



MINUTES
of the
ORDINARY MEETING OF COUNCIL
held on
WEDNESDAY 28 JANUARY 2015
in the
ALEXANDRA COUNCIL CHAMBERS
commencing at
6.02 pm

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1. PRAYER, OATH & RECONCILIATION STATEMENT

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

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

REF: SF/306

No apologies received.

Present:

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

In attendance:

Chief Executive Officer: Margaret Abbey

General Manager Corporate and Community Services: Michael Chesworth

General Manager Infrastructure and Development Services: Elaine Wyatt

Manager Business Services: Andrew Bond

Manager Communications Library & Customer Service: Jacqui Rabel

Manager Infrastructure Operations: Mark Leitinger

Governance Officer: Kenneil Martin

3. CONFIRMATION OF MINUTES

➤ Minutes of the Ordinary meeting of Council held on 17 December 2014

Recommendation:

That the Minutes of the Ordinary meeting of Council held on 17 December 2014 be confirmed with an amendment to the resolution for Item 13.6 Sale of Topsisie Gully Quarry as follows:

2. The Council accepts the Option 2 tender submitted by Lima South Quarries Pty Ltd for the supply of quarry products, as detailed at Enclosure 13.6, subject to the completion of the sale and transfer of the transferring assets to Lima South Quarries Pty Ltd.

To read:

2. The Council accepts the **amended** Option 2 tender submitted by Lima South Quarries Pty Ltd for the supply of quarry products, as detailed at Enclosure 13.6, subject to the completion of the sale and transfer of the transferring assets to Lima South Quarries Pty Ltd.

RESOLUTION:

Cr C Challen / Cr J Walsh

That the Minutes of the Ordinary meeting of Council held on 17 December 2014 be confirmed with an amendment to the resolution for Item 13.6 Sale of Topsisie Gully Quarry as follows:

2. The Council accepts the Option 2 tender submitted by Lima South Quarries Pty Ltd for the supply of quarry products, as detailed at Enclosure 13.6, subject to the completion of the sale and transfer of the transferring assets to Lima South Quarries Pty Ltd.

To read:

2. The Council accepts the **amended** Option 2 tender submitted by Lima South Quarries Pty Ltd for the supply of quarry products, as detailed at Enclosure 13.6, subject to the completion of the sale and transfer of the transferring assets to Lima South Quarries Pty Ltd.

CARRIED

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

REF: SF/783

No disclosures declared.

5. PUBLIC PARTICIPATION TIME

5.1 QUESTIONS OF COUNCIL

The CEO advised questions had been received from Mr Jack Russell which he wished to talk to in Open Forum.

5.2 OPEN FORUM

REF: SF/130

Mr Jack Russell spoke on matters relating to Council's financial viability, rate capping issues currently in the media and budgetary concerns.

5.3 PETITIONERS SPEAKING TO PETITIONS

REF: SF/132

No petitions received.

The Chairperson closed Public Participation Time.

6. OFFICER REPORTS

6.1 PROPOSED MURRINDINDI RATING STRATEGY

File No: SF/1406, 15/1538

(Refer Encl 6.1 Murrindindi Shire Council Draft Rating Strategy - January 2015)

Purpose:

The purpose of this report is to seek Council endorsement of the Proposed Murrindindi Rating Strategy which has been developed in accordance with the *Local Government Act (1989)* and the Ministerial Guidelines for Differential Rating (April 2013).

Recommendation:

1. That Council endorses the proposed Murrindindi Rating Strategy annexed to this report;
2. The Chief Executive Officer be authorised to:
 - (i) Give Public Notice in the newspapers detailed below of the proposed Rating Strategy, in accordance with section 223 of the *Local Government Act 1989*;
 - (ii) Make available for public inspection the information required to be made available by the Sections 125, 126 and 129 of the *Local Government Act 1989*; and
 - (iii) That pursuant to Section 129(3) (b) of the *Local Government Act 1989*, Council prescribes the following places for display of prescribed information required under Regulation 16:
 - Alexandra Council Office, Perkins Street, Alexandra 3714
 - Kinglake Council Office, 19 Whittlesea-Kinglake Road, Kinglake 3763
 - Yea Council Office, Civic Centre, Semi Circle, Yea 3717
 - Eildon Resources Centre Main Street Eildon 3779
 - Marysville Visitor Information Centre, 5 Murchison Street Marysville 3779
3. That Council consider submissions made in accordance with section 223 of the *Local Government Act 1989* at a Special Meeting of Council on Wednesday 11 March 2015 commencing at 6.00 pm at the Alexandra Council Chambers.
4. That following the consideration of all written and verbal submissions, the proposed Murrindindi Rating Strategy be presented to an Ordinary Meeting of Council to be held on Wednesday 25 March 2015 commencing at 6.00 pm at the Alexandra Council Chambers.

Background:

A number of reports by the Victorian Auditor General's Office have in recent years highlighted the need for greater clarity on rating practices undertaken by Councils across the State.

In 2012 Council engaged an independent consultant to undertake a review of the structure of Council's existing 2009 Rating Strategy in order to investigate options that could be adopted to better address Council's revenue requirements, whilst ensuring an equitable distribution of the rate burden.

In considering these options Council has investigated the possible introduction of a differential rate for vacant developable land within residential, commercial and industrial planning zones within the Shire, as an incentive to encourage development.

Council has also considered the introduction of a differential rate for developed commercial/industrial land to provide for a more equitable distribution of the rate burden across the rate base.

Council officers have undertaken extensive analysis of these options over the last 12 months in the development of this recommended strategy, to ensure that the new structure addresses

Council's overall strategic objectives and to ensure compliance with the *Act* and Ministerial Guidelines.

As highlighted in Council's recent budgets, annual reports and the Council Plan 2013-2017, Murrindindi Shire continues to be challenged in its recovery from the tragic events of the 2009 Bushfires. The population and number of rateable properties in Murrindindi Shire have not recovered to levels prior to those of February 2009. Furthermore, the additional maintenance, operational, depreciation and insurances costs of the new and enhanced assets gifted to the Council through the Victorian Bushfire Reconstruction & Recovery Authority continues to have a significant impact on the long term financial sustainability of Council.

In taking a responsible approach to its forward financial planning, Council has been indicating to all ratepayers and residents over the last 12 months that it would be necessary to evaluate a range of potential measures that might be applied to ensure the Council's future financial sustainability. The Rating Strategy is one such measure.

Council Plan/Strategies:

This report is consistent with the Council Plan 2013-2017 theme of Financial Sustainability. A key strategy for this theme is to continue to promote an equitable rating strategy for all ratepayers.

Legal/Policy Issues:

The statutory requirements with respect to the administration of Council's Rating practices are outlined in *Sections 3(C)* and *Sections 154-185* of the *Local Government Act (1989)*.

The development and adoption of a Rating Strategy will assist in the development of the 2015/16 Budget and Strategic Resource Plan which are statutory requirements of the *Local Government Act (1989)*.

The new Local Government Performance Reporting Framework also requires Council to have a current Rating Strategy in order to satisfy Indicator 6 on the Governance and Management Checklist.

New Ministerial regulations concerning differential rating were published in April 2013 that provided greater clarity regarding the objectives and suitability of differential rating for Council's to consider when developing their respective rating strategies.

Financial/Resources/Risk

There is a provision of \$20,000 within the 2014/15 Annual Budget to allow for the alignment of rating and planning categories within Council's databases which will be required to successfully facilitate the introduction of further differential rating options.

Discussion:

In order to comply with the Local Government Act, the primary objective of all Victorian Local Governments is to ensure the equitable imposition of rates and charges (Section 3C (f)). The development of a rates strategy is to consider Council rating options under the *Local Government Act (1989)* and how Council's choices in applying these options contribute towards meeting an equitable rating strategy.

Guidelines developed by the Municipal Association of Victoria ("MAV") suggest that at the conclusion of developing a Rating Strategy, Councils should be able to clearly articulate to their communities the rationale behind the following statements:

- a) The choice of which valuation base to be utilised (of the three available choices under the Act);

- b) The consideration of uniform rating versus the application of differential rating for various classes of property;
- c) What is the most equitable level of differential rating across the property classes?
- d) Consideration of the application of fixed service charges for the areas of waste collection and municipal administration;
- e) The application of special rates and charges;
- f) The application of other levies under the *Planning & Environment Act (1987)*; and
- g) A review of the rate payment dates and options available to Council.

Best practice further indicates that Council rating strategies should provide clear understanding to a community as to why properties are rated, which properties within a Shire have a requirement to pay rates, how Council applies rates revenue to its overall financial situation and what options do ratepayers have available to them with regards to their rates obligations.

It is important to note that the Rating Strategy does not address the quantum of rates to be raised each year. This is reviewed annually in Council's Strategic Resource Plan and in the development of its Annual Budget. The Rating Strategy instead concerns how the rate burden (the obligation to pay rates by each rate payer) is distributed (or shared) across ratepayers in the Shire.

Prior to the development of this strategy, Council had four different classes of property within the Shire. This Rating Strategy recommends that a new property rating class, vacant land, is developed resulting in five different rate classes of properties.

This strategy recommends that Council adopt the following:

Section	Strategy Recommendations
Valuation Methodology	That Murrindindi Shire Council continues to apply Capital Improved Valuation (CIV) and the valuation methodology to levy Council rates.
Uniform vs Differential Rates	That Murrindindi Shire Council continues to apply differential rating as its rating system.
What differential rates should be applied?	<p>That Council continues to apply differential rates for:</p> <ul style="list-style-type: none"> • General Residential properties, including flats and units. • Rural 1 properties at a rate of 75% of the general rate. <p>That Council introduces differential rates for the following:</p> <ul style="list-style-type: none"> • Vacant land at a rate of 150% of the general rate. • Commercial / Industrial properties at a rate of 125% of the general rate.
Special Rates & Charges	<p>That Council use special rates and charges in instances that fit the following circumstances:</p> <ul style="list-style-type: none"> • Funding of narrowly defined capital projects (e.g. streetscape works, private road sealing) where special benefit can be shown to exist to a grouping of property owners;

Section	Strategy Recommendations
	<ul style="list-style-type: none"> • Raising funds for a dedicated purpose where the use of CIV is not the most equitable method of calculating property owner contributions. (e.g. Unfunded Defined Benefit Superannuation Liability or Natural Disaster); or • Covering the cost of an expense relating to a specific group of ratepayers (e.g. licensed premises).
Impact of Council Revaluations	That Council reviews the impacts of revaluations as they occur in accordance with the <i>Local Government Act</i> .
Municipal Charge	That Council continue to utilise a Municipal Charge as part of its Rating Strategy.
Service Charges	That Council continues to apply waste charges as part of its Rating Strategy based on the full cost recovery of the waste function.

As detailed in **Section 3.6** of the strategy, the new Labor State Government in Victoria has recently indicated to all Councils in Victoria that it will introduce legislation before the Parliament that will prevent Council's from raising rates above inflation levels from 1 July 2016.

Whether the inflation rate used to determine the rate capping level will be based on historical averages, current inflation rates or projected inflation rates remains unclear at present, which inhibits Council from being able to make any accurate predictions about the impact that this will have on the long term financial sustainability of Council, or the corresponding impact that this may have on the delivery of services currently provided.

It is also understood by Council that there will be an appeal process where Councils will be able to appeal for an exemption to this new legislation, but it is again unclear at this stage as to how this mechanism will work, and what the criteria will be to allow a Council to be considered for an exemption.

Once the full implications of this proposed legislation have been made publically available, Council will communicate the impacts of this to the community through its annual budget development process for the 2016-17 financial year.

Consultation:

Extensive community consultation was undertaken by Council during the development and finalisation of the independent consultant's report into Council's rating options. To date there has been limited consultation with the community specifically concerning the potential introduction of a vacant land or commercial differential rate.

In accordance with the requirement of the *Local Government Act*, Council is required to give public notice that it intends to adopt the Budget and Council Plan. The document must be made available for inspection at its offices and on its website for a period of at least 28 days, and submissions invited from members of the public. The Rating Strategy will be formally advertised in a range of publications from 2 February 2015, with written submissions called for by 5.00pm on Thursday 5 March 2015.

The advertising program is as outlined below:

Newspaper / Other	Publishing Date(s)
Newspaper:	
Alexandra Standard	4 February 2015
Yea Chronicle	4 February 2015
Marysville Triangle	5 February 2015
North Central Review	3 February 2015
Website:	2 February 2015
Copies at Council offices: Alexandra, Kinglake, Yea and also Eildon Resource Centre and Marysville Visitor Information Centre	

It is also proposed to meet with key stakeholders groups to present the Strategy including Murrindindi Inc., Local Real Estate Agents forum, and representatives of the farming sector.

A fact sheet, similar to the rates fact sheet that was provided to ratepayers and on the Council website during the production of the 2014/15 rates notices will also be made available to provide a summary of the key aspects of the Strategy.

Conclusion:

The adoption of a new Council strategy with regard to rates will provide clearer understanding to the community about Council's objectives for raising revenue through rates, as well as better define the parameters that Council will use to collect and manage its rates revenue.

RESOLUTION:

Cr J Walsh / Cr C Ruhr

1. That Council endorses the Murrindindi Rating Strategy annexed to this report with the amendments as circulated to Councillors;
2. The Chief Executive Officer be authorised to:
 - (i) Give Public Notice in the newspapers detailed below of the proposed Rating Strategy, in accordance with section 223 of the *Local Government Act 1989*;
 - (ii) Make available for public inspection the information required to be made available by the Sections 125, 126 and 129 of the *Local Government Act 1989*; and
 - (iii) That pursuant to Section 129(3) (b) of the *Local Government Act 1989*, Council prescribes the following places for display of prescribed information required under Regulation 16:
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3. That Council consider submissions made in accordance with section 223 of the *Local Government Act 1989* at a Special Meeting of Council on Wednesday 11 March 2015 commencing at 6.00 pm at the Alexandra Council Chambers.
4. That following the consideration of all written and verbal submissions, the proposed Murrindindi Rating Strategy be presented to an Ordinary Meeting of Council to be held on Wednesday 25 March 2015 commencing at 6.00 pm at the Alexandra Council Chambers.

CARRIED

Cr Walsh thanked staff for preparation of the Rating Strategy which is an important document in Council's financial management.

Cr Rae concurred with Cr J Walsh.

6.2 CASTELLA – TOOLANGI LOCALITY BOUNDARY

File No: 15/2145

(Refer Encl 6.2 Toolangi Community Consultation Letter)

Purpose:

The purpose of this report is to seek a Council resolution to initiate the formal proposal process to alter the Castella – Toolangi eastern locality boundary as per the State Government Guidelines for Geographic Names 2010.

Recommendation:

That Council:

- 1. Initiates the formal proposal process to alter the Castella – Toolangi eastern locality boundary as per the State Government Guidelines for Geographic Names 2010; and**
- 2. Give public notice of its intention to do so.**
- 3. Once the steps of the formal proposal process are completed to give further consideration of the proposal and and/or lodging of the proposal with the Office of Geographic Names.**

Background:

Council has received correspondence from two residents residing in Old Toolangi-Dixons Creek Road, Toolangi and Healesville-Kinglake Road, Toolangi regarding issues associated with the locality boundary between Toolangi and Castella.

Both parties have long standing family backgrounds to the area in question and are calling for the locality boundary between Toolangi and Castella to be relocated for a number of reasons; including:

- Various roads having different locality names on each side of the roads
- Locality name changes along the length of various roads
- Confusion with locality identification with respect to emergency services, transport companies, landowners, business operators, etc
- Property identification anomalies of both a statutory and practical nature.

Essentially, the main affected areas are along the:

- Old Toolangi-Dixons Creek Road
- Spraggs Road; and
- Healesville-Kinglake Road

A change occurred to the locality boundary in 1999 when the Towns and Rural District Names and Boundaries was approved by the Registrar of Geographic Names. The reason for the change at that time is unknown. The current boundary is shown in Pink on the plan attached to the Community Consultation Letter in Encl 6.2.

Geoff Biggs, an ex Healesville Shire Councillor with good knowledge and history of the district, suggests that the locality boundary shown in orange on the plan attached to the Community Consultation Letter in Encl 6.2, was the natural eastern boundary between Toolangi and Castella.

Council Plan/Strategies:

This report is consistent with the following strategy in the Council Plan 2013/17:

Our Community – support and promote health and well being, social connectedness and community involvement.

Legal/Policy Issues:

The State Government Guidelines for Geographic Names 2010, Section 3, Localities, provides for alterations or changes to existing locality name(s) or boundaries to be generated by the general public, emergency response or other public service providers or municipal councils.

Councils can generate a proposal in-house to rename or alter the boundaries of a locality. The renaming or alteration of the boundaries should only be considered if the council can demonstrate that the proposal is being made in the long-term interests of the community.

It is recommended that formal process is commenced. The six steps of a formal proposal process are:

- Check information
- Apply the principles
- Consult with indigenous communities (required only for name changes)
- Consult with emergency response and other service providers
- Consult with the public; and
- Council consideration of the proposal

Prior to any public consultation on a proposal, it is recommended that councils check that a proposal conforms to the guidelines by consulting with the Office of Geographic Names and emergency response and public service providers using an online Notification and Editing Service.

Financial/Resources/Risk

Essentially the formal proposal process will involve a considerable amount of staff time in preparing and lodging a proposal with the Office of Geographic Names should council decide to accept the proposal.

Discussion:

Given the issues associated with, and confusion over, the locality boundary between Castella and Toolangi and the initial community response calling for change there appears to be a genuine case to relocate the eastern locality boundary between Castella and Toolangi.

The boundary proposed shall align with the cadastral fabric, a waterway and an unused (heavily treed) road which will address anomalies that exist with the existing eastern boundary, particularly on roadways.

The Office of Geographic Names has suggested that Council at the same time as commencing the formal proposal process, give public notice of its intention to do so.

Consultation:

A survey (as per attached) was distributed to thirty two (32) residents in the affected areas of the proposed locality boundary change with twenty two (22) responses received, being 70%.

All respondents supported the proposed change to the Castella – Toolangi boundary as per the attached plan.

Should the formal proposal process be undertaken then further consultation will be necessary with indigenous communities, emergency response, service providers and the public.

Conclusion:

The relocation of the eastern locality boundary between Castella and Toolangi has the support of the local community and can address a number of issues and abnormalities that presently exist and it is recommended that the proposal is implemented.

RESOLUTION:

Cr C Ruhr / Cr A Derwent

That Council:

1. Initiates the formal proposal process to alter the Castella – Toolangi eastern locality boundary as per the State Government Guidelines for Geographic Names 2010; and
2. Give public notice of its intention to do so.
3. Once the steps of the formal proposal process are completed to give further consideration of the proposal and and/or lodging of the proposal with the Office of Geographic Names.

CARRIED

6.3 SUBMISSION TO VIC FORESTS DRAFT ECOLOGICALLY SUSTAINABLE FOREST MANAGEMENT PLAN

REF: 15/2104

(Refer Encl 6.3 Vic Forests Draft Submission)

Purpose:

This report provides Councillors with a proposed draft submission to the VicForests Ecologically Sustainable Forest Management Plan.

Recommendation:

That Council submits the draft response (refer Enclosure 6.3) to VicForests for consideration.

Background:

VicForests announced in September 2013 that it would be seeking Forest Stewardship Council's accreditation against both the FSC Forest Management and Controlled Wood Standards. In doing so, a draft Ecologically Sustainable Forest Management Plan was publicly released and any interested or affected stakeholders were provided the opportunity to submit feedback. In October 2014, VicForests released a second draft of the Plan for stakeholder comment, with submissions closing on the 31 January 2015.

Council Plan/Strategies:

The Ecologically Sustainable Forest Management Plan cuts across a number of strategies outlined in the Council Plan 2013 – 2017 linking to the objectives of: supporting sustainable

growth of Murrindindi Shire's businesses and local economy, ensuring provision of high quality infrastructure, and protecting and enhancing our natural environment.

The Ecologically Sustainable Forest Management Plan also has a strong interface with Council's Environment Strategy 2011 – 2015 and Economic Development Strategy 2011 – 2016.

Legal/Policy Issues:

Both the State Planning Policy Framework and the Local Planning Policy Framework support timber production within the Murrindindi Shire. VicForests have the right to access timber resources from Victoria's State forests via a range of legislated instruments such as, but not limited to: the Sustainable Forests Act 2004, Conservation Forests and Lands Act 1987, Forest Act 1958, Flora and Fauna Guarantee Act 1998, Aboriginal Heritage Act 1996, and the Code of Practice for Timber Production.

Council has a policy position endorsed at its Ordinary Meeting of Council on 12 August 2012 which states:

"The Murrindindi Shire Council recognises that State Forest in the Murrindindi Shire provides important environmental, economic, and social benefits. For these benefits to be realised the Council supports forest management practices that sustain the long term health and biodiversity of the forest and respect the needs of Shire's local communities.

To this end, the Murrindindi Shire Council opposes logging in State Forest in the Murrindindi Shire which:

- Reduces the visual appeal of significant landscapes and vistas
- Adversely impacts threatened species or ecological communities
- In the longer term reduces biodiversity of the forest
- Significantly reduces reasonable access to the forest by local communities
- Unfairly impacts on the amenity of local residents

The Council will advocate for these matters to be satisfactorily addressed..."

Financial/Resources/Risk

The Plan has no direct budgetary impact on Council.

Discussion:

VicForests commenced preliminary assessment against the Forest Stewardship Council's (FSC) Controlled Wood standard in September 2013. SCS Global Services (SCS), a FSC-accredited certification body based in Emeryville, California was engaged to conduct this assessment on behalf of VicForests.

A requirement of FSC certification is the need to have an Ecologically Sustainable Forest Management Plan. In response, VicForests commenced the development of such a Plan, and in September 2013 released its first draft. VicForests notified stakeholders of its release and provided the opportunity for feedback which resulted in some higher level changes to the draft. A second version was released in October 2014.

The Plan covers 1.82 million hectares of State forest located entirely east of the Hume Highway and recognises the need for ecologically, socially and economically responsible forest management over a range of time and landscape scales.

The second version of the Plan proposes 11 focus areas and objectives. A draft submission (*refer Encl 6.3*) has been produced for Council consideration. The submission outlines Council's

concerns in regard to VicForests activities within our municipality providing comment on the need to protect the natural environment, support economic growth and promote employment opportunity in the Shire.

It focuses on six (6) of the eleven (11) focus areas of the Draft Management Plan including:

- Science based decision making: Council states that scientific evidence should drive the choice of harvesting locations, systems and associated management activities.
- Biodiversity and other significant conservation values: Council highlights strong community concern relating to the health of biodiversity in Murrindindi Shire's State forests, especially ecosystems (assessed as critically endangered) that continue to be logged by VicForests.
- Community involvement: Council acknowledges and values the opportunities provided by VicForests in regard to engagement, but also brings attention to some of the community's concerns with VicForests approach to community engagement.
- Long term economic development: Council highlights its support to the forestry sector as part of the broader economy but also indicates the importance of other sectors in the economy which should not be adversely compromised by forestry operations as they are important for the Shire's current and future economic prosperity.
- Social and environmental services: Council provides specific examples of concern felt by community members and industry groups in Murrindindi Shire including the amenity impacts, deterioration of roads used by timber haulage trucks, decline in biodiversity, decline in carbon storages, water quality issues and reduction in water yields.
- Transparency: Council recognises the importance of open and transparent dialogue with VicForests and has suggested improvement opportunities.

Consultation:

Comment was sought from Murrindindi Environment Advisory Committee. Eight of the eleven representatives of the MEAC submitted comments, although there was some concern that Council should not endorse the Plan by submitting a response.

Concerns expressed included that the logging in critically endangered ecosystems such as Mountain Ash continued, where some species such as the Leadbeater Possum are endangered and that the impact of wild fire over the past 100 years has changed the situation, in relation to an absence of old growth stands and changes in range and population sizes of species and that this has not given consideration. Some commentary was also made in relation to the Plan misrepresenting that the industry is sawlog driven.

Conclusion:

This Ecologically Sustainable Forest Management Plan is still in draft format. VicForests welcomes and invites stakeholder feedback as they work towards releasing a final version in 2015. This report provides Council with a draft response to endorse for submission. The response highlights areas of Council concern, whilst acknowledging the importance of working together and offering some suggestions for improvement.

RESOLUTION:

Cr A Derwent / Cr J Walsh

That Council submits the draft response (refer Enclosure 6.3) to VicForests for consideration.

CARRIED

6.4 MURRINDINDI ENVIRONMENT ADVISORY COMMITTEE MEETING MINUTES

REF: 14/43731

(Refer Encl 6.4 MEAC Minutes 9.12.2014)

The minutes of the Murrindindi Environment Advisory Committee Meeting held on 9 December 2014 are attached for receiving.

Recommendation:

That the Minutes of the Murrindindi Environment Advisory Committee meeting held on 9 December 2014 be received.

RESOLUTION:

Cr J Kennedy / Cr J Walsh

That the Minutes of the Murrindindi Environment Advisory Committee meeting held on 9 December 2014 be received.

CARRIED**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>
Property: Lot 1 LP 422247L - 38 Falls Road, Marysville	19 December 2014	Section 173 Agreement between Murrindindi Shire Council and Bell Group Superannuation Pty Ltd for Property: Lot 1 LP 422247L, 38 Falls Road, Marysville	Margaret Abbey
SF/1803	22 December 2014	Murrindindi Shire Council purchase of 3871 Melba Highway, Glenburn 3717 from Country Fire Authority	Margaret Abbey Margaret Rae
SF/798	24 December 2014	Deed of Surrender between Murrindindi Shire Council and the Kinglake Ranges Neighbourhood House Inc.	Margaret Abbey John Kennedy
SF/798	24 December 2014	New Lease between Murrindindi Shire Council and the Kinglake Ranges Neighbourhood House Inc. Excluding car park	Margaret Abbey John Kennedy
SF/1932	7 January 2015	Existing Improvements - Lease between Murrindindi Shire Council and Upper Goulburn Community Radio Inc. - Section 17D Crown Land (Reserves) Act 1978 Lease (Non retail) - Marysville Rebuilding Advisory Centre - Department of Environment & Primary Industries	Margaret Abbey Margaret Rae
SF/1762	20 January 2015	Y Water Centre Lease - between Murrindindi Shire Council and Y Water Centre Association Inc - Section 17D Crown Land (Reserves) Act 1978 Lease (Non Retail) - Y Water Discovery Centre - Department of Environment and Primary Industries	Margaret Abbey John Kennedy

Recommendation:

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

RESOLUTION:

Cr C Ruhr / Cr C Challen

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

CARRIED

8. COUNCILLOR PORTFOLIO REPORTS**8.1 LAND USE PLANNING PORTFOLIO**

No report.

8.2 ECONOMIC DEVELOPMENT PORTFOLIO

Cr Challen provided the following report:

- On 14/1/15, Cr Rae, the CEO, Margaret Abbey and myself attended a Business Prospectus discussion with Matt Nelson. Matt is CEO for the Committee for Greater Shepparton, has led economic development and business development for a number of rural and larger municipalities and was a senior officer with RDV. As highlighted in the CEO's report to Councillors, there were several key messages from the discussion which will be particularly useful for our Economic Development planning sessions going forward.
- The Yea Arts Carnivale got off to a great start on Friday, 16th January. The opening night event was attended by myself, Cr Kennedy and CEO, Margaret Abbey. An extensive 10 day program finished on Australia Day, 26th January 2015.
- The Vibe Hotel Marysville is planning a soft opening on Monday, 9th February.
- GRVT will have a stand, featuring the 4 member shires, at the Victorian Caravan, Camping and Touring Supershow from Wednesday, 11th February to Monday, 16th February at the Melbourne Showgrounds and volunteers are requested to assist on the stand. Local businesses and tourist operators will have many opportunities and formats for promotion and the latest edition of the Holiday Planner will also be launched at this event.
- Year Ended (YE) September 2014 Visitation Statistics include:
 - Goulburn River Valley received 712,000 domestic overnight visitors – up by 2.8% on YE Sep 13.
 - These visitors spent nearly 2.1 million nights (up by 28.6%) and spent an estimated \$184m – an average of \$86 per night.
 - Holiday and leisure was the largest purpose for visit group, followed by visiting friends and relatives and then business.
 - The region received 1.747 million domestic day trippers (down 5.5% on YE Sep 13). Visitors spent an estimated \$249m in the region – an average of \$143 per visitor.
 - There were 18,900 international overnight visitors – up by 14.9% on YE Sep 13.

- The next Economic Development Advisory Committee Meeting will be on Monday, 23rd February 2015.

8.3 INFRASTRUCTURE AND WASTE PORTFOLIO

Cr C Ruhr advised:

Feedback has been received from residents in regards to scavenging trials at Alexandra and Yea Transfer Stations: 40 people in Alexandra and 10 in Yea have signed up.

Consultants have been appointed for the management of leachate at Alexandra.

8.4 COMMUNITY SERVICES PORTFOLIO

Cr Kennedy gave the following report:

Since our last Council Meeting I have met with Naomi McNamara and met a number of members of her Community Services team to establish a working relationship.

I have also booked into a full day Innovation in Community Development Seminar in Melbourne on Thursday 19 March.

The program includes a number of case histories from other Councils that I consider will be of value and potential interest to the Shire.

8.5 CORPORATE SERVICES PORTFOLIO

No report.

8.6 NATURAL ENVIRONMENT & CLIMATE CHANGE PORTFOLIO

No report.

8.7 MAYOR AND DELEGATED COMMITTEE REPORTS

Cr Rae provided the following report:

By its nature this month is a quieter one for formal activities - community events such as Carol Services seem a long time ago. I would like to take this opportunity to acknowledge the retirement of Father Geoff Poliness from St John's Church in Alexandra and his valued contribution to our community.

However much preparatory work in respect of the forthcoming budget has been ongoing.

Our main community event for 2015 so far has been the Australia Day celebrations, held across our Shire with great success. The Murrindindi Awards for Citizen of the Year - Stephen Joblin, Young Citizen of the Year - Michelle Willans, and Community Event of the Year - Yea Agricultural Show, were part of the celebrations. Our sincere congratulations go to all the recipients and our thanks to their nominees as well as to the members of the community who

formed the panel of judges. The number and quality of nominations this year was excellent and everyone's participation is much appreciated.

Mayors' Leadership Conference

I also attended the Mayors' Leadership Conference. This again proved to be worthwhile, providing a different perspective for participation, learning and sharing. The focus on the external relationships experienced by Mayors and the perceptions and interactions that result from these provided the opportunity for discussion on real life examples and case studies.

There was a range of speakers and Masterclasses as follows:

Lunch speaker: Jan Owen, CEO, Foundation for Young Australians, who spoke passionately about the potential and capacity for the youth in our communities to contribute and be engaged in all aspects of life.

Masterclass 1: Avoiding the Unknown Unknowns

Speaker: Paul Higgins, Futurist with Emergent Futures, who spoke on the critical role of Council.

Masterclass 2: Critical and Creative Thinking for Productive Leadership

Speaker: Bill Jarrard, Imagineer, Leadership Victoria who spoke informatively on continuous improvement, creative thinking and applied innovation.

Masterclass 3 : The Leader a CEO is looking for

A panel of speakers shared valuable experiences.

Case study : An ethical dilemma

This was conducted as a group workshop using a real life experience.

Discussion: Leading the debate: how to effectively promote your Council in the media

A panel of speakers shared their experience in dealing with the media

Masterclass 4: Adding Community to Leadership

Speaker: Christine Kotur, Leader in Residence, Leadership Victoria, who spoke knowledgeably and from the heart on leadership in difficult situations and working for and with the community to achieve good outcomes.

There was a very low focus on the political with the new Minister for Local Government making a short appearance at lunch on the first day. She spoke briefly on a range of matters. We look forward to working with the new Government and to more detailed discussions with the Minister.

A summary report has been provided to Councillors and the CEO.

8.8 GENERAL BUSINESS

No general business.

9. MATTERS DEFERRED FROM PREVIOUS MEETING

No matters deferred from previous meeting.

10. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**10.1 NOTICE OF MOTION**

REF: 14/44729

(Refer Encl 10.1 Notice of Motion 69)

A Notice of Motion has been received from Councillor Derwent to amend a decision made at the ordinary meeting of Council held in Alexandra on 17 December 2014 with respect to Item 6.3 – Great Victorian Rail Trail (GVRT) – Alexandra, Thornton and Eildon Feasibility Study.

Cr Derwent indicated he did not wish to move the motion.

MOTION:

Cr J Walsh

That Council:

- a. Notes the findings in the feasibility study.
- b. Adopts a staged approach to the development of a trail from Eildon to Alexandra.
- c. Subject to identifying suitable funding endorses officers to prepare a Trail Development Plan for that section of trail between Eildon and The Outdoor Education Group's (OEG) camp on the Eildon Back Road.
- d. Endorses the implementation of the section from Eildon to the OEG camp on the Eildon Back Road, based on the approved Trail Development Plan, subject to identifying suitable construction funding and subject to OEG committing to maintain the section.
- e. Subject to identifying suitable funding, endorses officers to prepare Trail Development Plans incrementally for further stages upon completion of each stage and only if the following stage is approved to be implemented.

THE MOTION LAPSED FOR WANT OF A SECONDER**11. ASSEMBLIES OF COUNCILLORS**

REF: CY15/110

Purpose:

This report presents the records of assemblies of Councillors for the 9 December 2014 to 17 December 2014, for Council to note in accordance with Section 80A of the *Local Government Act 1989 (the Act)*.

Recommendation:

That Council receives and notes the record of assemblies of Councillors for 9 December 2014 to 17 December 2014.

Background:

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

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

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

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

Summary:

Meeting Name / Type	Murrindindi Environment Advisory Committee
Meeting Date	9 December 2014
Matters discussed	<ol style="list-style-type: none"> 1. Environmental Business Plan Progress 2. Environment Policy review 3. Environment Strategy Review
Attendees: Councillors Cr Kennedy, Cr Derwent	Staff – M Leitinger, Z Blakeney
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Councillor Briefing Session
Meeting Date	10 December 2014
Matters discussed	<ol style="list-style-type: none"> 1. Berry Street Presentation 2. Murrindindi Employers Training Presentation 3. Planning Permit - Glenburn 4. Planning Application – Strath Creek 5. Capital Works Program – No. 3 6. Great Victorian Rail Trail – Alexandra, Thornton & Eildon 7. Draft Business Continuity Plan 8. Topsyie Gully Quarry 9. Procurement Policy 2014/15 Review 10. Strategic Risk Assessment 11. Rates Strategy Briefing No. 1 12. Advocacy on New & Gifted Assets
Attendees: Councillors – Cr Rae, Cr Kennedy, Cr Challen, Cr Magner, Cr Derwent, Cr Walsh	Staff – M Abbey, M Chesworth, E Wyatt, K Girvan, J Canny, L Kelly, A Bond, M Leitinger
Conflict of Interest disclosures - Nil	

Meeting Name / Type	Pre Council Meeting Discussion	
Meeting Date	17 December 2014	
Matters discussed	<ol style="list-style-type: none"> 1. Planning Application – Strath Creek 2. Glenburn Fire Station – Permit Application 3. Procurement Policy 2014/15 Review 4. Procurement Matter 5. Waste Collection – Taylor Bay 	
Attendees: Councillors – Cr Rae, Cr Challen, Cr Kennedy, Cr Walsh, Cr Magner, Cr Derwent	Staff – M Abbey, M Chesworth, E Wyatt, J Canny, M Crane	
Conflict of Interest disclosures - Nil		

RESOLUTION:

Cr C Ruhr / Cr J Kennedy

That Council receives and notes the record of assemblies of Councillors for 9 December 2014 to 17 December 2014.

CARRIED**12. URGENT BUSINESS**

Nil.

RESOLUTION:

Cr J Walsh / Cr C Challen

That the meeting be closed to the public pursuant to s.89(2)(d) of the *Local Government Act 1989* due to contractual matters.

The meeting closed to the public at 6.40 pm.

RESOLUTION:

Cr C Challen / Cr C Ruhr

That the meeting re-open to the public.

CARRIED

The meeting re-opened to the public at 7.00 pm.

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

13.3 YEA POOL REDEVELOPMENT

REF: 15/2240

RESOLUTION:

Cr C Ruhr / Cr J Kennedy

That Council:

1. Accept the tender from Farley Pools Australia Pty Ltd for the lump sum price of six hundred and sixteen thousand, two hundred dollars and eighty seven dollars and twenty two cents, excluding GST.
2. Authorise the Chief Executive Officer to prepare the contract documentation as required.
3. Authorise the signing and sealing of contract number 14/18 for the construction of the Yea Pool Redevelopment.

CARRIED**13.4 GHIN GHIN BRIDGE REPLACEMENT**

REF: 15/2238

RESOLUTION:

Cr C Ruhr / Cr B Magner

That Council:

1. Accept the tender from Civil Bridge & Wharf Pty Ltd for the lump sum price of one million, four hundred and ninety five thousand, five hundred dollars, excluding GST.
2. Authorise the Chief Executive Officer to prepare contract documentation as required.
3. Authorise the signing and sealing of contract number 14/16 for the construction of the replacement Ghin Ghin Bridge.

CARRIED

There being no further items of Business, the Chairperson declared the meeting closed at 7.00 pm.

CONFIRMED THIS _____**CHAIRPERSON** _____