



**Murrindindi**  
Shire Council

MINUTES  
of the  
ORDINARY MEETING OF COUNCIL  
held on  
WEDNESDAY 22 MARCH 2017  
in the  
YEA COUNCIL CHAMBER  
commencing at  
6.00 pm

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## **1. PLEDGE AND RECONCILIATION STATEMENT**

The meeting was opened with all Councillors declaring the following Pledge:

“As the seven Councillors democratically elected to represent our community as the Murrindindi Shire Council, we are committed to working together in the best interests of the people who live in our municipality, who conduct business here and those who visit.”

## **2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

REF: SF/306

That Council accept the apologies of Cr L Dunscombe.

### **RESOLUTION:**

**Cr M Rae / Cr R Bowles**

**That Council accept the apologies of Cr L Dunscombe.**

**CARRIED**

#### ***Present:***

Crs C Bisset (Chair), S McAulay, R Bowles, J Ashe, E Lording, M Rae

#### ***In attendance:***

Chief Executive Officer: Margaret Abbey

General Manager Corporate and Community Services: Michael Chesworth

General Manager Infrastructure and Development Services: Stuart McConnell

Manager Business Services: Andrew Bond

Manager Communications Library & Customer Services: Jacqui Rabel

Manager Development Services: Shivaun Brown

Manager Infrastructure Assets: John Canny

Senior Planning Officer: Melissa Crane

Governance Officer: Audrey Kyval

## **3. CONFIRMATION OF MINUTES**

3.1 Minutes of the Special Meeting of Council held on 22 February 2017.

### ***Officer Recommendation:***

That the Minutes of the Special Meeting of Council held on 22 February 2017 be confirmed.

### **RESOLUTION:**

**Cr E Lording / Cr S McAulay**

**That the Minutes of the Special Meeting of Council held on 22 February 2017 be confirmed.**

**CARRIED**

3.2 Minutes of the Ordinary Meeting of Council held on 22 February 2017.

### ***Officer Recommendation:***

That the Minutes of the Ordinary Meeting of Council held on 22 February 2017 be confirmed.

**RESOLUTION:****Cr M Rae / Cr J Ashe****That the Minutes of the Ordinary Meeting of Council held on 22 February 2017 be confirmed.****CARRIED****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

REF: SF/783

Cr C Bisset declared an indirect interest in item 6.4 of the Agenda.

**5. PUBLIC PARTICIPATION TIME****5.1 QUESTIONS OF COUNCIL**

Two questions were received from Jack Russell purporting to represent the "Yea and District Progress Association":

Question 1 I refer to Councils' current survey process 'Have your say' & with just areas for future growth/priorities listed for a 'postage stamp' size area for response provided which is entirely insufficient. Council provide a breakdown of several areas for the 2016/17 budget on the reverse side & totalling \$32.83 million & including approximately \$8 million in administrative costs & with a separate cost of \$7.15 million for Council funding a Capital Works Program. How is Council able to service 2016/17 budgets of the total of (\$32.83 million + \$7.15 million) = \$39.98 million on the current estimates of loss that \$33.93 million & carrying a deficit of \$1.132 million & accounting for the loss of circa \$0.8 million in grants for the 2016/17 Roads Recovery Program?

The Chief Executive Officer responded to Question 1:

The information contained on the reverse side of the "Have Your Say" survey flyer is consistent with Council's original budget, and the FAQ documentation that was provided to all ratepayers in 2016-17.

Council's financial position is well equipped to deliver the services and capital works program as specified in the current budget, with the revised budget estimates reported to Council at the February 2017 Ordinary Meeting.

Question 2 What will Council do to correct the false accounting as clearly defined to misrepresent the ability of Council to service the 2016/17 Budget? I require that this document is both read & minuted in full & with the appropriate proper process committed & as a public statement.

The Chief Executive Officer responded to Question 2:

No false accounting has been clearly defined, nor does any false accounting exist in the reporting of Council's financial position.

Two questions were received from Jack Russell:

Question 1 a. How is it correct for elected Councillors to 'pledge' (& to provide) a 'Reconciliation Statement' at the opening of Open Council Meetings & which states in part – that... 'to represent our community as the Murrindindi Shire Council, we

are working together in the best interests of the people who live in our municipality...' etc. & I refer to Item 1. of Council meeting of the 22/2/17 & in my absence as I was refused attendance & yet again.

b. Considering that I have made numerous attempts to contact & to speak with the bulk of recently elected Councillors & since November 2016 – what is the explanation for:

i) Failure to respond/reply to recorded messages?

ii) Also to avoid contact in the public space?

iii) What is your instruction to Councillors that serves to remove their independence to work together (with myself) 'in the best interests of the people who live in our community'.

The Chief Executive Officer responded to Question 1:

Mr Russell's current withdrawal of license to attend Council facilities and for interaction with Council representatives has been addressed repeatedly via correspondence and through Questions of Council. The terms of the withdrawal are clear, as are the terms that Mr Russell must satisfy should he seek an alteration to this ban - which remain unfulfilled.

Question 2 Considering that your claims that I am controlled under a 'Regime' & for which you have failed to prove or even define – what explanation will be provided for your answer to my Question No. 2 of the 22/2/17 & which states that 'The terms of the withdrawal are clear, as are the terms that Mr Russell must satisfy should he seek an alteration to this ban & which remain unfulfilled' & all whilst you are in default in that you failed to review that regime on the 7/10/2016 as agreed on the 18/4/16 & further that your so called regime ceases to apply after the 18/4/16 unless withdrawn on the review of the 7/10/16 & for which you are in obvious fault & as I previously advised on 'Notice' – that the restriction is therefore invalid & as from that date.

The Chief Executive Officer responded to Question 2:

The terms of the review of the current withdrawal of license regarding Mr Russell and Council have been repeatedly stated via correspondence and through Questions of Council. Any review will be clearly articulated and communicated appropriately to Mr Russell.

## **5.2 OPEN FORUM**

REF: SF/130

Eamon O'Flaherty spoke against the 2015/236 – Narbethong Vegetation Removal (item 6.1 on the agenda).

**The Chairperson closed Public Participation Time.**

## **5.3 PETITIONERS SPEAKING TO PETITIONS**

REF: SF/132

Nil

**5.3.1 RESPONSE TO PETITIONS – TARNPIRR ROAD, NARBETHONG**

REF: SF/1779 (17/13718)

***Purpose:***

This report provides Council with a response to the petition tabled at the 25 January 2017 Ordinary Council Meeting. The petition raised concerns about the condition and management of Tarnpirr Road, Narbethong and its intersection with Maroondah Highway.

***Officer Recommendation:***

That Council:

1. Refer the intersection to VicRoads for further assessment;
2. Consider inclusion of Tarnpirr Road in the resheeting program as part of the 2017-2018 budget;
3. Request that the Manager Infrastructure Assets writes to the affected landowners seeking their interest and willingness to contribute to a Special Charge Scheme to upgrade (sealing) of the road; and
4. Request that the Manager Infrastructure Assets write to the convenors of this petition advising them of the resolution.

***Background:***

The petition was received by Council on 16 January 2017 regarding two issues as follows:

**1. Hazardous Intersection of Tarnpirr Road and the Maroondah Highway.**

The petitioners assert that the design of the intersection does not meet current safety standards and is dangerous due to:

- Being at a substantially lower level than the highway
- It's sharp incline at the point of intersection
- Being too narrow having no shoulder
- View of, and from, the intersection being occasionally obstructed by real estate signs and vegetation

**2. Residential Road Maintenance – Tarnpirr Road**

The petition states that general maintenance of the road surface under road maintenance standard 3 of Council's Road Management Plan (2013) is problematic, remedial action of potholes is minimal and is only undertaken after the condition of the road in winter has deteriorated to such an extent that residents and road users complaints are sufficient to prompt action. In summer dust from vehicles traversing the road constitutes a general environmental nuisance and a potential health hazard as it impacts on the quality of water residents must collect from their roofs in the absence of mains water.

The road is located 12.3 kilometres south of Buxton intersecting with the west side of the Maroondah Highway.



Figure 1

The majority of Tarnpirr Road is listed on Council's Public Road Register and classified as an unsealed Access Road. This classification is for roads described as follows:

- Provides predominantly for direct access to properties and industries
  - Caters for low traffic volumes and generally for low traffic speeds
  - Low percentage of through traffic

Officers consider that this is the appropriate classification for this road and the maintenance standard is consistent with the Road Management Plan.

The road is approximately 720 metres in length and the first 32 metres of the road from the edge of highway shoulder has a sealed surface. The sealed section falls mostly under VicRoads responsibility (ie. at the intersection) and responsibility for some of the sealed length rests with Council.

The road formation width is 5 metres and the pavement width is 3.6 metres. The road is listed for the 2017-2018 unsealed road resheeting program subject to budget approval.

Tarnpirr Road is a 'no through road' that services 27 parcels of land. Four large parcels are located on the west side of the road with 23 parcels ranging in size from 1,200 square metres to 2,800 square metres on the east side of the road.

**Council Plan/Strategies:**

This report supports the Council Plan 2013-2017 strategic objective to apply a whole of life approach to the management and maintenance of Council's assets.

**Legal/Policy Issues:**

Council must meet its obligations under the *Road Management Act 2004* - Code of Practice - Operational Responsibility for Public Roads.

Council in the implementing of a Special Charge Scheme must adhere to the *Local Government Act 1989*.

**Financial/Resources/Risk:**

A budget allocation will be proposed for resheeting this road in accordance with Councils renewal program. A special charge scheme would defray all cost for any road upgrade works.

**Discussion**

A site inspection was carried out on 7 February 2017 to investigate the issues raised in the petition. The investigation found:

**1. Hazardous Intersection of Tarnpirr Road and Maroondah Highway**

This intersection is located in a rural setting not unlike many others in Victoria. All intersections are considered to be conflict points by their very nature.

The intersection falls within the VicRoads road reserve. VicRoads is the Responsible Road Authority and is responsible for maintenance and renewal requirements in accordance with the *Road Management Act 2004 - Code of Practice - Operational Responsibility of Public Roads*.

The road generally follows the levels of the surrounding land with an approximate grade of 13 degrees approaching the intersection 'give way' line which transitions to the highway sealed shoulder. The grade does not impede driver's vision of the arterial road. Adequate sight distances are maintained in both directions. The placement of real-estate signage is prohibited on road reserves under the planning scheme. Responsibility for their removal rests with VicRoads surveillance officers. A small sign is currently located on the road reserve.

Any shoulder works required at the intersection would be the responsibility of VicRoads.

In relation to the high speed approach to the intersection raised in the petition, it is the responsibility of drivers to comply with the Victorian road rules. The use of bell mouth left hand turn (as in this case) is a common design feature to allow ease of exit from high speed roads.

Previous discussions with Public Transport Victoria indicated a private school bus service picks up a number of children along Tarnpirr Road generally at property driveways. Council, in consultation with VicRoads and Public Transport Victoria, have now relocated the school bus shelter to allow access to the bus stop from Tarnpirr Road without crossing any road pavement.

**2. Residential Road Maintenance**

The unsealed section of the road is in maintenance category 4 (not maintenance standard 3 as stated in the petition) as per the Council Road Management Plan.

The majority of road users are the residents. The road has a 'no through road' sign at its commencement that would normally discourage any external traffic. There is no significant Crown land access to be gained by external users other than a narrow stream reserve.

Six monthly inspections are carried out by Council officers. Defects detected during these inspections or reported to Council by community members are addressed in accordance with the Road Management Plan.

Council has recorded and responded to 15 maintenance requests since 2007 for this road. Seven requests concerned potholing of the road, four requests for grading, two in relation to dust issues and two requesting sealing. A further six requests related to roadside vegetation and furniture issues.

The road is programmed for resheeting in the 2017-2018 year (subject to budget approval).

Council discontinued the use of dust suppressants as a treatment on unsealed roads some years ago due to the high cost, lack of effectiveness and environmental concerns.

**Consultation:**

Internal consultation with Council Infrastructure Operations and Planning Units has been carried out in response to this petition. In addition external consultation with VicRoads has been sought. Discussion also held with the owner of the one identified farming operation to determine its impact on the road.



**Conclusion:**

The intersection of Tarnpirr Road with Maroondah Highway is the responsibility of VicRoads and is constructed in a manner that is typical of many such intersections in Murrindindi Shire and other shires across the state. The intersection has no known record of accidents.

The road is currently maintained in accordance with Council's Road Management Plan and prior to this petition Council has received only 13 customer requests relating to maintenance over the last 10 years. The road is scheduled for resheeting in the 2017-2018 year (subject to budget approval) which will significantly improve the road surface and assist in reducing dust.

The original subdivision in 1963 allowed for a road design and width that does not reflect current standards in a road that, while in a farming zone, is mostly urban in nature. To upgrade this road would require the implementation of a Special Charge Scheme in accordance with Council's Special Charge Scheme for Infrastructure Works Policy.

**RESOLUTION:**

**Cr S McAulay / Cr E Lording**  
**That Council:**

1. Refer the intersection to VicRoads for further assessment;
2. Consider inclusion of Tarnpirr Road in the resheeting program as part of the 2017-2018 budget;
3. Request that the Manager Infrastructure Assets writes to the affected landowners seeking their interest and willingness to contribute to a Special Charge Scheme to upgrade (sealing) of the road; and
4. Request that the Manager Infrastructure Assets write to the convenors of this petition advising them of the resolution.

**CARRIED**

**6. OFFICER REPORTS****6.1 2015/236 – NARBETHONG VEGETATION REMOVAL**

Ref: 2015/236  
Land: 241 Maroondah Highway NARBETHONG  
Proposal: Removal of Native Vegetation for Bushfire Protection - Ongoing Management of 20,550 square metres of private land  
Applicant: ER O'Flaherty  
Zoning: Farming  
Overlays: Bushfire Management  
Attachments: Site Plan (refer *Attachment 6.1a* – TRIM 17/17429)  
Biodiversity Impact (refer *Attachment 6.1b* – TRIM 17/17428)  
Application details previously provided  
Aerial photograph and submissions distributed separately

**Locality Plan****Purpose:**

This report recommends that a notice of refusal to grant a permit be issued for the removal of native vegetation for bushfire protection - ongoing management of 20,550 square metres of private land at 241 Maroonah Highway, Narbethong.

**Officer Recommendation:**

That Council issue a notice of refusal to grant a permit for the removal of native vegetation for bushfire protection - ongoing management of 20,550 square metres of private land at 241 Maroonah Highway, Narbethong 3778 (LOT: 1 TP: 561755, Parish of Narbethong), on the following grounds:

1. The proposal is not in accordance with Clause 12.01-1 *Biodiversity* in that the proposal does not assist in the protection and conservation of Victoria's biodiversity.
2. The proposal is not in accordance with Clause 12.01-2 *Native Vegetation Management* in that the proposal does not minimise the impact on biodiversity or provide an offset in a manner that makes a contribution to biodiversity that is equivalent to the contribution made by the vegetation to be removed.
3. The proposal is not in accordance with Clause 12.04-5 *Landscapes* in that it does not improve the landscape quality of the area nor does it protect and enhance the key features of the area.
4. The proposal is not in accordance with Clause 21.05 *Environment* as it does not protect and enhance the natural environment, features or values; nor does it minimise adverse impacts on landscape and environmental values.

5. The proposal is not in accordance with Clause 52.17 *Native Vegetation* in that an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) has not been identified.

**Proposal:**

The land has had a considerable amount of undergrowth removed and this application is to retain the land in a cleared state and not replant or be allowed to regenerate as would otherwise be required.

In early 2015 Council officers were made aware of clearing of undergrowth and ongoing poisoning of the property and the adjacent road reserve. Site inspections were undertaken in May 2015 to determine the extent of clearing that had taken place. The owner of the site was advised that the works went beyond the exemptions allowed in the Murrindindi Planning Scheme.

The owner of the property has elected to apply for a planning permit to maintain the illegally cleared area rather than rehabilitate the site. The application was lodged in December 2015, and as objections were received and meetings held with various authorities, the applicant amended the plan to include vegetation removal within the property boundaries only, which totals an area of 20,550 square metres (2.055 hectares). This includes the area from the exempt distance of 98 metres from the dwelling or to the property boundaries, whichever is lesser, and west of the power line easement. Refer to *Attachment 6.1a*.

The application was amended in March 2016, with the provision of an amended plan, and the biodiversity report required from the Native Vegetation Information Management (NVIM) tool was provided in April 2016. Because the biodiversity report was submitted without the additional information required for a high risk pathway, Department on Environment, Land, Water and Planning (DELWP) endeavoured to provide a response accordingly.

The applicant has stated that the decision not to provide all of the information was made due to the costs involved.

**The Land & Surroundings:**

The subject site is a 6.61 hectare parcel of land, with a rectangular shape, and is bounded by the Maroondah Highway to the east, public land to the west, privately owned land to the south, and Rouch Road to the north.

The property is heavily vegetated, with a dwelling and associated shedding located in the south-western corner of the property. Properties in the surrounding area are relatively heavily vegetated, with scattered dwellings and sheds, and used for rural lifestyle purposes.

**Referrals:**

The application was referred to both the DELWP and the Country Fire Authority (CFA).

The CFA advised standard vegetation management requirements for the defendable space, and provided an exempted distance of 98 metres of vegetation management from the dwelling, or to the boundary, whichever is lesser. They further advised that consideration could be given to increasing the Bushfire Attack Level (BAL) rating of the dwelling and/or the construction of a bushfire shelter to increase resilience to bushfire for the site.

DELWP has objected to the application on the following grounds:

‘The application does not meet the decision guidelines of Clause 52.17-5 of the planning scheme:

- That an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the *Permitted clearing of native vegetation – Biodiversity*

*assessment guidelines* (Department of Environment and Primary Industries, September 2013) has been identified'.

DELWP has requested a compliant offset strategy to be provided as part of the application on a number of occasions and this has not been provided. The applicant has been advised that the hiring of a consultant to carry out a Habitat Hectare assessment may reduce the offset requirement when compared to the modelled scores. Further to this, they have advised that the objection could be withdrawn if the applicant were to provide details of how an offset could be secured.

**Consultation:**

The application was notified to nearby and adjoining owners, and nine submissions were received. One of these submissions has since been withdrawn, with eight submissions outstanding. The issues raised in the outstanding submissions are as follows:

- Clearing will increase water runoff and soil loss (five submitters)
- Impact on drains on Maroondah Highway and Rouch Road from silt and sediment (four submitters)
- Environmental concerns with silt and sediment in waterways (seven submitters)
- Should not be allowed to clear public land (five submitters) (this is no longer relevant as the public land component has been removed)
- Impact on visual amenity from loss of vegetation (four submitters)
- Concerns about loss of biodiversity (one submitter)
- Concerned about risk of flooding from increased water runoff (one submitter)
- Risk of contamination from chemicals used to clear (four submitters)
- Concern with accuracy of application information (one submitter)
- Dry Eucalypt Forest Model used in the application does not represent the site appropriately (two submitters)
- Believes the clearing of understorey will increase bushfire risk as the remaining forest dries out (one submitter)

These were forwarded to the applicant who provided the following responses (partly paraphrased):

- The public land component of this application came about because DELWP (the public land manager) has previously objected to cost factors - so the applicant accepted to do this work at his own cost under their supervision, and whatever other conditions DELWP may impose.
- The applicant stated there is little doubt about the bushfire risk, from the applicants own land, the adjacent public land, the fully mature bracken dominated fuel load. The risk is escalating as the country dries out.
- Water quality: The applicant cautioned anyone against regular consumption of household water from catchment heavily infested with bracken fern.
- The applicant indicated that 'visual amenity' based on bracken fern is not a valid basis for exposing my property to extreme bushfire risk, based on fuel load, fire history and known bushfire weather from the north.
- Erosion and water gathering: the applicant indicated that the forest understorey has been severely invaded over many years by bracken, which is causing progressive degradation of the forest. Rainfall is reducing year by year, and the bracken hogs the water due to its near surface continuous root system. So all the young trees are dying,

and available runoff is less and less. The applicant stated that he observed no evidence of erosion due to clearing the bracken on any of this land.

- The applicant indicated that understorey biodiversity has already been substantially lost on his property and adjacent public land components of the application, due to progressive invasion and takeover by bracken fern. Younger trees have been dying right through the forest along Maroondah Highway, since bracken has taken over, which hogs all the water and nutrients before it gets down to the lower tree roots. Only the big older trees with very deep roots manage to survive. The applicant stated this is getting worse with climate change.
- The applicant stated there is no evidence that removing bracken and other dead ground fuel from the forest areas of this property has created extra runoff and that some runoff always occurs from around buildings, driveways, and other sealed or compacted surfaces. The applicant stated that the driveways are constructed in the heaviest available aggregate with gradients designed to avoid concentration of water flows to the maximum extent possible.
- Flooding: The applicant stated the entrance driveway to #243 has always been subject to flooding since forestry operations set up a log loading area (known as Rouch Landing) in the current driveway many years ago, and failed to rehabilitate the area. The runoff is predominantly from Maroondah Highway, which empties out through the Rouch Road crossing, near the front gate.
- Chemicals: The applicant noted that Council has previously carried out herbicide work along Rouch Road, and indeed all public land managers do such works as required and that he had used Council's contractor, using only approved low risk methods. It is the applicant's opinion that water catchments dominated by bracken fern are now regarded medically as quite risky to human health.
- Damp/wet type forest: The applicant stated that the north eastern Victorian forests are becoming dryer from higher temperatures, less rain etc.
- Fire behaviour analysis submitted with the application clearly shows reduced fire risk from the proposed fuel management.
- The applicant stated detriment to local waterways, as raised in an objection, is not defined.

The application was amended after the original advertising to the current proposal. The amended proposal was outlined to all submitters, but no submissions were resolved.

<b>Newspaper / Other</b>	<b>Publishing/Consultation Date(s)</b>
<b><i>Mail out: Nearby and adjoining owners</i></b>	22 December 2015

***Planning Considerations:***

When considering the proposal, officers have to assess both the biodiversity impacts, with the help of DELWP, and the amenity impacts of such a proposal. In this case, the provisions that apply are detailed in the legal/policy issues section below. The considerations can be broken down into environmental, amenity and landscape and farming.

The provisions that consider the environmental impacts, including the proposed vegetation removal and any other offsite impacts, are considered by both Council and DELWP. The applicant provided cost estimates for the offset requirements determined in the Biodiversity Impact Offset Requirements (BIOR) report prepared by DELWP to assist the applicant in determining offsets, but the applicant advised that they would not be in a financial position to undertake the offsetting. Clauses 12.01-2 and 52.17 both outline that removal can only be supported when an offset is provided, and without a strategy to provide these offsets, the removal cannot be supported Council or DELWP.

In terms of the amenity and landscape impacts, the topography of the land is relevant with the land falling away towards the Maroondah Highway, Rouch Road and the properties at 243 and 271 Maroondah Highway. The impact includes silt and sediment runoff for properties to the east of the site, as the dwelling is at one of the highest points on the property. There are indications on Rouch Road that show that silt and sediment has been a problem from previous works, with existing sediment traps on the eastern side of the reserve being filled with sediment and no longer operational. The area of the property to be managed is visible from the Maroondah Highway, and is on the entrance into the municipality. In terms of assessment of landscape impact this corridor of land along the Maroondah Highway contains landscape values that are an important character element of this heavily vegetated area.

From a farming perspective, the land in the general area is heavily vegetated and not used for extensive farming practices. In these instances, the zone encourages the development of the land to be based on comprehensive and sustainable land management practices, with relevant decision guidelines for the environmental issues that should be considered with any proposal. The impact of the proposal on the natural physical features and resources of the area, the flora and fauna on the site and its surrounds and the need to protect and enhance the biodiversity of the area are all considerations, and the proposal to remove vegetation beyond the defensible space zone for the dwelling does not address these decision guidelines.

The trigger for the permit application is Clause 52.17, which requires the broader consideration of the removal of vegetation on a number of levels. Matters that should be considered include the need to reduce the risk of bushfire to life and property, having regard to the other available bushfire risk mitigation measures as well as the role of the vegetation in protecting water quality and waterways, and land degradation. Consideration of the preservation of landscape values is also important in this application. In this case, the offsite impacts, including silt and sediment runoff from the site, as well as the impact on the broader landscape cannot be addressed should the clearing be retained. Further to this, the objection from DELWP in relation to the lack of a compliant offset strategy further strengthens the recommendation to refuse a permit.

The applicant raises the issue of the removal of vegetation to assist in bushfire protection for the dwelling on the site. The planning permit that was issued for the construction of the dwelling have due consideration for the bushfire risk, and allows defensible space of 98 metres from the dwelling, or to the property boundaries (whichever is lesser). Clause 52.17 does consider the need to create defensible space to reduce the risk to bushfire. The clause does not require that vegetation removal be the only option used on a site to reduce this risk, and it is the opinion of Council officers and the CFA that the 98 metre defensible space allowed already is sufficient to reduce the risk. It is acknowledged that this risk will never be completely removed, but there are other measures that can be put in place on the site that will increase the dwellings resilience to bushfire without the removal of 2.055 hectares of understory native vegetation.

**Conclusion:**

The site is in an area of extreme risk of bushfire. The owner of the property is able to manage the vegetation on the site to a relatively large extent as it currently stands – that is, 98 metres from the dwelling, or to the property boundary.

They are unable to manage the vegetation on the adjoining crown land as it is not in their ownership. The dwelling is constructed less than 30 metres from the property boundary adjoining the crown land in the south western corner of the property which limits their ability to create a full 98 metres defensible space around the dwelling. The location of the dwelling itself indicates that the lack of control on the adjoining land would require that alternative mitigation measures should be seriously explored, as the management of vegetation only on the private land will not remove the high risk of bushfire for the dwelling. The reality of this site, based on the recommendation of the CFA, is that the owners of the property should employ a leave early position in the case of a fire.

The Department of Environment, Land, Water and Planning has the relevant expertise to respond to the proposal implications in terms of native vegetation. In this case, DELWP has objected to the application, and in conjunction with the impacts on landscape and amenity of the area, Council officers recommend that this permit application be refused.

***Legal/Policy Issues:***

**State Planning Policy Framework**

12.01-1 *Biodiversity*

Objective: To assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites.

Strategies:

- Ensure decision making takes into account the impacts of land use and development on Victoria's high value biodiversity

12.01-2 *Native Vegetation Management*

Objective: To ensure that permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

Strategies:

- Apply the risk-based approach to managing native vegetation as set out in *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013). These are:
  - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity
  - Minimise impacts on Victoria's biodiversity
  - Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed

12.04-2 *Landscapes*

Objective: To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

Strategies:

- Improve the landscape qualities, open space linkages and environmental performance in green wedges and conservation areas and non-urban areas
- Recognise the natural landscape for its aesthetic value and as a fully functioning system
- Ensure natural key features are protected and enhanced

**Local Planning Policy Framework**

21.01-3 *Murrindindi Key Issues and Influences*

Key issues and influences affecting the use and development of land in Murrindindi Shire are:

- Environment and Landscape: The pristine environment, rich biodiversity, significant public land areas and high quality landscape, form an essential part of the municipalities character, liveability and economy. Protection of the natural environment is critical for the continued economic and social-wellbeing of the municipality

- Environmental risks and natural disasters: Future planning for land use and development must fully consider environmental risks and natural hazards. These hazards and limitations include flooding, bushfire risk and erosion risks

21.03-2 *Agriculture*  
Strategies:

- Protect water catchments and areas of high landscape, biodiversity, conservation and heritage value

21.05 *Environment*  
Issues:

- Protection and enhancement of environmental features and values
- Protection of waterways and water quality
- Ongoing clearing of remnant native vegetation on private land and the need to protect this vegetation
- Decreasing indigenous vegetation cover due to a number of development pressures such as land clearing, invasion of weeds and loss of habitat

Strategies:

- Ensure that land use and development protects and enhances the natural environment and natural features and values
- Protect and enhance the biodiversity assets and natural environmental values of local, state, national and international significance
- Protect and retain native vegetation and enhance its contribution to biodiversity values
- Retain, protect and enhance native vegetation, including roadside vegetation, remnant vegetation areas, large old paddock trees and revegetation areas
- Prevent the ongoing and cumulative loss of native vegetation on both private and public land
- Minimise any adverse impacts of development on landscape, environmental conservation and recreational values

## 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 encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision

Decision Guidelines:

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality
- The impact of the use or development on the flora and fauna on the site and its surrounds
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area



The zone does not trigger a planning permit for the removal of vegetation.

### Overlays

#### 44.06 *Bushfire Management Overlay*

Purpose:

- To ensure that the development of land prioritises the protection of human life
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level

The overlay does not trigger a planning permit for the removal of vegetation.

### Particular Provisions

#### 52.17 *Native Vegetation*

Purpose:

- To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:
  - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity
  - Minimise impacts on Victoria's biodiversity from the removal of native vegetation
  - Where native vegetation removal is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed
- To manage native vegetation to minimise land and water degradation
- To manage native vegetation near buildings to reduce the threat to life and property from bushfire

Decision Guidelines:

- The contribution that native vegetation to be removed makes to Victoria's biodiversity
- Whether reasonable steps have been taken to minimise the impacts of the removal of native vegetation on biodiversity
- Whether the native vegetation to be removed makes a significant contribution to Victoria's biodiversity
- That an offset meets the requirements for the native vegetation that is to be removed as defined in the *Permitted Clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) has been identified

The Responsible Authority must also consider the following issues as appropriate:

- The need to remove, destroy or lop native vegetation to clear defensible space to reduce the risk of bushfire to life and property, having regard to the other available bushfire risk mitigation measures
- The role of native vegetation
- Managing native vegetation to preserve identified landscape values

A planning permit is required to remove native vegetation under Clause 52.17.

**RESOLUTION:****Cr M Rae / Cr R Bowles**

**That Council issue a notice of refusal to grant a permit for the removal of native vegetation for bushfire protection - ongoing management of 20,550 square metres of private land at 241 Maroondah Highway, Narbethong 3778 (LOT: 1 TP: 561755, Parish of Narbethong), on the following grounds:**

- 1. The proposal is not in accordance with Clause 12.01-1 *Biodiversity* in that the proposal does not assist in the protection and conservation of Victoria's biodiversity.**
- 2. The proposal is not in accordance with Clause 12.01-2 *Native Vegetation Management* in that the proposal does not minimise the impact on biodiversity or provide an offset in a manner that makes a contribution to biodiversity that is equivalent to the contribution made by the vegetation to be removed.**
- 3. The proposal is not in accordance with Clause 12.04-5 *Landscapes* in that it does not improve the landscape quality of the area nor does it protect and enhance the key features of the area.**
- 4. The proposal is not in accordance with Clause 21.05 *Environment* as it does not protect and enhance the natural environment, features or values; nor does it minimise adverse impacts on landscape and environmental values.**
- 5. The proposal is not in accordance with Clause 52.17 *Native Vegetation* in that an offset that meets the offset requirements for the native vegetation that is to be removed as defined in the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013) has not been identified.**

**CARRIED**

**6.2 COMMUNICATIONS AND SOCIAL MEDIA POLICY**

REF: 17/15845

Attachments: Draft Policy – Communication and Social Media 2017 (refer *Attachment 6.2 – TRIM 17/3536*)

***Purpose:***

This report seeks Council's adoption of the Communication and Social Media Policy.

***Officer Recommendation:***

That Council adopts the Communication and Social Media Policy as contained in *Attachment 6.2* to this report.

***Background:***

Council's policy approach to communication needs to be reviewed regularly to ensure currency and relevancy of existing practices and principles.

The Communication and Social Media Policy (Policy), refer *Attachment 6.2*, reflects Council's expansion of its social media presence. The Policy also ensures Council communications are distributed via a number of platforms, and in a way which enables citizens across the Shire to access information in a timely way.

It also incorporates a range of principles which will guide Council's broader approach to its communication.

The Policy combines and replaces two; formerly separate policies – the Social Media Policy and the Communication Policy - into one document to ensure consistency in Council's approach to communication, regardless of the platform used.

***Council Plan/Strategies:***

This Policy supports a range of strategies and objectives in the Council Plan 2013-2017; to communicate key Council decision and strategies to the community in a variety of ways; to build on our customer service and communication with the community and to continue to provide opportunities for community input and engagement.

***Legal/Policy Issues:***

Council applies the same criteria to its communication, including that done via social media, as it does with other business processes. This means all communication is bound by relevant legislation and regulations. This includes ensuring compliance with, for example the *Public Records Act 1973*, *Privacy and Data Protection Act 2014*, *Freedom of Information Act 1982*, the *Local Government Act 1989* and the *Councillor and Employee Codes of Conduct*.

***Financial/Resources/Risk:***

Use of social media affects a range of Council systems and processes, including the capture and actioning of customer service requests and feedback and also information management (record keeping).

As the Policy suggests, adding social media as a communication platform in addition to traditional media will require additional Council officer resources to effectively manage the increased workload.

***Discussion:***

The Policy will assist in providing a more cohesive and comprehensive approach to Council's communication across the Shire.

Council needs to provide multiple communication channels and platforms to ensure both the maximum reach of Council's information and also to complement efforts to engage the community. Providing multiple channels for communication ensures Council meets the needs of different demographics across the Shire, and helps compensate both for print media and mobile communication 'black spots' across the Shire.

The benefits of social media as a communication platform are well known; it is fast, two-way and if used well, enables an organisation to be both nimble and responsive to the needs of the community. Through this platform, the community can provide real time feedback and guidance about what the community values.

It is important that Council also retains use of traditional media platforms such as radio and newspapers to ensure it can also communicate with those without internet access or who are not familiar with digital platforms.

Council's website remains the key plank of its communication. The website is a bridge between traditional communication and social media; it is a static platform which provides information 24/7 to the community for those who are online, even if they are not social media users. It is also the repository of all general information the community needs to access about our services.

The Policy includes a number of principles which should guide Council's approach to communication; these include the requirement for responsiveness and flexibility in our approach, while maintaining standards around the quality of information we provide, including the need for clarity, accuracy, consistency and timeliness. It also requires Council to consider the needs of customers and the community in considering how it will communicate.

It provides necessary guidance around social media usage to help mitigate associated risk, while enabling Councillors and officers to use this valuable tool to promote Council's work and services.

**Consultation:**

Community consultation was not required in the drafting of this Policy. In the creation of this Policy, Council has been informed by approaches taken by other local Councils.

**Conclusion:**

Adoption of the Communication and Social Media Policy will enable Council to approach its communication with the community in a more cohesive way by helping to eliminate black spots in communication. It will also enhance the customer-focus and quality of communication being prepared and broadcast across the Shire.

**RESOLUTION:**

**Cr M Rae / Cr E Lording**

**That Council adopts the Communication and Social Media Policy as contained in Attachment 6.2 to this report with an amendment to section 5.1 'Council's logo must not be reproduced in whole or in part'.**

**CARRIED**

**6.3 BORROWINGS POLICY**

REF: 17/10686

Attachments: Borrowings Policy (refer Attachment 6.3 - TRIM: 17/16079)

**Purpose:**

The purpose of this report is to seek Council's adoption of the revised Borrowings Policy (Policy) which is designed to ensure that Council's borrowings are well managed and in accordance with its legislative responsibilities.

**Officer Recommendation:**

That Council adopts the revised Borrowings Policy contained in Attachment 6.3 to this report.

**Background:**

Following a recommendation from Council's Audit Advisory Committee in 2014 a specific policy was developed and adopted by Council to ensure that Council's borrowings are appropriately managed. It should be noted that whilst the Policy directs the operational management of Council's borrowings, Council's strategy towards the value of its debts is determined through the development of the annual budget process.

**Council Plan/Strategies:**

This report is consistent with the Council Plan 2013-17 theme of Financial Sustainability. A key strategy for this theme is to continue to provide value for money through the delivery of long term financial plans and strategies.

**Legal/Policy Issues:**

The *Local Government Act 1989 (Act)* provides Council the power to borrow.

Section 144(1) of the *Act* states: 'Subject to the principles of sound financial management, a Council may borrow money to enable the Council to perform the functions and exercise the power conferred on the Council under this *Act* or any other *Act*.'

Sections 145 to 149 of the *Act* further specify the circumstances in which the power to borrow may be exercised, securities to be used for Local Government borrowings, and how the borrowings should be disclosed.

***Financial/Resources/Risk:***

As detailed in the Council Strategic Resource Plan 2013-2017, Council's current borrowing strategy has determined that a prudent level of debt will not exceed \$500,000 in new borrowings per annum over the next 10 years. This will result in Council's overall debt level decreasing over the life of the current Strategic Resource Plan.

***Discussion:***

The current Policy was developed in accordance with guidelines provided from the Municipal Association of Victoria (MAV) and in reference to other Councils that have an adopted Borrowings Policy.

Although there is not a statutory requirement for Council to have a Borrowings Policy, it is recognised as best practice and is in accordance with the increased focus on compliance and financial management that is occurring in the sector from both the Victorian Auditor-General's Office (VAGO) and Local Government Victoria.

The only significant change to the Policy is the inclusion of the requirement that all of Council's borrowings are undertaken in Australian dollars, thus ensuring that Council does not have any exposure to foreign exchange risk relating to its debt.

***Consultation:***

This Policy was developed in accordance with recommendations from Council's Audit Advisory Committee, to ensure that this Policy provided clear direction to officers regarding borrowing obligations and responsibilities, and to ensure compliance with Council's legislative obligations.

***Conclusion:***

This Policy supports Council's borrowing compliance with the Sections 144-149 of the *Local Government Act 1989*, as well as providing Council officers with clear direction regarding their obligations when managing borrowings on behalf of Council.

**RESOLUTION:**

**Cr E Lording / Cr J Ashe**

**That Council adopts the revised Borrowings Policy contained in *Attachment 6.3* to this report with two further amendments proposed following the Audit Advisory Committee meeting of 17 March 2017.**

**CARRIED**

**Cr C Bisset declared an indirect Conflict of Interest under section 77A of the *Local Government Act 1989* due to a conflicting personal interest in the matters being considered in Item 6.4.**

**Cr C Bisset left the Chamber at 6.37 pm prior to consideration of Item 6.4.**

**Under section 26 of the *Governance Local Law No. 2* the Deputy Mayor, Cr S McAulay, took the position of Chair for agenda item 6.4.**

**6.4 COMMUNITY GRANTS ROUND - NOVEMBER 2016 TO FEBRUARY 2017**

REF: 17/17928

Attachments: Community Grants Summary and Committee Recommendations – November 2016 to February 2017 (refer *Attachment 6.4 – TRIM 17/18163*)**Purpose:**

The purpose of this report is to inform Council of the recommendations made by the delegated Community Grants Assessment Panel (Panel) in regard to funds to be allocated from the Community Grants Program (Program)

**Officer Recommendation:**

That Council notes and supports the recommendations of the Community Grants Assessment Panel outlined in the following table:

Application	Funding sought	Recommendation
Alexandra Football/Netball Club (Purchase and installation of a new cricket pitch cover)	\$1,000	Supported
Life Saving Victoria (Sink or Swim – youth aquatic safety education program for the Murrindindi Shire)	\$3,875	Supported - subject to the participating schools being located within Murrindindi Shire
Toolangi Castella Community House (Soccer on the Hill)	\$1,448	Supported
Y Water Discovery Centre Association (Facilitating Environmental Learning Project – Stage 1 Landscaping & Amphitheatre)	\$5,000	Supported

**Background:**

The Community Grants 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 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. This previous round (Round 1) was extended by one month to cover Council's election period. Subsequently, the current round (Round 2) has run from November to February instead of the usual October to February.

Applications for the current funding round were assessed by the Community Grants Assessment 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 their decision. Applications for \$1001 or more are assessed by the Panel who make a recommendation to Council.

Four applications for grant funding were received in this round. All applications and the Panel's recommendations are summarised in the attached document (refer to Attachment 6.4).

***Council Plan/Strategies:***

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

***Legal/Policy Issues:***

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

***Financial/Resources/Risk:***

The Community Grants budget for the 2016-17 financial year was \$30,000 and a total of \$15,776 in grants has been approved. The remaining budget allocated to Community Grants for the 2016-17 financial year is \$14,224.

The Panel is recommending a further expenditure of \$11,323. There is one further grant round (March to June) to be paid within this financial year budget.

***Discussion:***

In total, four applications were received from community organisations for the November 2016 to February 2017 round. These applications are listed in the attached Community Grants Summary.

The Panel supported one application that fell within its delegation. A grant of \$1000 has been provided to the Alexandra Football/Netball Club for the purchase and installation of a new cricket pitch cover to protect the cricket pitch from damage and football players from injury.

The Panel recommended that two applications be supported:

- Toolangi Castella Community House sought funding (\$1,448) to bring together young people from Fitzroy and Richmond (mostly Sudanese, Afghan, Ugandan and Vietnamese heritage) to play soccer with youth from Toolangi, Castella and the Kinglake area
- Y Water Discovery Centre (YWDC) Association sought funding (\$5,000) to progress the uncompleted landscaping and better manage access to the YWDC including creation of an amphitheatre looking out onto the wetlands, enabling better use of the area

The Panel recommended that one application should receive conditional support:

- Life Saving Victoria sought funding (\$5000) to deliver Sink or Swim Programs in local schools to equip youth with skills that prepare them for visits to their local aquatic environment and reduce accidental injury and death by drowning

The Panel recommended this application be supported on the condition that the schools were within Murrindindi Shire.

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

***Consultation:***

The community grant applications are assessed by the Community Grants Assessment Panel.

***Conclusion:***

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

**RESOLUTION:****Cr E Lording / Cr R Bowles**

That Council notes and supports the recommendations of the Community Grants Assessment Panel outlined in the following table:

Application	Funding sought	Recommendation
Alexandra Football/Netball Club (Purchase and installation of a new cricket pitch cover)	\$1,000	Supported
Life Saving Victoria (Sink or Swim – youth aquatic safety education program for the Murrindindi Shire)	\$3,875	Supported - subject to the participating schools being located within Murrindindi Shire
Toolangi Castella Community House (Soccer on the Hill)	\$1,448	Supported
Y Water Discovery Centre Association (Facilitating Environmental Learning Project – Stage 1 Landscaping & Amphitheatre)	\$5,000	Supported

**CARRIED**

Cr C Bisset returned to the Chamber at 6.41 pm and resumed the position of Chair.

**6.5 MURRINDINDI ENVIRONMENT ADVISORY COMMITTEE**

REF: SF/1078 (17/14831)

Attachment: Draft Minutes of the Murrindindi Environment Advisory Committee Meeting held 28 February 2017 (refer Attachment 6.5 - TRIM 17/14272)

***Purpose:***

To inform Council on the matters considered by the Murrindindi Environment Advisory Committee (MEAC).

***Officer Recommendation:***

That Council note the draft minutes of the MEAC meeting held on 28 February 2017.

**RESOLUTION:****Cr M Rae / Cr J Ashe**

That Council note the draft minutes of the MEAC meeting held on 28 February 2017.

**CARRIED**



**6.6 MURRINDINDI MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE**

REF: SF/572 (17/15433)

Attachment: Draft Minutes of the Murrindindi Shire Council and Lake Mountain Alpine Resort Municipal Emergency Management Planning Committee (MEMPC) Meeting Held 2 March 2017 (refer *Attachment 6.6 - TRIM 17/15251*)

***Purpose:***

To inform Council on the matters considered by the Municipal Emergency Management Planning Committee (MEMPC).

***Officer Recommendation:***

That Council note the draft minutes of the MEMPC meeting held on 2 March 2017.

**RESOLUTION:**

**Cr S McAulay / Cr E Lording**

**That Council note the draft minutes of the MEMPC meeting held on 2 March 2017.**

**CARRIED**

**7. SEALING REGISTER**

REF: 13/6325

Nil

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

Cr M Rae:

This has been a relatively routine month for planning activities with the processes for the C57 (Kinglake Service Centre) and C59 (Kinglake Cemetery) planning scheme amendment proposals still proceeding according to plan. The C57 panel hearing has taken place. Additional information was requested and has been submitted. The report is now anticipated to be lodged.

A recent decision by Council to refuse a permit application for a house lot excision in Extons Road, Kinglake Central, was based on the need to support the potential agricultural use of this and surrounding land. This application has now been considered by Victorian Civil and Administrative Tribunal (VCAT) and Council's decision was supported by VCAT.

A key focus of activity for us all has been community consultation in respect of the Council Plan and I have enjoyed conversations with many of our community and learned much from them.

In addition, it has been a special month in Alexandra as we celebrated the 150<sup>th</sup> anniversary of the town. The community is to be congratulated on the successful delivery of a wide range of attractions which brought people into the town from far and wide. The Civic Reception to recognise the 69 past Presidents of the original Alexandra Shire and to launch the EBook of this history was also a great success and it was a privilege to be able to play a small part in the ongoing history of the shire.

## **8.2 ECONOMIC DEVELOPMENT PORTFOLIO**

Cr J Ashe:

Top Tips for Internet and Phones (Brochure Pack) – will be available from Council offices and online from next week.

Victoria Tourism Industry Council (VTIC) and Tourism Australia/Visit Victoria briefings were held on 6 March 2017. Access to Tourism Australia image library is a new innovation that will be very useful for us. Visit Victoria announced a stronger marketing focus for regional Victoria and admitted that this sector had been neglected for some years. Key words were 'bespoke' and 'visitor experience'.

The Cathy McGowan Tour on 21 March 2017 had very successful tours of the Houseboat Industries at Eildon and Outdoor Education Group (OEG) National Base (including Cr Bisset and Cr Ashe). Positive meeting at the Y Water Discovery Centre with Landcare representatives and other environmentally focussed groups (including Cr Bowles) and follow up in the current couple of weeks with Cittaslow.

Doing Business Better have been a road show in Kinglake, Alexandra, Marysville and Yea. Currently delivering four customer service workshops by Sam Hicks. Workshops are continuing 28 and 29 March 2017.

Upcoming in the next two months is Financial Health Check then Marketing. See the Murrindindi Inc website for details [www.murrindindiinc.com.au](http://www.murrindindiinc.com.au).

Nineteen businesses have completed applications for the Business Awards – encourage all to nominate businesses and or encourage businesses to apply, especially looking for nominations in the Young Business Person and Businesses with over six people categories.

Council's Development Assessment Team have been meeting with a number of businesses interested in investing further in Murrindindi Shire. The Development Assessment Team brings together the relevant areas of Council (e.g. planning, building, economic development, environmental health) to work with businesses in relation to new developments/investment in an integrated manner, clarifying expectations and options.

I also attended meetings of Murrindindi Inc, Goulburn River Valley Tourism (GRVT) and Lake Eildon Tourism.

## **8.3 INFRASTRUCTURE AND WASTE PORTFOLIO**

Cr E Lording:

The Crushed Rock resheeting of gravel roads is well underway with a quarter of the program already completed.

The sealed roads program is 50% completed and right on schedule.

The Homewood Hall Bridge replacement has been completed.

The Bakers Lane Toilet upgrade is underway with toilets closed until the end of the month.

Stage 2 of the Saleyards upgrade is on schedule with the B Double ramp installation works undertaken in the last 2 weeks.

Attended the Goulburn Valley Waste and Resource Recovery Group (GVWRR) comprises of a Forum which reports to the Board with the Forum receiving information from a Technical Group comprising experts from six Councils. I was elected Chair of the GVWRR Forum. The composition of the GVWRR Board will not be announced by the Minister until the 21st April 2017.

A tour of four Melbourne waste recovery sites was undertaken last Thursday and Friday to acquaint members of the group with large scale waste processing. Looking at pricing at the transfer stations, our shire has very competitive dumping charges which in most cases were half those of metropolitan transfer stations.

It was highlighted that due to recent fires and personal injuries sustained from battery malfunctions, it is imperative that all modern high capacity batteries be disposed of properly and that they are fully discharged before disposal.

#### **8.4 CORPORATE AND CUSTOMER SERVICES PORTFOLIO**

Cr L Dunscombe:  
No report this month.

#### **8.5 NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO**

Cr R Bowles:

Council has provided a submission on the Native Vegetation removal guidelines – proposed changes include amendments to the State Planning Policy Framework:

- The regulations set out permit requirements and pathways that apply depending on the circumstances of the vegetation removal
- Council is generally supportive of the proposed changes including reinstating the need to consider avoiding removal of vegetation removal
- Council has made a number of suggestions including the need for addition focus on education and awareness, support in compliance and enforcement activities and that Department of Environment, Land, Water and Planning (DELWP) becoming a determining referral authority
- *Flora and Fauna Guarantee Act (Act)* amendments:
  - The general direction of the review and potential reforms is to extend protection not only to an individual species under threat but to the ecosystem and landscape that are critical to their ongoing survival
  - The Municipal Association of Victoria (MAV) draft submission paper is a thorough examination of the review of the *Act* and presents a clear summary of the potential changes/improvements canvassed in the consultation paper
  - Council is writing in support of the MAV submission

#### **8.6 COMMUNITY SERVICES PORTFOLIO**

Cr S McAulay:

The annual Early Years Conference is on 2 May and centres on the theme of diversity. The conference attracts a great range of speakers and over 80 early years professionals are expected to attend.

The launch of the Indigenous Early Years Language Resource will also occur at the conference. The resource includes language cards with original indigenous art and video, and audio guides to support early years educators to include learning of indigenous language into their curriculum. Council's Children's Services unit is working in partnership with the Taungurung Clans Aboriginal Corporation on the project.

Federal Government Aged Care reforms have resulted in changes to how older people access Aged Care packages. Under new program guidelines, older people who are on a waiting list must indicate their willingness to continue to wait for a package within a defined period of time. There are rising concerns that the new requirements are unclear and difficult to understand and may

result in people being removed from the list. The Aged and Disability Services team have been providing information regarding this change to clients and other service providers to ensure local Murrindindi residents are aware and have access to advocacy.

The Age Friendly Communities initiative has been further defined as a result of the community consultation and workshops. Three initiatives have been identified that will be worked up into project proposals:

- Transport forum
- Consolidated service maps to ensure older people know what is available
- Community and Neighbourhood House Network and Collaboration project to support joint programming addressing gaps for older people in the community

The Steer youth leadership group in Kinglake has been recruited for 2017. A priority focus is youth mental health. The Council Plan engagement has enabled extensive communication around the shire which will support planning.

The aquatic 2016/17 season completed on Monday 13 March. Visitation was on track with recent years with approximately 20,000 public visits. Season ticket sales reflected good community use of the facilities.

Council expects to be able to provide an update to the community on the question of replacing the Mobile Library in April, when it expects a funding announcement from the Victorian Government.

Council will shortly be proposing to the community a revised timetable for the mobile library, following up on the Community Meeting in December. Council will be inviting the community to comment on the changed timetable.

This follows a discussion with the community late last year about the need to ensure the equitable distribution of mobile library services across the shire. The new timetable will include a proposed new service to areas which are a long way from library branches but currently don't have access to the Mobile Library service, including Glenburn and Toolangi.

Council is on its way to becoming an eSmart accredited library. This means Council will be working to increase the knowledge and skills of its staff about how to be smart and stay safe online. The eSmart framework helps libraries take deliberate steps to manage cyber safety and upskill staff to ensure they foster smart and safe online behaviour in libraries. This can help prevent behaviours such as scams and cyber bullying and can work to actively promote cyber safety in the community.

I'd like to draw attention to the great range of programs on offer at each of our libraries. In the Yea Library at 6.30 pm on Tuesday 11 April, we are holding a special dinner that night to raise funds for the Red Cross in the work it does in assisting the millions of displaced Syrian refugees who are desperately in need of food, shelter and medical care. The guest speaker (via Skype) is Peter McArdle, who is currently working in Beirut with some of the five million people displaced by the war in Syria. Tickets are \$30 each and all funds raised go to the Red Cross Syria Appeal.

## **8.7 MAYOR AND DELEGATED COMMITTEE REPORTS**

Cr C Bisset:

It's been a busy month in my mayoral role.

I have attended both weekends of the Alexandra 150<sup>th</sup> - I'd like to commend the community groups for the amazing work in putting on all the events that ran over the two weekends. I

attended the Alexandra Races, Redgate Ball, civic reception and the 150<sup>th</sup> birthday celebrations in Rotary Park.

I also attended the launch of the Rivers and Ranges Community Leadership Program 2017 intake. It was great to see that in its third year, there is a continued uptake of participants. It is also exciting to note that Cr Ashe is one of the participants for the 2017 intake.

Last Friday I had the privilege to open the Dangerous Deeds exhibition at St John's hall for Speak Up Alexandra. This exhibition showcases advocacy for people with disabilities.

It was also lovely to be invited to the Molesworth CFA (Country Fire Authority) – National Emergency Medal Awards and CFA Service Awards. I'd like to make special mention of John McCormack - 60 years of service and John Sinclair - 55 years of service, I have such admiration for these gentlemen and respect for this volunteer service.

## **8.8 GENERAL BUSINESS**

Nil

## **9. MATTERS DEFERRED FROM PREVIOUS MEETING**

Nil

## **10. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

Nil

## **11. ASSEMBLIES OF COUNCILLORS**

REF: CY17/114 (17/16510)

### ***Purpose:***

This report presents the records of assemblies of Councillors for 8 February 2017 to 8 March 2017, 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 8 February 2017 to 8 March 2017.

### ***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:**

<b>Meeting Name / Type</b>	Taylor Bay Waste Services Community Reference Group
<b>Meeting Date</b>	8 February 2017
<b>Matters discussed</b>	1. Taylor Bay Bin Compound, ongoing issues and suggested resolutions
<b>Attendees:</b> Councillors – Cr Ashe	Staff – M Leitinger, J Russell
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Councillor Briefing
<b>Meeting Date</b>	15 February 2017
<b>Matters discussed</b>	1. Draft 2017/18 Annual Budget 2. Draft 2017/18 Capital Works Program 3. December 2017 Quarterly Development Services Report
<b>Attendees:</b> Councillors – Cr Bisset, Cr McAulay, Cr Dunscombe, Cr Lording, Cr Rae, Cr Bowles Cr Ashe	Staff – M Chesworth, S McConnell, A Bond, J Canny, L Kelly, S Brown
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Councillor Pre-meeting
<b>Meeting Date</b>	22 February 2017
<b>Matters discussed</b>	1. Public Participation Time 2. Quarterly Council Plan 2013-17 Report 3. Contract Award – Printers and Multi-Function Devices
<b>Attendees:</b> Councillors – Cr Bisset, Cr McAulay, Cr Bowles, Cr Dunscombe, Cr Rae, Cr Ashe	Staff – M Abbey, M Chesworth, S McConnell, A Bond, J Canny
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Councillor Briefing
<b>Meeting Date</b>	1 March 2017
<b>Matters discussed</b>	1. Proposed Amendment C64 – Rezoning of Hancock Victorian Plantations Land 2. Native Vegetation Clearing Guidelines 3. Economic Development Activities 4. Update on Progress of Council Plan Community Engagement 5. Alexandra Scouts Redevelopment Proposal
<b>Attendees:</b> Councillors – Cr Bisset, Cr McAulay, Cr Dunscombe, Cr Bowles, Cr Rae, Cr Ashe, Cr Lording	Staff – M Crane, M Chesworth, S McConnell, B Elkington, S Brown, N McNamara, M Leitinger
<b>Conflict of Interest disclosures - Nil</b>	

<b>Meeting Name / Type</b>	Municipal Emergency Management Planning Committee	
<b>Meeting Date</b>	2 March 2017	
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Roadside Slashing – timing of communications</li> <li>2. Community Based Emergency Planning and the role of the MEMPC</li> <li>3. MEMPC Membership – Neighbourhood and Community Houses</li> <li>4. Red Cross – confirmation of cessation of Red Cross Emergency First Aid Program</li> <li>5. MEMP review – due November 2017. Sub-committee requirements</li> <li>6. NBN and communications issues in emergencies – update</li> <li>7. General Business                         <ol style="list-style-type: none"> <li>7.1 New Mobile Phone Tower – Taylor Bay</li> <li>7.2 Single House Fires information for residents</li> <li>7.3 AusNet services – power off to townships coming up</li> <li>7.4 UGFM licence renewal</li> </ol> </li> </ol>	
<b>Attendees:</b> Councillors Cr McAulay	Staff – M Leitinger, N McNamara, J Canny, S Brown, C Price	
<b>Conflict of Interest disclosures - Nil</b>		

<b>Meeting Name / Type</b>	Councillor Briefing	
<b>Meeting Date</b>	8 March 2017	
<b>Matters discussed</b>	<ol style="list-style-type: none"> <li>1. Tarnpirr Road Intersection Petition</li> <li>2. Narbethong Vegetation Removal</li> <li>3. Council Plan Consultation</li> <li>4. Alexandra Land</li> <li>5. Draft Annual Budget 2017/18</li> <li>6. Schedule of Fees &amp; Charges</li> <li>7. Draft Communications and Social Media Policy</li> </ol>	
<b>Attendees:</b> Councillors – Cr Bisset, Cr McAulay, Cr Bowles, Cr Dunscombe, Cr Ashe, Cr Lording, Cr Rae	Staff – M Abbey, S McConnell, M Chesworth, J Canny, A Bond, J Rabel	
<b>Conflict of Interest disclosures - Yes</b>		

<i>Matter No.</i>	<i>Councillor making disclosure</i>	<i>Was a vote taken?</i>	<i>Did Councillor leave the room?</i>	<i>When? Before / after discussion / vote?</i>
Item 4	C Bisset	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Before discussion

**RESOLUTION:**

**Cr M Rae / Cr E Lording**

**That Council receives and notes the record of assemblies of Councillors for 8 February 2017 to 8 March 2017.**

**CARRIED**

**12. URGENT BUSINESS**

Nil

**13. 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 Path Program Tender is being considered in the closed part of this meeting because it is considered under S89(2)(d) that it may prejudice Council or a member of the public.

**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:

- Tender 16/26 – 2016/17 Path Program

**RESOLUTION:**

**Cr M Rae / Cr J Ashe**

**That the meeting be closed to the public pursuant to s.89(2)(h) of the *Local Government Act 1989* due to matters which the Council or special committee considers would prejudice the Council or any person.**

**CARRIED**

**The meeting closed to the public at 7.01pm**

**RESOLUTION:**

**Cr S McAulay / Cr M Rae**

**The meeting re-opened to the public at 7.04 pm.**

**CARRIED**



**13.3 TENDER 16/26 – 2016-17 PATH PROGRAM**

REF: CONT16/26 (17/16700)

**RESOLUTION:**

Cr E Lording / Cr J Ashe

That Council:

1. Accept the tender from North Central Construction for the lump sum price of \$363,632.00 (ex GST), with a \$36,363.20 (ex GST) contingency allowance for the 2016-17 Path program. Total project cost \$399,995.20 (ex GST).
2. Authorise the signing and sealing of contract number 16/26 – 2016-17 Path Program.
3. Affix the Council seal to these contracts.

**CARRIED**

There being no further items of Business, the Chairperson declared the meeting closed at 7.05 pm.

CONFIRMED THIS

26 April ~~2016~~<sup>2017</sup> 2017

CHAIRPERSON

