly Financial Report to 31 March 2015

These five Statements for the quarter to 31 March 2015 are included in Enclosure 6.7.

The March Quarterly Review includes all known adjustments to Council budgets as at 31 March 2015. These revised budget figures provide the most accurate projection of the year-end financial outcome, and importantly provide the starting financial position for the 2015-16 budget.

The table below is a reconciliation between Council's Adopted Budget and the Revised Budget figures within the enclosed Statements which include carry forward of unexpended projects from 2013-14.

Reconciliation of Budget Adjustments - March 2015 Quarterly Review	
	Operating Result Surplus / (Deficit)
Adopted Budget 2014/2015 (deficit)	(278,483)
Carry forward adjustments	(1,299,915)
Other adjustments Grant Funding - Sept Report	345,924
September Revised Budget 2014/2015 - (deficit)	(1,232,474)
Fees, Fines & User Charges - <i>No Quarry Production plus various</i>	(112,066)
Grants, Contributions & Reimbursements - <i>various projects</i>	174,931
Other Revenue - <i>Sale of Quarry, Interest on Investment</i>	752,638
Employee Benefits - <i>Community Services plus realign contractors</i>	(139,430)
Materials & Service - <i>transfer to Infra Reserve plus carry forwards</i>	866,528
Depreciation	(164,770)
Other Expenses	(48,049)
December Revised Budget 2014/2015 - surplus	97,308

The original budget operating deficit has been impacted by carry forward adjustments as detailed as part of the September 2014 Budget Review projecting a (\$1.23m) operating deficit for 2014-15. With additional Grant Funding, proposed Sale of Quarry business, increased projection from interest on investment together with revision of all operating and capital budgets for year end 30 June 2015 results, Council's Revised Budget for 2014-15 is now forecasting an operating surplus of \$97,308.

It should also be noted that generally Local Government Income Statements report a surplus because the statement includes all of Councils income sources, but does not include all of Councils expenditure as Capital expenditure is reported via a separate Capital works, Statement D.

Summary of Budget Adjustments

All forecast budget adjustments were provided as part of the Quarterly Financial Report to 31 December 2014, which was presented to Council on 25 February 2015. These are also the figures used as forecast for 2014-15 within the Council 2015-16 Draft Budget.

The Annual Revised Budget for 30 June 2015 incorporates all adjustments detailed above.

Balance Sheet (Statement B)

The Balance Sheet – Statement B as at 31 March 2015 shows a major year to date variance in Trade & Other Receivable of \$1.5m which is relating to outstanding claims for Natural Disaster

Funded Projects - Storm Events \$1.67m. Meetings have been held with Vic Roads and Department of Treasury and Finance to address this issue, which will be resolved in the final quarter of the 2014/15 financial year. Council's new external auditors have been advised of this outstanding claim and of the steps that are being taken to ensure that it is resolved prior to the conclusion of the current financial year.

The variance relating to Property Plant & Equipment is explained and reconciled with reference to Statement D Capital Works.

The overall revised budget position maintains a higher level of cash as at 30 June 2015 of \$18.9m which is \$2.9m above the September revised budget for 2014/15 of \$16.0m. The bulk of this relates to the increased level of Reserves \$1.2m with movements detailed in Statement E Reconciliation of Non Discretionary Cash & Reserves, together with the revision of the Capital Works Program for 2014-15 by \$1.7m from \$12.1m to Revised Budget forecast of \$10.4m – as detailed in table 6 of this report & Statement D Capital Works.

Cashflow Statement (Statement C)

The Cashflow Statement provides a holistic picture and reports the important information on Council's cash inflows and outflows. *Net cash flow from operating activities* line in the Cash Flow Statement (a cash view of the operating statement) shows from the revised budget an increase of \$1.7m. The bulk of this adjustment is a reduction in payment to suppliers of \$0.9m (new & gifted assets), user charges & other income increase \$0.4m (sale of quarry business), receipt of grants of \$0.2m and interest on investment increase of \$0.2m. *Net cash used in investing activities* (Capital Works) shows an overall decrease of (\$1.4m) and *Net cash used in financing activities* (trust funds & deposits) has increased by \$0.2m.

The overall result is reflected in the Balance Sheet with the Revised Budget for 2014-15 projecting an increase in cash of \$2.9m.

Major year to date variance on grants (\$1.6m) relates to the previously discussed Storm Damage Claim, with favourable variance of \$1.1m on payment to suppliers – details in table 3 below.

As part of Council Quarterly Reviews – an alternative view of the Income Statement – Statement A, has been provided showing Council's "underlying result" – which is the net surplus or deficit adjusted for capital grants, contribution to capital projects, and other once off adjustments. This is a measure of financial sustainability of a Council as it is not impacted by non recurring or once off items of income or expenditure which can often mask the operating result.

Non Discretionary Cash & Council Reserves (Statement E)

Included as part of this report is an additional reconciliation flowing from the cash flow statement of Council's Non Discretionary Cash Flow requirements. This reconciliation lists all Council reserves together with funds held as Deposits or Trust – which are required to be refunded, and an allowance for provision of employee entitlements – being a nominal amount of 25% of Council Annual Leave Liability.

As part of the 2013/14 Budget and Council's 2013-2017 Long Term Financial Plan Council has made a commitment to re-establishing a cash backed proportion of the Long Service Leave liability – to be at 25% of the current LSL Liability over a 4 year period – by 30 June 2017. The amount included in the current year 2014-15 reconciliation of \$263,025 is 12.5% of the current Long Service Leave Liability.

Operating – Year to Date Review

Overall the income statement reflects minimal variances in both operating revenue and operating expenditure, with several projects behind anticipated expenditure budgets.

The Year to Date Summary of the Income Statement for the period ending 31 March 2015 is provided in Table 1 as follows:

Table 1 – Summary of Income Statement

	YTD	YTD	
	Budget	Actual	Variance
	\$k	\$k	\$k
Revenue	28,374	28,312	(62)
Expenses	17,002	15,451	1,551
Surplus	11,372	12,861	1,489

The Year To Date (YTD) operating result at 31 March 2015 shows income down by (\$62k) and expenditure behind \$1,551k generating a larger than expected YTD surplus of \$1,489k or 13% better than the budgeted surplus.

The key components comprising both Revenue and Expenses variances are summarised by category in Tables 2 and 3 as follows:

Table 2 – Key Revenue component variance

Variance		
\$k		
(62)	Unfavourable to budget	
Key Components	Type	Particulars
(35)	Rates & Charges	Unfavourable variance on Rates – slowing in building activity & rebuild – may not achieve 1.0% growth target of \$133k (pro-rata). The final position for 14-15 is currently tracking towards 0.85% growth (\$113k)
(50)	User Fees	Unfavourable variance mainly on Home Care Fees (\$49k) reflective of service level demand. The corresponding decrease in expenditure is reflected below.
(50)	Recurrent Grants	Unfavourable variance mainly on vacant Care Packages (\$23k) and Child Care Service (\$25k) reflective of service level demand. The corresponding decrease in expenditure is reflected below.
61	Net Gain on disposal of assets	Favourable variance with asset sales of plant & equipment above carrying amount held to be written out of balance sheet.

Table 3 – Key Expense component variance

Variance		
\$k		
1,551		Favourable to Budget
Key Components:	Type	Particulars
397	Employee Benefits	Year to date saving in Community Services Aged Care \$153k driven by service level demand and offsetting the revenue decreases highlighted above. Infrastructure Maintenance savings of \$150k, waste management of \$14k together with various other minor YTD variance across the organisation – mainly relating to delay in finalising EBA . This will adjust with back pay to January 2015.
1,155	Materials & Services	<p>These favourable variances are spread mainly across contractors \$831k, materials \$109k and insurance \$98k. It should be noted these are year to date variance to budget and not forecast savings as most budgets are predicted to be achieved by year end. There may however be some savings on insurance excess with reduced claims to date in 2014-15.</p> <p>Favourable year to date variance mainly relates to</p> <ul style="list-style-type: none"> • Facilities Maintenance \$150k • Plant & Fleet – lag in invoicing \$153k • Infrastructure maintenance \$110k • New & Expanded Assets \$283k • Community Services \$53k, • Insurance \$98k, plus • Numerous minor variance spread across programs

Capital - Year to Date Review

As at 31 March 2015, Capital Works are \$37k behind the year to date budget of \$3,043k. Statement D, as attached, indicates that across the asset categories, the largest variances are \$91k in Roads & Paths, offset by (\$20k) in Buildings and (\$21k) in Bridges.

Table 4 – Summary of Capital Works completed (Financial)

Asset Category	YTD Budget 31/03/15 \$'000	Actuals 31/03/15 \$'000	Variance YTD \$'000	Complete to YTD Budget %
Buildings	-	-	-	0%
Buildings	601	622	(20)	-3%
Plant & Machinery	640	640	(0)	0%
Roads & Paths	970	880	91	9%
Bridges	179	200	(21)	-12%
Footpaths and Cycleways	291	308	(17)	-6%
Drainage	258	262	(3)	-1%
Heritage Assets	5	7	(2)	0%
Furniture & Equipment	39	36	3	7%
Library Bookstock	59	52	7	12%
Works in Progress	-	-	-	0%
Total Capital Works	3,043	3,006	37	1%

Table 5 – Key Capital component variance

Variance		
\$k		
37		Favourable to Budget
Key Components:	Type	Particulars
(20)	Buildings	Expenditure on buildings is running slightly ahead of budget with the major items being at the Alexandra & Kinglake Shire Offices, plus a combination of minor variations across several projects.
91	Roads & Paths	Gravel Roads Resheeting \$82k and Road Safety Works \$7k slightly behind year to date budget expectation however both projects to be completed by year end.
(21)	Bridges	Variance relates to works on Kangaroo Creek Culvert \$24k ahead of budget timeline.

With minimal Year to Date variance, the capital works program overall appears to be running along well as at 31 March 2015. The overall budget had increased from \$9.58m to \$12.08m with \$2.14m carry forwards from unexpended capital work projects forecast to be completed by 30 June 2014 (reported to Council 27 August 2014) and the inclusion of several new grant funded capital works projects – which were detailed separately as a part of the September Quarterly Review.

As part of the December Review for 2014-15, budgets were again revised with the inclusion of additional grant funded projects, and any identified savings that are forecast to be achieved by 30 June 2015 position. In addition, projects that are required to be carried forward for completion in the 2015-16 financial year have been identified and adjusted accordingly and have been reflected in next year’s 2015-16 draft budget. These adjustments were detailed in the Quarterly Financial Report December 2014 presented to Council 25 February 2015. They have been summarised in Table 6 below.

Adopted Budget Capital Works Program - 2014/2015		9,579,906
Capital Works Program 2013-14 End of Year Report - 27 Aug 2014		
Table 1 - carry forwards with recommendations	449,302	
Table 2 - carry forwards - committed works	1,693,114	2,142,416
Additional New Projects Grants & Contributions		360,133
Capital Works Program - Sept 2014 Review		12,082,455
New Grant Funded Projects - net increase		316,975
Savings Expenditure Plant Replacement Program - Net (\$353,300)		(589,716)
reallocation to operating budgets (not capital)		(48,657)
<i>Carried forward into 2015-16 Budget</i>		(1,381,158)
Annual Revised Capital Works Budget 2014-15		10,379,899

Further details by category can be found in Statement D.

Key Financial Ratios

The Victorian Auditor General’s Office (VAGO) prepares an annual report on a range of financial indicators for each Council. The Auditor General report addresses a number of indicators of which three key indicators are reported here.

In 2006-2007 VAGO started publishing separate reports on the results of financial audits for the local government sector. It introduced a traffic light system for reporting on the financial sustainability risk of local Councils and also reporting on each Council individually. Each year VAGO has continued to report on a set of indicators that are outlined below and over that period VAGO has seen an overall improvement in these ratios.

The traffic light system comprises:

Risk Ledger
High risk of short-term and immediate sustainability concerns
Medium risk of long-term sustainability concerns
Low risk of sustainability concerns

Financial Ratios - VAGO Risk Assessment Criteria								
Ratio	Actual	Actual	Actual	Actual	Revised Budget	5 Year Average		
	2011	2012	2013	2014	2015	2011-2015		
Liquidity (Measures the ability to pay existing liabilities within 12 months) Risk High 0-1 Medium 1.0-1.5 Low Greater than 1.5	2.28	2.34	3.29	2.75	3.16	2.76		
Self Financing (measures the ability to replace assets using cash generated by operations) Risk High <10% Medium 10%-20% Low >20%	21.59%	29.20%	33.75%	28.00%	32.19%	28.94%		
Indebtedness (Shows how well Council can meet debt from own source revenue) Risk High >60% Medium 40%-60% Low <40%	27.50%	27.25%	25.04%	22.01%	19.57%	24.27%		

This indicates that Council has an overall low risk in terms of its financial position, based on the VAGO assessment criteria. However, this does not negate the need for strong financial management nor support from the State Government in relation to the gifted and novated assets as these will have an impact upon the future assessment of these indicators and Council’s long term financial sustainability.

Consultation:

Council’s Audit Advisory Committee were presented with the draft quarterly financial report at their meeting of 21 May 2015 for their consideration and discussion.

Conclusion:

Awareness by Councillors of general budgeting and reporting requirements will facilitate the preparation of the Annual Budget and Strategic Resource Plan. Operating performance for the

March 2015 quarter has been largely in line with the total budget. Council remains in a favourable cash position despite the challenges that it faces.

6.8 CAPITAL WORKS PROGRAM 2014/2015 – MARCH QUARTERLY REPORT

REF: 15/22695

Purpose:

The purpose of this report is to provide Council with the March quarterly update on Council's 2014/2015 Capital Works Program. The report will ensure that Council is advised of the progress of the capital works program.

Recommendation:

That Council note the March Quarterly Report – Capital Works Program 2014-2015.

Background:

At the Ordinary Council Meeting on 23 July 2012 Council resolved that a Quarterly report on the progress and financial status of the Capital Works Program be incorporated in Council's regular reporting cycle.

This report represents the third quarter report of the 2014/2015 Capital Works Program. The period of reporting is from 1 January to 31 March 2015.

The 2014/2015 Capital Works Program comprises those projects endorsed by Council as part of the 2014/2015 capital works budget as well as those projects identified for carry forward from the 2013/2014 program.

Council Plan/Strategies:

This report is consistent with the following strategic objectives of the Council Plan 2013-2017:

- Our Economy – Strategic objective: 'We will advocate for the provision of infrastructure and services that support business growth'
- Our Environment – Strategic objective: 'We will use resources more efficiently and effectively'
- Our Environment – Strategic objective: 'We will apply a whole of life approach to the management and maintenance of Council's assets'

Legal/Policy Issues:

Council is obliged to prepare a budget annually. The preparation of a detailed Capital Works Program informs and significantly impacts on the budget.

Financial/Resources/Risk

There is a risk that Council may not invest enough in the replacement of infrastructure to maintain services reasonably required by the community. The preparation of a Ten Year Capital Improvement Plan seeks to mitigate this risk by informing Council of the financial impacts of investment in capital replacement.

The consequence of an insufficient capital investment in replacement is a widening infrastructure gap. The adoption of a Ten Year Capital Improvement Plan provides Council with the ability to manage the infrastructure renewal gap by identifying the level of investment and/or the level of asset rationalisation required

Timely reporting of financial issues assists in early identification of the need to reallocate costs where required. Reporting of project progress also provides Council and the community with an understanding of when projects will commence and will communicate any delays if they occur.

Discussion:

Works undertaken during the third quarter of the 2014/2015 capital works program are generally the commencement of the delivery phase of the 2014/2015 capital works projects.

The March Quarterly Capital Works Program report provides commentary on the following features of the program:

1. Budget Vs. Actual;
2. Identification of any major variances in income and expenditure;
3. Major areas of expenditure for the quarter being reported on;
4. Details of projects where physical works are anticipated to commence during the next reporting period;
5. Details of the projects that are delayed or other significant issues that have arisen which affect the budget for the project. This reporting, if done in a timely manner, removes the element of surprise and gives Council the opportunity to vary the scope of a project if required;
6. Projects completed in the March quarter, and;
7. Additional project information

1. Budget Vs. Actual (year to date)

- The 2014/2015 revised adopted Capital Works budget is \$10,379,899.
- As at 31 March 2014, Capital Works are \$37,000 behind the year to date budget of \$3,043,000. The largest variances are \$91,000 in Roads & Paths, offset by (\$20,000) in Buildings assets category and (21k) in Bridges assets category.

2. Identification of any major variances in income and expenditure

Table 1 provides some comments on the major variances in relation to expenditure per asset category.

Table 1: Major Variance Comments

Asset category	Total Variance	Comments of major variances
Buildings	(\$20,000)	Expenditure on buildings is running slightly ahead of budget as a combination of minor variations across several projects.
Bridges	(\$21,000)	Bridge work is slightly ahead of expectations with a combination of minor variations across several projects.
Roads & Paths	\$91,000	Gravel roads resheeting slightly behind predicted expenditure but all work will be completed by year end.

Major areas of expenditure for the quarter being reported on

The major areas of expenditure for the March quarter include:

- Stormwater Network \$117,000
- Roads , Paths & Bridges \$448,000
- Swimming Pools \$60,000
- Terip Terip Tennis Courts \$98,000
- Bridge renewal works \$162,000
- Taggerty Community Project \$60,000

3. Details of projects where physical works have or are anticipated to commence during the next reporting period of 1 April to 30 June 2015.

Physical works which are anticipated to commence in the next reporting period include:

- Ghin Ghin Bridge Renewal
- RV Discharge Point, Alexandra
- Kinglake East Walking Track
- Yea Swimming Pool upgrade
- Alexandra Drainage Upgrade
- Shamrock Road (CFA) drainage repair, Alexandra
- Major road patching and repairs
- Yarck Streetscape
- Yea Railway restoration
- Alexandra Senior Citizens toilet upgrade.
- Yea Civic Centre Project – Drainage component
- Eildon Town Centre Connecting & Revitalising – Underground Power
- Glenburn Community Centre Renewal
- Alexandra Library Renewal
- Eildon Bowling Club – Installation of compliant accessible toilets and ramp

4. Details of the projects that are delayed or other significant issues that have arisen which affect the budget for the project. This reporting, if done in a timely manner, gives Council the opportunity to vary the scope of a project if required.

- Yea Railway Station restoration works have been delayed as a result of the contractor nominated by the funding body being unable to commence work on the project until June 2015. This is a grant funded project that is reliant on the use of this contractor. It is likely that \$74,000 will need to be carried forward into the next financial year for completion by the end of the first quarter.
- Yea Multipurpose Court has been delayed due to quotations received with costs significantly exceeding the available funding. Consultation is underway with all relevant stakeholders to review the scope of the works and determine an acceptable construction option that is within the budget allowance. This is a grant funded project with only a \$5000 Council contribution and \$105,000 will need to be carried forward into the next financial year for completion by the end of the second quarter.
- Eildon Bowling club accessibility upgrades have been delayed and are unlikely to be fully delivered within the financial year. This has resulted from the need for extended consultation with the club to agree on an acceptable design. Quotations for the work will be sought in the fourth quarter. It is expected that \$72,000 will need to be carried forward into the next financial year and the project completed by the end of the second quarter.
- Marysville Cricket Club Training nets are unlikely to be fully delivered in this financial year due to extended consultation with the club relating to location and use of the nets. Grant funding of \$40,250 and Council contribution of \$20,250 will be carried forward to the next financial year for completion by the end of the second quarter.

- Kinglake Ranges Art History Walk has been delayed due to the revisions to the signage layout required by the Project Control Group. This follows the development of the interpretive signage content by local artists. It is expected that \$240,000 will need to be carried forward into the new financial year for completion by the end of the second quarter.

5. Projects completed in the March quarter

- Terip Terip Tennis Courts Renewal
- Marysville Camp kitchen repair
- Road Safety – Williams Lane

6. Additional project information

- Taggerty Community Project – The construction of the final component of the project, the suspension bridge over Little River, is now well underway and will be completed in May 2015. Some savings have been realised and the Project Reference Group has agreed to spend the remaining funds on further works to the entry of the Little River Reserve. This work will be quoted during the fourth quarter.

Conclusion:

The introduction of regular / quarterly reporting on the capital works program will better inform Councillors of the progress and major variances for each project. This will have the level of accountability of all officers involved in the development and delivery of the annual capital works program.

6.9 DEVELOPMENT AND ENVIRONMENTAL SERVICES DEPARTMENT MARCH QUARTERLY ACTIVITY REPORT

REF: FY64-02

(Refer Encl 6.9.1 - Planning and Development Engineering Action Plan (15/21976), Encl 6.9.2 - Planning and Building Permit Activity Report March Quarter 2015 (15/21293) and Encl 6.9.3 - Strategic Planning Program Summary April 2015 (15/16697)

Purpose:

The purpose of this report is to provide Councillors with the March 2015 Quarter Activity Report on the Development and Environmental Services Department.

Recommendation:

That Council notes the March 2015 Quarter Development and Environmental Services Activity Report.

Background:

The Building and Planning unit reports bi-monthly on key performance indicators aligned to respective Business Unit Plans and Council Plan initiatives. The regular quarterly report is used to demonstrate accountability and responsiveness to customers of Councils Building and Planning services and to promote these services.

There are a number of key actions that form the basis of the quarterly report that have been incorporated into the operational programs to ensure the services offered are more aligned to the local development industry needs and expectations. The Planning and Development Engineering Action Plan developed in June 2014 was the forerunner of the quarterly report and has been updated and integrated into the respective departmental programs and reporting

cycles (refer attachment 1). In addition an internal communications plan was developed that identified a number of key objectives to promote the use of the service and to promote the achievements in delivery of building and planning services and are detailed in table 1 and 2 below.

Council Plan/Strategies:

This initiative directly supports the achievement of the Strategic Objective for Customer Service in the *Our Council* goal in the Murrindindi Shire Council Plan 2013-2017, in that it addresses delivery of quality customer outcomes.

Legal/Policy Issues:

There are no legal issues associated with the quarterly activity report. Council's responsibilities in these functional areas are covered by various statutory regulations. The Murrindindi Planning Scheme (Local Planning Policy Framework), and Infrastructure Design Manual are of particular relevance guiding decision making on Planning Permit approvals

Financial/Resources/Risk

There are no financial costs relating to the preparation of this report.

Discussion:

This report format addresses the key actions and items identified in the Planning and Development Engineering Action Plan in June 2014 and will now form the basis of an ongoing Quarterly Development and Environmental Services Activity Report.

1. Permit Activity (Building and Planning)

Planning and building monthly permit statistics are attached to this report for the March quarter (refer attachment 2). This information is published on Council's website, allowing improved access to performance reporting and monitoring of planning and building permit activity.

The average number of days to determine a planning permit has improved, to 44 days, which is now the same as the previous financial year. The Key performance Indicator (KPI) is 45 days and therefore the team is on target to achieve it. At the end of the March Quarter the planning unit had received 174 applications for the financial year to day, which is less than the same time in the previous year, however the initial indications are that the final quarter for 2014/2015 will see an increase in the number of permits. Monthly fluctuations are expected when compared to previous years, but total numbers have remained consistent. The mail out sent in February to all bushfire affected properties has resulted in an increase in applications that will support this.

The average number of days to determine a building permit was achieved well within the KPI of 30 days for all building permits for the March quarter. The March quarter continues to show a minor decrease in building activity, but it is expected that the variance will be less than 3%. The total value of building works for the quarter is \$5,385,042. Year to date building works for permits issued by the Municipal Building Surveyor (MBS) is \$14,664,383. With approximately 60% of permits issued by council, it would be reasonable to assume that the total value of works in the Shire could be 40% greater than that recorded by the MBS, taking the total estimate year to date value of works at over \$20,000,000.

2. Promotional Activities, Participation at Forums & Community Meetings

A number of new fact sheets have been published on Council's website. This requirement was identified in the communications plan and is now available to assist applicants with a new range of comprehensive information on a number of relevant topics. Pre-application meetings and referral agency information has also been published in recognition of the complexity of the referral process and to offer early assistance and access to Planning and Building staff prior to lodging an application

The fact sheets available are as follows:

1. Building Inspections
2. Building Permit Fees
3. Occupancy Permits and Final Inspection Certificates
4. Owner Builder
5. Siting Requirements and Variations
6. Managing Vegetation on your Property
7. Advertising Signage
8. Dependent Person's Units
9. Development in Rural Areas
10. Home Based Business
11. Obtaining a Current Certificate of Title
12. Planning Application Process (A Basic Guide)
13. Pre-Application Meetings
14. Referral of Planning Applications
15. Removal of Native Vegetation
16. Subdivisions

The following activities have occurred during the quarter in line with the Planning and Building Communications Plan which are listed in table 1 below:

Table 1

<i>Promotional Activities, Participation at Forums & Community Meetings January – March 2015</i>	
26 February 2015 Communications	Building information forum (Alexandra), attended by building, planning, economic development staff and aimed at building practitioners
17 March 2015 Communications	Bushfire rebuilding forum (Kinglake), attended by planning, building, environmental health, infrastructure, and economic development staff and aimed at people affected by the bushfires.
19 March 2015 Communications	Bushfire rebuilding forum (Marysville), attended by planning, building, environmental health, infrastructure, and economic development staff and aimed at people affected by the bushfires.
21 March 2015 Communications	Bushfire rebuilding appointments (Kinglake), attended by planning staff to provide a further opportunity for people affected by the bushfires.
23 March 2015	A community organised meeting regarding subdivision planning application for 22 Falls Road, and the planning officer attended to provide community members information and an opportunity to ask questions.

The following activities are programmed to occur during the next quarter and are listed in table 2 below:

Table 2

<i>Promotional Activities, Participation at Forums & Community Meetings April - June 2015</i>	
April Communications	Regional Landscape Assessment Project – Feedback sought during April
May	Press release on new fact sheets that have been published on

<i>Promotional Activities, Participation at Forums & Community Meetings April - June 2015</i>	
Communications	Councils website
May Communications	Gaming Policy – Public Meetings to occur in Yea and Alexandra inviting public participation
June Communications	Press release on Development and Environmental Services Quarterly Activity Report
June Communications	Letters to be sent to all bushfire affected properties advising of the extension to the temporary bushfire planning provisions.
June Communications	Building information forum (Yea), to be attended by building, planning, economic development staff and aimed at building practitioners
June Communications (post event)	Council officers will be presenting at and facilitating sessions at the MAV Rural and Regional Planning Conference to be held on 25 th and 26 th June in Marysville.

The Planning and Building Units will continue to forecast next quarter activities in this quarterly briefing report to identify and list promotional opportunities to the public that are scheduled to occur.

Advocacy meetings were also held between senior staff and the relevant state government agencies in relation to the cessation of the temporary bushfire recovery provisions and the continuation of Flying Squad funding for committed projects.

3. Customer Satisfaction and Feedback

During the quarter, a customer feedback survey form was developed and has now been introduced onto the Murrindindi website and is being sent to all permit applicants at the end of the process. This proactive measure allows immediate feedback from customers on their experience with the department. Feedback can be submitted anonymously. This process commenced in May and therefore there are no responses for the reporting period but feedback is starting to come in and will be collated for the next quarter.

The initial feedback from an applicant rated the responsiveness and professionalism of the planning team as excellent and the pre-application discussion as very helpful. The applicant thanked the team and suggested that they would have preferred to have met the officer on site rather than in the Alexandra office.

This feedback will be used to inform service provision improvement along the way, and feed into the annual business plan review and reporting cycle. It will also be used to inform training requirements in relation to customer service provision.

It is also proposed to introduce a customer feedback form to allow submitters/objectors to have an opportunity to comment on their experience with the process and service provision as well. This will be developed for implementation in the next quarter.

4. Strategic Studies and Projects

The planning projects and studies are aligned to the Council Plan initiatives and address important key strategic land use and development future directions. The current studies and amendments are listed below:

Studies

- Gaming Policy
- Eildon Structure Plan
- Kinglake Ranges, Flowerdale and Toolangi Streetscape Design Framework
- Regional Landscape Assessment project

Amendments

- C46 proposes to implement a 2013 review of the Development Plan Overlay and some minor rezoning of land in Alexandra
- C53 proposes to implement the Kinglake Flowerdale Toolangi Plan
- C54 proposes to implement the 2013 review of the Murrindindi Planning Scheme
- C55 proposes to implement the Yea Structure Plan 2014

The planning projects summary has been placed on Councils website, which is to be updated monthly and is attached to this report (refer attachment 3).

Consultation:

The activities listed in this report identify a number of communication strategies to engage with industry professionals and the community. An internal communications plan has been developed to ensure media releases continue to be released publicising the work being undertaken within the Department, which is outlined in tables 1&2 above. Projects and studies continue to be promoted throughout the year given the large volume of work being undertaken in this area, encouraging community participation along the way.

Conclusion:

The introduction of regular quarterly reporting will better inform Councillors and the Public of the work being carried out by respective Business Units within the Development and Environmental Services Department and importantly encourage customer feedback to inform improved performance.

6.10 REVIEW OF PORTFOLIO COUNCILLOR POLICY

REF: SF/491

(Refer Encl 6.10 – Policy – Portfolio Councillor)

Purpose:

This report presents the Portfolio Councillor Policy for adoption. Having adopted the initial policy in February 2013, Councillors have reviewed the Policy and identified that no change is required. This Policy articulates the objectives of creating the roles of a Portfolio Councillor as well as the roles and responsibilities of both Portfolio Councillors and the administration.

Recommendation:

That Council adopts the Portfolio Councillor Policy as contained within Enclosure 6.10.

Background:

As Council has established the Portfolio Councillor system, it is desirable that a Policy is created which articulates the role and support to be provided to Portfolio Councillors.

The role of the Portfolio Councillor recognises that the day to day management and direction of staff in implementing Council policy and strategy remains the responsibility of the relevant General Manager. Good governance identifies that the authority of councillors can only be exercised when they meet formally as Council at a properly constituted Council meeting. Outside the Council meeting, individual councillors have no authority.

Council Plan/Strategies:

The adoption of the Portfolio Councillor Policy is consistent with the Strategic Objective of the Council Plan 2013-2017 under the Our Council theme – We will deliver visible leadership and advocacy and the strategy to – Communicate key Councils decisions and strategies to the community in a variety of ways.

Legal/Policy Issues:

The Local Government Act requires that adequate resources must be provided to enable Councillors to fulfil their duties as outlined under the Act. Providing the support by officers as articulated in this Policy is part of those resources, training and knowledge to support Councillors in undertaking their duties.

Financial/Resources/Risk

Support to Portfolio Councillors is undertaken by officers as part of their normal duties.

Discussion:

The objectives of establishing a Portfolio Councillor system are:

- To enable Councillors to have a greater understanding and input to strategic and policy development on portfolio issues. This facilitates the active and regular engagement of Councillors in major planning, projects and services related to the portfolio.
- To enable Councillors to advocate and “Champion” on strategic and policy issues to Council and the community.
- To enable the briefing of other Councillors on specialist areas by the Portfolio Councillor.
- To assist Councillors develop the fullest possible understanding of matters being put to the Council, through the Portfolio Councillor leading discussion of relevant items.

In order to support Councillors in undertaking these roles and to achieve the most effective outcome from the Portfolio system, it is desirable that both the support that will be provided to Portfolio Councillors and the reporting responsibilities are clearly articulated.

The Policy attached to this report seeks to ensure that these responsibilities are clearly stated. It has been found that this Policy has worked well over the past two years and it is appropriate that it be reviewed as an early priority in the next Council. The continuation of the Policy will be dependent upon whether the new Council wishes to continue with a Portfolio Councillor system. Therefore the Policy provides that it will be reviewed in February 2017.

Consultation:

The continuation of this Policy will enable Portfolio Councillors to fulfil their responsibilities to advocate Council’s position and consult with key stakeholders in relation to strategic and policy issues relevant to that Portfolio.

Conclusion:

The development and implementation of a Portfolio Councillor Policy supports the good governance of the Council in clearly articulating the roles and responsibilities of Portfolio Councillors and the support to be provided by the administration.

6.11 MEAC MEETING REPORT OF MINUTES APRIL 2015

REF: 15/23578

(Refer Encl 6.11a - Media Release 22 April 2015 Federal Environment Minister (15/23811), Encl 6.11b - Threatened Species Scientific Committee Report (15/23810) and Encl 6.11c - Minutes of MEAC Meeting 28 April 2015 (15/20374))

Purpose:

This report is to inform Council of the recommendation made by MEAC seeking Council’s endorsement in relation to the protection of the Leadbeater’s possum.

Recommendation:

That Council endorses the recommendation from MEAC and agrees to;

1. Write to the Federal Environment Minister, the Hon. Greg Hunt MP, to commend him on his decision to recognise Leadbeater's possum as 'Critically Endangered' under federal legislation.
2. Council seek assurance from the Federal Environment Minister that, as Murrindindi Shire includes a significant part of the critical habitat of Leadbeater's Possum, much of which was burnt in the February 2009 bushfires, a high priority be given to;
 - i. Increased protection and management of Leadbeater's Possum in our area, particularly in the context of the Central Highlands Forest Management Plan and continued logging operations in Mountain Ash forests, and
 - ii. Initiatives that provide advice and support to any affected Communities.

Background:

The Federal Minister for the Environment the Hon Greg Hunt has recently designated the Leadbeater's possum as a "critically endangered" species under federal legislation following a review of a report prepared by the Threatened Species Scientific Committee (TSSC) as well as submissions received from other experts, interested organisations and the wider community. The media release from the Minister is in Enclosure 6.11a and the report from the TSSC is in Enclosure 6.11b.

The classification is the highest level of protection under federal legislation which is in recognition that the Leadbeater's possum, Victoria's faunal emblem, has undergone an 80% reduction in population since the 1980's.

The Leadbeater's possum is a nocturnal animal which nests in hollow trees with internal hollow dimensions of 300mm minimum diameter. The preferred habitat is one where there is a montane ash forest dominated by mountain ash, alpine ash and shining gum with a dense understorey of Acacia and an abundance of large hollow trees. A positive correlation has been found between the abundance of the population and the number of suitable tree hollows.

Two of the significant impacts on habitat loss identified by the TSSC were fires and timber harvesting operations.

Approximately 45% of the habitat was destroyed by the February 2009 bushfires in the Central Highlands area.

Over the past 40 years over 42,000Ha of forest has been logged, generally using a clear felling process. It was noted by the TSSC that forestry operations occur generally on an 80 to 120 year rotation although the estimated time for trees to form suitable hollows for the Leadbeater's possum is 190 years.

It was also noted that the practice of leaving the current hollow trees does not necessarily assist with increasing the numbers of suitable trees over time and also requires that foraging understoreys are maintained in the surrounding area. The occurrence of old growth trees within the forests has reduced from an estimated 30 to 60% at European settlement to 1.15% today.

Council Plan/Strategies:

The Council's Environment Strategy 2011-2015 identified an action for the preparation of a biodiversity management plan for the protection of threatened flora, fauna and ecological communities.

Legal/Policy Issues:

The Federal Environment Protection and Biodiversity Conservation Act 1999 and the Victorian Flora and Fauna Guarantee (Amendment) Act 2000 are relevant to this issue.

Financial/Resources/Risk

There is no impact on Council resources although the Council has previously recognised the importance of Murrindindi Shire's natural forests and the associated economic and social benefits.

There is potential that conservation actions directed at saving the Leadbeater's possum may impact on the continued operations of the timber logging industry.

Discussion:

MEAC considered a proposal on whether the Committee would support an action to compel the State Government to cease logging in areas identified by the TSSC report. After considerable discussion, MEAC formulated a draft resolution for consideration by Council which is detailed in the Minutes in Enclosure 6.11c.

Council at its Ordinary meeting held on 12 August 2012 adopted a policy position which recognised the importance of the State Forests and that Council supported sustainable forest management practices. However, Council indicated its opposition to logging in State Forests within the Murrindindi Shire which;

1. Reduced visual appeal of significant landscapes and vistas
2. Adversely impacts on threatened species or ecological communities
3. Reduces the biodiversity in the Forest over the longer term
4. Reduces reasonable access to the forest by local communities, and
5. Unfairly impacts on the amenity of local residents.

Council lodged a submission in January 2015 to VicForests in relation to their proposed Ecologically Sustainable Forest Management Plan. In the submission Council emphasised the importance of scientific based decision making and the importance of maintaining biodiversity within the forestry management context.

Industry of employment data sourced from the Australian Bureau of Statistics indicates that 45 people within Murrindindi Shire work in the forestry and logging industry. (Source: Australian Bureau of Statistics – 2011 Census).

Consultation:

MEAC discussed this matter at its meeting held on 28 April 2015.

Conclusion:

The recommendation from the MEAC is broadly compatible with Council's stated policy position. The survival of the Leadbeater's possum in the Central Highlands region of Victoria depends upon the Federal and State Governments working cooperatively together to mitigate identified threats to the habitat of this species which is Victoria's faunal emblem.

7. 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>
CONT15/3	30 April 2015	Formal Instrument of Agreement between Murrindindi Shire Council and Cable Bridge Constructions for Taggerty Community Project Pedestrian Bridge	Margaret Abbey Margaret Rae
CONT15/10	1 May 2015	Formal Instrument of Agreement between Murrindindi Shire Council and Darjelyn Constructions Pty Ltd for Yea Swimming Pool Entrance Building Works	Margaret Abbey Margaret Rae
CONT14/13	1 May 2015	Formal Instrument of Agreement between Murrindindi Shire Council and Transwaste Technologies Pty Ltd for Alexandra Landfill Leachate Carting and Disposal Services	Margaret Abbey Margaret Rae
	6 May 2015	Deed of Novation - Topsy Gully Quarry Lease between Murray William Parsons, Alan John Parsons and Russell Alfred Parsons and Murrindindi Shire Council and Lima South Quarry Pty Ltd.	Christine Challen Margaret Abbey

Recommendation:

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

8. COUNCILLOR PORTFOLIO REPORTS**8.1 LAND USE PLANNING PORTFOLIO****8.2 ECONOMIC DEVELOPMENT PORTFOLIO****8.3 INFRASTRUCTURE AND WASTE PORTFOLIO****8.4 COMMUNITY SERVICES PORTFOLIO****8.5 CORPORATE SERVICES PORTFOLIO****8.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO****8.7 MAYOR AND DELEGATED COMMITTEE REPORTS**

8.8 GENERAL BUSINESS**9. MATTERS DEFERRED FROM PREVIOUS MEETING****10. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN****11. ASSEMBLIES OF COUNCILLORS**

REF: CY15/110

Purpose:

This report presents the records of assemblies of Councillors for the 22 April 2015 to 13 May 2015, 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 22 April to 13 May 2015.

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	Pre Council Meeting Discussion
Meeting Date	22 April 2015
Matters discussed	<ol style="list-style-type: none"> 1. Financial Assistance Grants 2. Planning Application – Taggerty 3. Castella-Toolangi Locality Boundary 4. Petition regarding Place of Assembly 5. Municipal Valuation Services 6. Retail Fuel Supply 7. Grey Water Regulation on Lake Eildon
Attendees: Councillors - Cr Rae,	Staff – M Abbey, M Chesworth, E Wyatt, A Bond,

Cr Kennedy, Cr Challen, Cr Derwent, Cr Magner, Cr Walsh		M Leitinger, M Parsons, G Scale, K Girvan		
Conflict of Interest disclosures:				
Matter No.	Councillor making disclosure	Was a vote taken?	Did Councillor leave the room?	When? Before / after discussion / vote?
Agenda Item 2	Cr Challen	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Before discussion

Meeting Name / Type	Councillor Briefing Session
Meeting Date	6 May 2015
Matters discussed	<ol style="list-style-type: none"> 1. Extension of interim planning controls 2. Business Case for ownership vs leased fleet vehicles 3. Topsy Gully Quarry 4. Yea Caravan Park
Attendees: Councillors – Cr Rae, Cr Kennedy, Cr Challen, Cr Magner, Cr Walsh	Staff – M Abbey, M Chesworth, E Wyatt, M Parsons, K Girvan, G Scale, M Leitinger, A Bond
Conflict of Interest disclosures – Nil.	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	13 May 2015
Matters discussed	<ol style="list-style-type: none"> 1. LGMA Challenge 2. Advancing Country Towns
Attendees: Councillors - Cr Rae, Cr Kennedy, Cr Challen, Cr Magner, Cr Walsh	Staff – M Abbey, M Chesworth, E Wyatt, J Canny, A Bond, P Simpson, L Peddie, S Elliott, N McNamara, J Simms
Conflict of Interest disclosures - Nil	

12. URGENT BUSINESS

13. CONFIDENTIAL ITEMS

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

- Yea Caravan Park Lease

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.