



AGENDA
of the
ORDINARY MEETING OF COUNCIL
to be held on
WEDNESDAY 28 MARCH 2018
in the
YEA COUNCIL CHAMBER
commencing at
6.00 pm

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1. PLEDGE AND RECONCILIATION STATEMENT**2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE****3. COMMUNITY RECOGNITION**

Suspension of orders to thank and acknowledge community achievements including:

- Holmesglen Eildon for receipt of an Australian Tourism Award
- School Captains at Yea High School in recognition of their appointment
- Cherri Anderson for singing the national anthem at the Jayco Herald Sun Tour held in the Shire.

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**5. CONFIRMATION OF MINUTES**

5.1 Minutes of the Ordinary Meeting of Council held on 28 February 2018.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 28 February 2018 be confirmed.

6. PUBLIC PARTICIPATION TIME

6.1 QUESTIONS OF COUNCIL

6.2 OPEN FORUM

6.3 PETITIONS

7. OUR PLACE

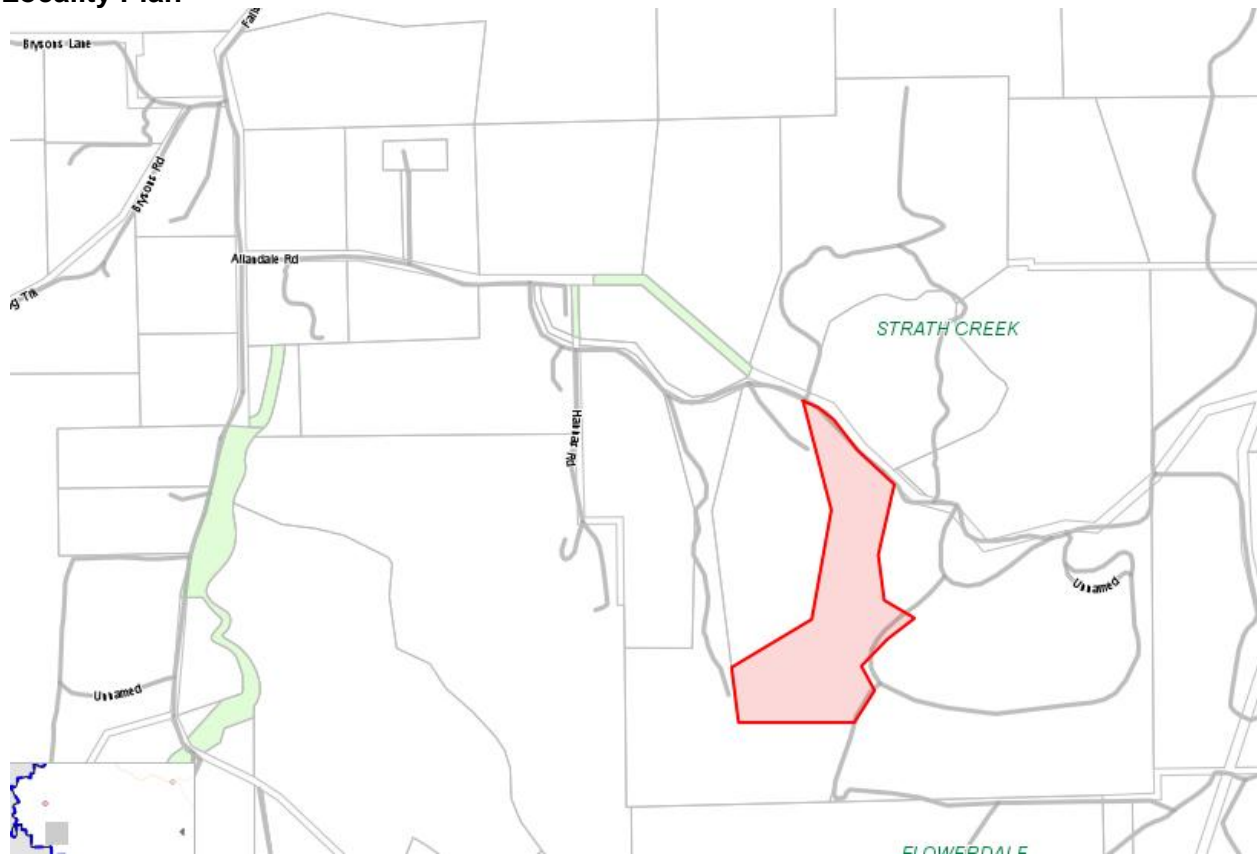
7.1 PROPOSED DWELLING

Attachment(s): *Application Information (refer Attachment 7.1)*
Objection notified separately

Land: 174 Allandale Road Strath Creek
Proposal: Construction and use of single dwelling
Applicant: I & S Gulic, 174 Allandale Road Pty Ltd
Zoning: Farming

Overlays: Bushfire Management Overlay (part)

Locality Plan



Purpose

This report recommends that a notice of decision to grant a permit be issued for the construction and use of a dwelling at 174 Allandale Road, Strath Creek. A planning permit is required for the use and construction of a dwelling in the Farming Zone on a lot of less than 40 hectares (ha) in area.

Officer Recommendation

That Council issue a notice of decision for the construction and use of a single dwelling at 174 Allandale Road Strath Creek, subject to the following conditions:

- 1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. This permit shall expire if the development hereby permitted is not completed and the use commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use or development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.**
- 3. Before the start of the use allowed, the area set aside for landscaping, as shown on the endorsed plan, must be planted to the satisfaction of the Responsible Authority. This area must then be maintained to the satisfaction of the Responsible Authority, and must not be used for any other purpose except with the prior written approval of the Responsible Authority.**

4. **Before the building is occupied all internal access roads must be upgraded, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.**
5. **The internal access road to the building shall be upgraded to a size and standard satisfactory to the Responsible Authority to provide all weather access for emergency service vehicles. The works must include the provision of suitable pavement material of at least 3.5 metres in width with 0.5 metre side clearances and 4 metre vertical clearance and designed to carry a vehicle weighing at least 15 tonnes.**
6. **Prior to commencing construction, a suitable prepared engineering plan detailing the proposed driveway, earthworks and drainage, including the erosion and sediment control measures must be submitted to the Responsible Authority and receive its endorsement.**
7. **All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Authority and the Council. All effluent shall be disposed of and contained within the curtilage of the land and shall not discharge directly or indirectly to an adjoining property, street or any water course, water storage or dam. Sufficient land shall be set aside and kept available for the purpose of effluent disposal.**
8. **Prior to the commencement of any works, including site works, the applicant shall obtain a septic tank permit from Council.**
9. **All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the Relevant Authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse affects within the site or to adjoining land or properties.**
10. **The approved works must not cut off natural drainage to adjacent properties.**
11. **The dwelling must have a total minimum of 55,000 litres of water capacity of which 45,000 litres shall be for domestic use and 10,000 litres of static water supply being for firefighting purposes, the latter being in the lower portion of the tank, or separately. All outlets from the lower tank or separate firefighting tank shall be fitted with a 64 milometer 3 threads per inch, male fitting to suit a Country Fire Authority (CFA) coupling, and fire brigade vehicles must be able to get to within four metres of the coupling.**

Notations:

1. **This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.**

Background

An application was received for a dwelling on the above property in the Farming Zone (FZ), which has a site area of approximately 20.57ha. A planning permit is required for the use and development of the land as the lot size is less than 40ha in area. The Bushfire Management Overlay does not cover the dwelling site and is not relevant to the planning assessment of this application.

During the advertising period, one submission was received. Following an onsite meeting with a Council officer, the owners, the owners' planning consultant and the submitters, an amended proposal was submitted and forwarded to the submitter who did not withdraw their objection. As this submission has not been withdrawn, Council must determine the outcome of the application.

The Land and Surroundings

The land is approximately 20.57ha in size and is mostly clear. It contains two agricultural sheds and three dams. A seasonal water course runs from the centre of the lot in a north-westerly direction towards Allandale Road, which bounds the site to the north. The adjoining land is characterised by similarly sized cleared lots containing single dwellings and outbuildings.

The land is undulating to steep. The proposed dwelling will be located on an existing excavated area accessed by an existing track. The track and flat house site have existed since at least 2003.

There are existing dwellings on the abutting land to the west and east as well as the lot directly opposite and the submitters land to the east. The houses on both the abutting lot to the east and the submitters land to the east are approximately 235 metres from the proposed house site and on a similar elevation.

Discussion

The application is for a dwelling that would be developed in conjunction with the use of the property as a small-scale horse rescue operation. The justification for the use of a dwelling on this land is considered satisfactory as the proposed use requires agricultural land and there is a need for an owner to be onsite for management and oversight purposes.

The visibility of the house to neighbours and the potential for noise to carry is mainly due to the similar elevations of the nearest two dwellings. The dwelling immediately to the east is 15 metres higher than the proposed dwelling and the submitters dwelling is approximately 5 metres higher. A distance of 235 metres from the proposed site to the two nearest dwellings is considered an appropriate setback with noise unlikely to be an issue. Other houses in the immediate area are within 80 metres of each other and no noise complaints have been received.

The onsite meeting raised some solutions to the issue of visibility with the applicants lodging amended plans that show a 10 metre landscaping strip that will provide a screening buffer between the proposed building and the nearby dwellings to the east. The proposed planting will be indigenous trees and shrubs that grow to a height of 2 to 3 metres. This will ensure that the house is screened but will not unduly block the long view across the valley from neighbours.

The location of the proposed dwelling is on a ridge but not at the highest point on the property as the property rises another 100 metres behind the house site. The hill at the rear creates a backdrop to the dwelling and reduces any visible impact that might otherwise occur if the development was on a skyline. The land is not within a Significant Landscape Overlay however there is still a requirement to address design and siting issues within the FZ decision guidelines. In this instance the siting does not adversely impact in relation to visual amenity and the location is similar to other dwellings in the vicinity.

Referrals

The application was not referred to other agencies given the nature of the proposal and given that there were no specific triggers to require referral under the planning scheme.

Council Plan/Strategies/Policies

The application has been assessed with reference to the following Our Place strategic objectives and strategies in the Murrindindi Shire Council Plan 2017-2021 – ‘through good land use planning enhance the liveability, prosperity and rural character of our Shire’.

Relevant Legislation

The application is being assessed in accordance with the requirements of the *Planning and Environment Act 1987 (Victoria)*.

Financial Implications and Risk

There is no financial risk to Council in this report.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Nearby and adjoining properties were notified of the application by mail. One submission was received that raised the following issues:

- no objection to a dwelling but would prefer a better location
- concerned that house site is on top of a ridgeline which would impact on submitters views
- house site 15 metres from property boundary will allow items to be stored behind house and in view of submitter
- being higher on the property will allow noise to carry through the valley.

Planning ConsiderationsLegal/Policy Issues11.10 *Hume Regional Growth*

Objective: to develop a more diverse regional economy while managing and enhancing key regional economic assets.

Strategies: facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations.

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 land base is protected from the unplanned loss of productive agricultural land due to permanent changes of use
- in considering a proposal to develop agricultural land, the following factors must be considered:
 - desirability and impacts of removing the land from primary production, given its agricultural productivity
 - impacts of the proposed subdivision on the continuation of primary
 - production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production
 - compatibility between the proposed or likely development and the existing uses of the surrounding land.

Local Planning Policy Framework21.03-2 *Agriculture*

Issues:

- agriculture has economic and strategic significance for the municipality and has potential for continued expansion
- the protection of agricultural land is necessary to support future growth of the agricultural sector and the diversification of agricultural activities

- potential for housing to lead to incremental loss of productive agricultural land
- potential for use of agricultural land for non-agricultural or rural-living purposes to conflict with established or future agricultural and horticultural land uses.

Strategies:

- ensure that the use and development of rural land protects and enhances agricultural potential and the productive capacity of the land
- ensure that the use and development of rural land is compatible with surrounding agricultural activities
- ensure that agricultural land is not developed for primarily residential purposes
- discourage the development or conversion of land to uses incompatible with productive agriculture
- identify and protect high quality agricultural land, ensuring that it is protected from unplanned long term loss and is available for ongoing agricultural use
- ensure that small lot subdivisions or any excision of an existing dwelling protects and maintains the productive agricultural capacity of land and general area or supports the conservation of an identified heritage place to which the Heritage Overlay applies
- protect water catchments and areas of high landscape, biodiversity, conservation and heritage value.

Zoning

35.07

Farming Zone

Purpose:

- to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies
- to provide for the use of land for agriculture
- to encourage the retention of productive agricultural land
- to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture
- to encourage the retention of employment and population to support rural communities
- to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Decision Guidelines

General issues:

- how the use or development relates to sustainable land management
- 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
- whether the use or development will permanently remove land from agricultural production
- the potential for the development to limit the operation and expansion of adjoining and nearby agricultural uses

- the capacity of the site to sustain the agricultural use.

Dwelling issues:

- whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation
- whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses
- the potential for the proposal to lead to concentration or proliferation of dwellings in the area and the impact of this use on the land for agriculture.

Design and siting issues:

- the need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land
- the impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts
- the impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

A planning permit is required for a dwelling in the FZ on a lot of less than 40ha.

Overlays

44.06 *Bushfire Management Overlay*

As the overlay only affects a relatively small portion of the lot at the rear, and not the proposed house site, this overlay is not relevant.

8. OUR PEOPLE

8.1 COMMUNITY GRANTS PROGRAM – OCTOBER 2017 TO FEBRUARY 2018

Attachment(s): *Community Grant Program 2017-18 Round 2 October-February Summary (refer Attachment 8.1)*

Purpose

This report informs Council of the recommendations made by the delegated Community Grants Assessment Panel (Panel) on applications received in the October 2017 to February 2018 round. The report also seeks Council endorsement of the recommendations.

Officer Recommendation

That Council endorses the recommendations of the Community Grants Assessment Panel outlined in the following table:

Application	Funding sought	Recommendation
Yea Bowling Club	\$ 1,500	That the application be supported with a grant of \$1,000.
Firefoxes Australia	\$5,000	That the application be supported with a grant of \$2,500 in addition to waiving the fees for hire of the Yea Shire Hall and Community buses.
Sacred Heart Yea	\$4,200	That the application be supported with a grant of \$2,500.
Yea Pottery Studio Inc.	\$3,500	Supported
Alexandra Primary School Arts Committee (APSAC)	\$4,800	Application held awaiting further information.

Background

The Community Grants Program (Program) provides the opportunity for community groups and organisations to seek funding to support a range of activities and initiatives. The Program is open to community groups, organisations and service clubs undertaking initiatives based in the Murrindindi Shire. Grant applicants can seek a maximum of \$5,000 funding for projects that meet Council's aims, as outlined in the Council Plan 2017-2021 and Health and Wellbeing Plan. Applicants are required to make a cash and/or in kind contribution to their project.

There are three grant rounds each financial year. The current round, round 2, was open from October 2017 to February 2018.

Applications for the current funding round were assessed by the Panel comprising of the Mayor, Deputy Mayor and the Chief Executive Officer. Applications for \$1000 or less are assessed and approved by the Panel with a report to Council on its decision. Applications for \$1001 or more are assessed by the Panel which makes a recommendation to Council.

Discussion

In total five applications were received from community organisations and schools for the October 2017 to February 2018 round. These applications are listed in *Attachment 8.1*.

The Panel recommended supporting all applications in part:

1. The Yea Bowling Club sought funding of \$1,500 to develop and run a new off season tournament to further promote the sport and the club and attract new membership and greater use of the community asset. The application sought assistance with prize money for tournament winners. The Panel recommended that the application be supported to the value of \$1,000 to support catering and services costs of running the event rather than prize money.

The Yea Bowling club will be asked to work with Council's Tourism and Events Coordinator to develop a promotion plan for the event. Council will be acknowledged through this promotion for their sponsorship of the event and Councillors will be invited to attend the Tournament presentation.

2. Firefoxes Australia sought funding of \$5,000 to run a Murrindindi Women's Forum in Yea to bring women across the Shire together and strengthen connections. The application sought support to cover the costs of facility and community bus hire in addition to supporting the costs of the event. The Panel recommended that the application be supported to the value of \$2,500 to support the costs of the event, additionally the panel recommended that the facility and community bus hire be waived (a value of \$962).

Firefoxes Australia will be asked to work with Council's Tourism and Events Coordinator to develop a promotion plan for the event. Council will be acknowledged through this promotion for their sponsorship of the event and relevant Councillors will be invited to attend the Forum.

3. Sacred Heart Primary School sought funding of \$4,200 to undertake training and strategic engagement planning to strengthen collaboration between the school, parents and the broader community. The application sought funding to support the delivery of community engagement training for teachers and parents. The Panel expressed that teacher professional development is a responsibility of the Catholic Education Office but were happy to support the parent education component of the application. The Panel recommended that the application be supported to the value of \$2,500.
4. The Yea Pottery Studio sought funding of \$3,500 to upgrade their equipment, enabling on site firing of works completed by community members attending the studio. The Panel recommended that the application be supported in full, contingent on the kiln being made available (at a suitable fee) to schools and other community groups.
5. The Alexandra Primary School, in conjunction with More Murals sought funding of \$4,800 to undertake workshops and an art/mural installation in Bakers Lane Alexandra, to celebrate and create awareness of the natural environment and endangered species. The Panel recommended that the application be held over to the next round of community grants pending further information and discussion regarding arrangements for the ongoing maintenance and renewal of the mural and to ensure the appropriate permissions were in place with relevant owners, tenants and other traders in Bakers Lane. The Panel indicated they were happy to consider an out of session application if the applicants were in a position to provide the information requested prior to the next grant round closing.

Council officers will provide feedback to applicants in writing and where necessary will contact them directly to discuss their proposals.

Council Plan/Strategies/Policies

This matter is consistent with the Council Plan 2017-2021 strategic objective Our People – 'together we will celebrate and encourage diverse, caring and connected communities'.

Relevant Legislation

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

Financial Implications and Risk

The Community Grants budget for the 2017/18 financial year is \$30,000 and this is the second grant round for the year. There has been expenditure of \$12,160 to date. A total of \$9,500 has been recommended for approval in this round. The remaining budget allocated to Community Grants for the remaining grant round will be \$8,340.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

The Community Grant applications are assessed by the Community Grants Assessment Panel.

9. OUR PROSPERITY

10 OUR PROMISE

10.1 PROPOSED ROAD DISCONTINUANCE OF PART OF SMITH STREET, YEA – GOULBURN VALLEY WATER, YEA WATER TREATMENT PLANT

Attachment(s): *Location Map (refer Attachment 10.1)*

Purpose

This report proposes that Council discontinues part of Smith Street, Yea (Road). The statutory process for the proposed road discontinuance of that part of Smith Street is shown on the title plan below and has been initiated under Council officer delegation.

Goulburn Valley Water (GVW) initiated a planning enquiry for additional works to be undertaken at their Yea Water Treatment Plant, which prompted clarification of their tenure over existing and proposed infrastructure on Smith Street, Yea.

It was established that GVW's occupation of the Road is without formal consent.

If the Road is discontinued, the land will remain in the ownership of the Crown and the Department of Land, Water and Planning (DELWP) can then undertake the reservation of the land and the appointment of GVW as manager of the land to facilitate GVW's existing and proposed future use of the Road.

The Road had already been removed from Council's register of public roads in accordance with section 14(4) of the *Road Management Act 2004* following public notice of this previous proposal and the consideration of any submissions received in respect of that prior proposal.

Officer Recommendation:

That Council discontinues that part of Smith Street in Yea as shown on the title plan in this report and publishes a notice of discontinuance of this road in the Victorian Government Gazette and advises the Department of Land, Water and Planning (DELWP) accordingly.

Background

GVW's Yea Water Treatment Plant occupies land privately owned by GVW each side of Smith Street, Yea along with their occupation (with infrastructure) of the Road, which is a government road, known as Smith Street, Yea (refer *Attachment 10.1*).

GVW's occupation of the government road is without consent and only recent enquiries as to their tenure rights has revealed this.

GVW is initiating a project to construct a ring road and a bund and relocate dosing tanks on the site. Before this work can proceed, Council needs to consider a proposal to discontinue the Road which, if discontinued, would remain in Crown ownership and enable DELWP to confer the necessary rights upon GVW to implement its proposal.

Discussion

Council, acting under Council officer delegation, has determined under section 17(4) of the *Act* that the Road be removed from Council's register of public roads, following public notice of the proposal. No submissions were received in response to the public notice.

Council has now initiated a road discontinuance process and has given public notice of the proposed road discontinuance in accordance with section 206 and clause 3 of Schedule 10 and Section 223 of the *Local Government Act 1989*. Again no submissions were received in response to the public notice process.

If Council resolves that the Road be discontinued, then public notice of the discontinuance of the Road will be published in the Victorian Government Gazette and DELWP advised accordingly.

There is prima facie case for Council to discontinue the Road on the basis of the existing occupancy of the Road by GVW infrastructure, the fencing off of the same and the absence of any requirement for public road access.

The works proposed by GVW will require planning approval for vegetation removal and any construction works on the road reserve.

Council Plan/Strategies/Policies

This report is consistent with the Council Plan 2017-2021 Our Promise strategic objective 'working in collaboration with our communities to deliver the best possible outcomes in all that we do'.

Relevant Legislation

Council cannot decide to discontinue the Road unless it first complies with section 17(4) of the *Act* and decides whether or not to remove the Road from Council's register of public roads. This statutory procedure has already been complied with and a decision made to remove the Road from Council's register of public road under Council officer delegation.

The statutory process for a proposed road discontinuance is in accordance with clause 3 of Schedule 10 and section 223 of the *Local Government Act 1989*.

Financial Implications and Risk

All costs associated with the process including legal, survey, advertising, etc. will be borne by GVW.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Consultation has occurred with GVW and DELWP.

By following the statutory notification process, the community has had an opportunity to comment on the discontinuance of the road.

10.2 COUNCIL OFFICER AUTHORISATIONS REVIEW

Attachment(s): *S11A. Instrument of Appointment & Authorisation (Planning and Environment Act 1987) (refer Attachment 10.2)*

Purpose

The purpose of this report is to seek Council's adoption of the revised Appointment and Authorisations of staff under the *Planning and Environment Act 1987*.

Officer Recommendation

In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Appointment and Authorisation (the instrument) (Attachment 10.2 (S11A)), Murrindindi Shire Council (Council) resolves that:

- 1. the members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument (Attachment 10.2 (S11A))**
- 2. the instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it**

3. the instrument be sealed**4. on the coming into force of the instrument all previous Appointments and Authorisations to staff are revoked.****Background**

Council is a legal entity comprised of its members (the seven Councillors). Its decision making power exists only as a group through resolution not as singular Councillors. Most decisions are not required to be made at a Council level therefore the Council must entrust some of the decision making power to others, this is done through delegations and authorisations.

Delegated powers fall under two areas:

- those delegated by Council to another party (including staff)
- those delegated by the Chief Executive Officer to staff.

Council subscribes to a delegations and authorisations service that provides Council with twice yearly legislation updates which facilitates an efficient review process of all delegations in place. Council's current delegations were last reviewed at the 28 June 2017 Council Meeting.

Since the last review of these delegations and authorisation, there have been some minor organisational structural changes in the planning area that are now required to be updated to ensure that Council officers can appropriately discharge their duties.

Discussion

Instruments of Appointment and Authorisations allow Council to authorise or appoint a person to a particular statutory position. Under the *Planning and Environment Act 1987* an employee of Council can only be authorised by Council, this is done through the following:

- The S11A. Instrument of Appointment & Authorisation (*Planning and Environment Act 1987*)

Council officers regularly review the delegations and authorisations and make recommendations to Council for resolution. These reviews take into account legislative changes and internal changes in staffing structures.

Generally, it is recommended that more than one Council officer is delegated or authorised to undertake a power. This assists operationally in that more than one Council officer is responsible for the work load as a consequence of having that power or if there is a short term absence, this does not hinder the ability of decisions to be made on behalf of Council.

However, some powers have a requirement for the person delegated to have specific qualifications to undertake the delegated power.

Council Plan/Strategies/Policies

This report is consistent with the strategic objective in the Council Plan 2017-2021 to work in collaboration with our communities to deliver the best possible outcomes in all that we do.

Relevant Legislation

Council is required to approve Delegations, Authorisations and Appointments in accordance with section 98 of the *Local Government Act*. The Delegations, Authorisations and Appointments assign powers to Council officers under numerous pieces of legislation.

Financial Implications and Risk

Effective and efficient functioning of local government would not be possible without formal delegations to officers.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

No external consultation is required in the preparation of Delegations and Authorisations.

10.3 AUDIT ADVISORY COMMITTEE MINUTES

Attachment(s): 2018-03-08 Audit Advisory Committee Minutes (refer Attachment 10.3)

The minutes of the Audit Advisory Committee Meeting held on 8 March 2018 are attached (*Attachment 10.3*) for receiving.

Officer Recommendation

That Council note and receive the minutes of the Audit Advisory Committee meeting held on 8 March 2018 (*Attachment 10.3*).

11. NOTICES OF MOTIONS**12. MATTERS DEFERRED FROM PREVIOUS MEETING****13. URGENT BUSINESS****14. COUNCILLOR AND PORTFOLIO REPORTS**

14.1 CR MARGARET RAE - LAND USE PLANNING PORTFOLIO

14.2 CR JACKIE ASHE - ECONOMIC DEVELOPMENT PORTFOLIO

14.3 CR ERIC LORDING - INFRASTRUCTURE AND WASTE PORTFOLIO

14.4 CR LEIGH DUNSCOMBE - CORPORATE AND CUSTOMER SERVICES PORTFOLIO

14.5 CR REBECCA BOWLES - NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO

14.6 CR SANDICE MCAULAY - COMMUNITY SERVICES PORTFOLIO

14.7 CR CHARLOTTE BISSET – MAYORAL REPORT

15. ASSEMBLIES OF COUNCILLORS**Purpose**

This report presents the records of assemblies of Councillors for 22 February 2018 to 21 March 2018, for Council to note in accordance with Section 80A of the *Local Government Act 1989* (the Act).

Officer Recommendation

That Council receives and notes the record of assemblies of Councillors for 22 February 2018 to 21 March 2018.

Background

In accordance with Section 80A of the *Act*, written assemblies of Councillors are to be reported at an Ordinary Meeting of 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 assemblies of Councillors, must disclose the conflict of interest, and leave the meeting while the matter is being discussed.

Discussion

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.

The following summary details are for 22 February 2018 to 21 March 2018:

Meeting Date:	22 February 2018
Meeting Name/Type	Municipal Emergency Management Planning Committee (MEMPC) Meeting
Matters Discussed:	<ol style="list-style-type: none"> 1. Lake Mountain Update – requirement for separate MEMPC 2. Fire Prevention Program – update on season 3. Fire Advisory Committee – business arising 4. Agency review of December 1 Flood Event 5. Crisis Works Reminder – how to access EM documents 6. Eildon Safer Together Pilot update
Councillor Attendees:	Cr S McAulay
Council Officer Attendees:	J Canny, C Price
Conflict of Interest Disclosures:	Nil

Meeting Date:	28 February 2018
Meeting Name/Type	Councillor Briefing (Council Meeting Pre-Brief)
Matters Discussed:	<ol style="list-style-type: none"> 1. Review of Murrindindi Environment Advisory Committee 2. Extension of Leases at the Kinglake Rebuilding and Advisory Centre 3. Regional Tourism Partnerships 4. Quarterly Council Plan 2017-2021 Progress Summary - 31 December 2017 5. Quarterly Financial Report to 31 December 2017 6. December Quarterly Report – Capital Works Program 2017/18 7. Tender 17/33 – Planning Services Panel 8. Tender 18/1 – Yea Regional Saleyards – Truck Parking Area 9. Tender 17/4 – Civil Works Panel 10. Eildon Jamieson Road – Safety Improvements

Councillor Attendees:		Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording		
Council Officer Attendees:		C Lloyd, M Chesworth, S McConnell, A Bond, J Canny, S Brown, M Leitinger		
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
3	Cr J Ashe	No	Yes	Before

Meeting Date:	7 March 2018
Meeting Name/Type	Councillor Briefing
Matters Discussed:	<ol style="list-style-type: none"> 1. Finance Overview 2. Renewal Gap 3. Capital Reserves 4. Capital Evaluation Criteria & Program Overview (Councillor Priorities) 5. Budget Workshop 6. Update on Waste Services Provision 7. Local Government Act Bill Review 8. Organisational Priorities and Staffing Update (DELETE)
Councillor Attendees:	Cr Bisset, Cr McAulay, Cr Dunscombe, Cr Lording, Cr Rae, Cr Bowles, Cr Ashe
Council Officer Attendees:	C Lloyd, S McConnell, M Chesworth, A Bond, J Canny, A Kyval, T Carter
Conflict of Interest Disclosures: Nil	

Meeting Date:	14 March 2018
Meeting Name/Type	Councillor Briefing
Matters Discussed:	<ol style="list-style-type: none"> 1. Aged and Disability Services Reforms and Council Review 2. Six Dwellings and 6 Lot Subdivision Planning Application 3. Proposed Dwelling Planning Application 4. Staff Satisfaction Survey
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr M Rae, Cr E Lording, Cr J Ashe
Council Officer Attendees:	C Lloyd, M Chesworth, N McNamara, A Kyval, S Brown, D Fotheringham, K Girvan, S McConnell
Conflict of Interest Disclosures: Nil	

Meeting Date:	21 March 2018
Meeting Name/Type	Councillor Briefing
Matters Discussed:	<ol style="list-style-type: none"> 1. Cathy McGowan - Meeting with Councillors 2. Waste 2050 Strategy 3. Depot Operations 4. Increases in the Cost of Recyclables Processing 5. Proposed Road Discontinuance of Part of Smith Street, Yea – Goulburn Valley Water, Yea Water Treatment Plant
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording

Council Officer Attendees:	C Lloyd, M Chesworth, S McConnell, A Kyval, M Leitinger, J Russell
Conflict of Interest Disclosures:	Nil

Council Plan/Strategies/Policies

This matter is consistent with the Council Plan 2017-2017 Our Promise strategy to “Expand our communication”.

Relevant Legislation

For full details of Council’s requirement for assemblies of Councillors, refer to Section 80A of the *Local Government Act 1989*.

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

Any conflicts of interest are noted in the assemblies of Councillors tables listed above.

16. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/895	14 March 2018	Lease between Murrindindi Shire Council and Toolangi District Community House Inc. Section 17D Crown Land (Reserves) Act 1978 Lease (Non Retail) Toolangi Castella Community House	Craig Lloyd Cr Charlotte Bisset
SF/2751	19 March 2018	Management Agreement and Sub-licence between Murrindindi Shire Council and Alexandra Traders Pty Ltd Trading as Vita Nova Fitness - Facility Alexandra Community Leisure Centre.	Craig Lloyd Cr Charlotte Bisset
CONT 17/4	23 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and North Central Construction for Civil Works Panel Contract	Cr Margaret Rae Craig Lloyd
CONT 17/4	23 March 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Parkworks Environmental Group for Civil Works Panel Contract	Cr Margaret Rae Craig Lloyd

Officer Recommendation

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

17. CONFIDENTIAL ITEMS

The Local Government Act 1989 section 89(2) allows Council to resolve to close a meeting to the public to consider confidential information relating to any of the following matters:

- (a) personnel matters
- (b) the personal hardship of any resident or ratepayer
- (c) industrial matters
- (d) contractual matters

- (e) proposed developments
- (f) legal advice
- (g) matters affecting the security of Council property
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person
- (i) a resolution to close the meeting to members of the public.

Where possible Council will resolve to make public any decision it makes in a closed meeting where the resolution does not disclose confidential information. There may be occasions where Council cannot make its decision public.

The report on the Tree and Weed Services Panel is being considered in the closed part of this meeting because it is considered under S89(2)(d) contractual matters.

Recommendation

That Council, in accordance with the *Local Government Act 1989* section 89(2)(d), resolve to close the meeting to the members of the public:

- **Tree and Weed Services Panel**