



MINUTES
of the
ORDINARY MEETING OF COUNCIL
held on
WEDNESDAY 25 JULY 2018
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 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.

We would like to acknowledge the traditional custodians of the land on which we are gathered and pay my respects to the past and present elders”.

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

That Council accept the apologies of Cr J Ashe.

RESOLUTION:

Cr M Rae / Cr S McAulay

That Council accept the apologies of Cr J Ashe.

CARRIED

Present:

Crs C Bisset (Chair), S McAulay, R Bowles, L Dunscombe, E Lording, M Rae

In attendance:

Chief Executive Officer: Craig Lloyd

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 Infrastructure Assets: John Canny

Manager Infrastructure Operations: Mark Leitinger

Acting Manager Development Services: Darren Jackson

Coordinator Tourism and Events: Matt Thomas

Online and Social Media Coordinator: Trudi Elkington

Governance Officer: Audrey Kyval

3. COMMUNITY RECOGNITION

Suspension of orders to thank and acknowledge community achievements.

RESOLUTION:

Cr S McAulay/ Cr E Lording

That Standing Orders be suspended and for the Community Recognition be tabled in the minutes

CARRIED

The meeting was suspended at 6.02 pm.

Cr C Bisset welcomed the students and representatives from Middle Kinglake Primary School and Flowerdale Primary School, and their families.

It is a great pleasure to be able to recognise the following school leaders who have been appointed for 2018:

- Middle Kinglake Primary School:
 - Jessica Schroen – School Captain and House Captain
 - Mikayla Dinnessen – School Captain and House Captain
 - Charlotte Barnes - House Captain
 - Tahlia Mead - House Captain
 - Leila Dyson - House Captain
 - Aakasha Nixon - House Captain and Sustainability Leader
 - Jasmine Hope - Sustainability Leader
 - Nicole Johnson - Junior School Council
 - Jai Crisp - Junior School Council (absent)
 - Dylan Cooper - Junior School Council (absent)
- Flowerdale Primary School:
 - Ashlee Antolos - School Captain
 - Abigail de Vir - School Captain

Congratulations to each student for taking on these important roles in your school communities. We wish you all the very best. Enjoy every moment of your leadership role and we hope that you look back on it as one of your best experiences.

We would like to acknowledge Elaine White with her 47 years of service to Murrindindi Shire Council's Yea Library and Customer Service Centre (Elaine retired on Saturday 30 June). From all of us at Council, we would like to thank Elaine for her contribution and wish her all the very best in her retirement.

We would like to acknowledge Kate Chalmers from Kinglake, who was this year a finalist in the Victorian Young Achiever Awards. Kate has spent many hours doing outreach in the Kinglake area, consulting with youth and student councils and advocating for support to relevant programs. She has also supported many events within the shire and does amazing work with the Kinglake community.

We would like to acknowledge Trevor Connell who has been the Sargent in Charge at the Yea Police Station for more than 20 years and has been part of the Victoria Police force for 43 years. On behalf of the Councillors and staff of Murrindindi Shire Council we would like to pass on our thanks and congratulations to his lengthy service to the Yea and District community.

RESOLUTION:

Cr S McAulay / Cr L Dunscombe

That Standing Orders be resumed.

CARRIED

The meeting was resumed at 6.16 pm.

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

Nil

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Ordinary Meeting of Council held on 27 June 2018.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 27 June 2018 be confirmed.

RESOLUTION:

Cr M Rae / Cr S McAulay

That the minutes of the Ordinary Meeting of Council held on 27 June 2018 be confirmed.

CARRIED

The Chairperson declared Public Participation Time and invited questions from the Gallery.

6. PUBLIC PARTICIPATION TIME**6.1 QUESTIONS OF COUNCIL**

Two questions were received from Jack Russell of Yea. Per section 109.3 of the *Governance Local Laws No. 2*, the questions were not read as the submitter was not present at the meeting. A separate response to the submitter will be provided as per section 110 of the *Governance Local Law No. 2*.

Two questions were received from Shelley Creighton (representing Rubicon Village residents):

Question 1 What security did the Murrindindi Shire provide to the residents or buyers of Rubicon Village for the essential services (water and sewerage) prior to 2017 as per rule 32.05 of the Murrindindi Shire Planning Act?

The Chief Executive Officer responded to Question 1:

As outlined in the letter from Clare Kiely, Regional Director, Department of Environment, Land, Water and Planning (DELWP) in September 2017, it was committed that we (DELWP, Department of Education and Training, Goulburn Valley Water and Murrindindi Shire Council) will work together with residents in determining a long term government solution that will guarantee a security of supply of water and sewerage. In the interim, temporary water supply and sewage services are in place. Work on options in relation to the solution referred to above continues and DELWP are leading this work. DELWP have advised they will provide a further update to residents shortly.

In the first instance the section 32.05 of the Murrindindi Planning Scheme sets out uses that are allowed or not allowed in the Township Zone (as applies in Rubicon Village) and conditions associated with this.

This has effect where:

- Council is required to make a decision under the Planning and Environment Act, e.g. to issue a permit for subdivision
- where Council is aware of a use that is occurring that is outside the provisions of the planning scheme.

At the time of issuing a planning permit in 2005 for the subdivision, Council needed to be satisfied that the requirements around water and sewerage services were met and included conditions related to this. Council was subsequently satisfied that

a system was in place and issued a Statement of Compliance in 2007 and as a result the lots in this subdivision were released.

Evidently, the arrangements for sewerage and water services have not worked as intended. As a result, in September 2017 agencies committed to work to a long term government solution.

The Planning and Environment Act and the Murrindindi Planning Scheme do not provide for Murrindindi Shire Council to provide ongoing security to residents and buyers in relation to water and sewerage. Under the *Planning and Environment Act* the ongoing obligation for use and development to be consistent with the Murrindindi Planning Scheme rests with the relevant land owners, rather than with Council. Notwithstanding, Council is working, with other agencies, toward a long term government solution.

Question 2 Why were lots 17 to 25 omitted from the plan in the sale of lot 26? Making the Owners Corporation (OC) of Rubicon Village dysfunctional at the mercy of lot owner 26 with 32% of the vote.

The Chief Executive Officer responded to Question 2:

The initial stage of the development and subdivision (as reflected in the planning permit issued in 2005), as you indicate, did not include lots 17 to 25. Council understands that it was intended that there was to be another stage of the subdivision, that would have further subdivided Lot 26 to provide lots 17 to 25, and that did not occur.

The reasons for this are a matter for the developer. The result is however, as you indicate, one of the lots having a larger voting entitlement than other lots and this can impact decision making.

Hamilton Murphy, as the administrator of the OC, has provided advice about how decisions of the OC can be obtained in these circumstances.

6.2 OPEN FORUM

Shelley Creighton (representing Rubicon Village) spoke about the sale of lot 26 at Rubicon Village and issues regarding water and sewerage in the Rubicon Village.

RESOLUTION:

Cr E Lording / Cr L Dunscombe

That the speaking time for Shelley Creighton be extended for a further five minutes.

CARRIED

6.3 PETITIONS

Nil

The Chairperson closed Public Participation Time.

7. OUR PLACE

7.1 PROPOSED ROAD DISCONTINUANCE AND SALE OF UNUSED ROAD BETWEEN 413 AND 431 TAYLOR BAY RIGHT ARM ROAD, TAYLOR BAY

Attachment(s): *Title Plan and Aerial Photograph (refer Attachment 7.1)*

Purpose

The purpose of this report is to provide advice to Council in response to a request that Council discontinue and sell the unused road between 413 and 431 Taylor Bay Right Arm Road, Taylor Bay (Road), shown on Attachment 7.1.

The landowner adjoining both sides of the Road, Suzette Devitt (Proponent) has asked Council to discontinue the Road and sell the Road to her. The statutory process to discontinue the Road has been initiated under Council officer delegation.

Officer Recommendation

That Council:

1. discontinue the Road as shown in Attachment 7.1
2. affix its common seal to a transfer of the Road, under section 207D of the *Local Government Act 1989*, to the Proponent for a price which is equal to the valuation (plus GST if the value excludes GST) subject to:
 - a. the Proponent consolidating the land into either of the Proponent's adjoining land titles and
 - b. the Proponent agreeing to pay the sale price and any additional legal fees and disbursements on settlement
3. publish a notice of discontinuance of this Road in the Government Gazette.

Background

Lawyers Piper Alderman acting on behalf of the Proponent, requested Council in November 2017 to sell the unused Road reserve between Lot 36 on PS 416829W and Lot 37 on PS 044119 to their client.

Prior to considering the sale of any road, consideration needs to be given to:

- removal of the road from Council's register of public roads (if the road is on the register)
- discontinuance of the road under the *Local Government Act 1989*.

Register of Public Roads

The register of public roads lists roads maintained by Council for general public use. The Road was not on Council's register of public roads, as such consideration was not required to be given to public notice under section 17(4) of the *Road Management Act 2004*.

Discontinuance of a Road Under the *Local Government Act 1989*

Irrespective of whether a road is listed on Council's register of public roads (and maintained by Council), land may be designated as a public road or highway and therefore available to the public for access and use.

The statutory processes associated with discontinuance of a road under the *Local Government Act 1989* includes:

- the prior determination by Council under officer delegation that the road is no longer reasonably required for general public use

- giving public notice of the proposed discontinuance and sale of the road and receive and consider all submissions
- deciding whether or not to discontinue the road
- obtaining a valuation of the discontinued road
- if the road is to be discontinued, publishing a notice of discontinuance of the road in the Victorian Government Gazette.

Transfer of Land

Council obtained from our legal representatives a scope and fee estimate for the costs of the process including legal fees, public notice, valuation and gazettal, totalling \$4,730 and the Proponent has made this up-front (non-refundable) payment to Council.

The Proponent will also be required to pay any additional increases in costs associated with the process, plus preparation of a title plan of the Road and the sale price for the Road, based on valuation.

A valuer approved under the *Local Government Act 1989* assessed the market value of the property at \$45,000.00 exclusive of any GST which may be payable.

To date, Council has reserved the right to discontinue or not discontinue the Road and sell or not sell the Road to the Proponent.

Discussion

Proposed Road Discontinuance Under the *Local Government Act 1989*

As the Road is not reasonably required for public use, consideration can be given to a road discontinuance and sale process.

Council, acting under officer delegation, has initiated a road discontinuance process and has given public notice of the proposed road discontinuance in accordance with clause 3 of schedule 10 and section 223 of the *Local Government Act 1989*.

Council is obliged to consider any submissions received in accordance with section 223 before deciding whether or not the Road is to be discontinued. No submissions were received in response to the public notice.

If Council were to resolve that the Road be discontinued, then public notice of the discontinuance of the Road would be published in the Victorian Government Gazette.

Council officers recommend that Council consider discontinuing the Road on the basis of:

- the Road being unused
- the Road not being reasonably required for public use
- the Road not being practical for use as a road access
- ongoing management of the area by the Proponent.

The Proponent has indicated their intention to consolidate the Road into either of their adjoining titles, a requirement intended by Council and now made a condition.

Transfer of Land

Discontinuance and sale of roads inevitably surface from requests from adjoining landowners, as such Council's obligations are to give public notice of their intention to discontinue and sell and to obtain a valuation for sale purposes.

An appropriate independent valuation has been obtained and the Proponent has agreed to pay this price.

The notification of the proposed discontinuance of the Road included reference to the sale of the area to the Proponent. No submission was received in response.

The land is not suitable for development in its own right and therefore it is appropriate to sell to an adjoining landholder, the Proponent, and for the relevant titles to be consolidated.

Council Plan/Strategies/Policies

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

Relevant Legislation

The statutory process for the proposed road is set out in the *Local Government Act 1989*.

Financial Implications and Risk

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

Sale of the land following discontinuance of the road is proposed.

Conflict of Interest

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

Community and Stakeholder Consultation

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

RESOLUTION:

Cr M Rae / Cr L Dunscombe

That Council:

1. **discontinue the Road as shown in Attachment 7.1**
2. **affix its common seal to a transfer of the Road, under section 207D of the *Local Government Act 1989*, to the Proponent for a price which is equal to the valuation (plus GST if the value excludes GST) subject to:**
 - a. **the Proponent consolidating the land into either of the Proponent's adjoining land titles and**
 - b. **the Proponent agreeing to pay the sale price and any additional legal fees and disbursements on settlement**
3. **publish a notice of discontinuance of this Road in the Government Gazette.**

CARRIED

8. OUR PEOPLE

9. OUR PROSPERITY

10. OUR PROMISE

10.1 ADOPTION OF PRIORITY ACTION PLAN 2018/19

Attachment(s): *Draft Priority Action Plan 2018/19 (refer Attachment 10.1)*

Purpose

The purpose of this report is to seek Council's adoption of the Murrindindi Shire Council's Priority Action Plan 2018/19.

Officer Recommendation

That Council adopts the Murrindindi Shire Council Priority Action Plan 2018/19.

Background

At the Special Meeting of Council on 21 June 2017, Council adopted the Murrindindi Shire Council Plan 2017-2021 which outlines the strategic objectives and strategies the Council will pursue over its four-year term and the strategic indicators that measure Council's success in achieving its objectives.

As part of its annual planning cycle Council also develops a Priority Action Plan which details the specific actions and areas of focus Council will pursue during the financial year, funded by the adopted annual budget, in order to implement the strategies in the Council Plan 2017-2021.

This report presents the Priority Action Plan for the 2018/19 financial year for Council's adoption.

Discussion

The format of the Priority Action Plan 2018/19 (Plan) aligns with the structure of the Council Plan 2017-2021, and includes one or more annual actions for each of the strategies in the Council Plan.

Many actions can be fully implemented in the 2018/19 year, others will have a longer timeframe and may be continuing from 2017/18, or will extend into 2019/20. The focus of activity for the 2018/19 year however is highlighted in the Priority Action Plan.

The Priority Action Plan is reviewed and updated annually to reflect the forthcoming year's priority actions. Progress on achieving the actions is reported to Council quarterly, and an annual summary is provided in Council's Annual Report.

Council Plan/Strategies/Policies

The preparation of a Priority Action Plan is consistent with the Council's strategic objective in the Council Plan 2017-2021 under Our Promise 'to work in collaboration with our communities to deliver the best possible outcomes in all that we do'.

Relevant Legislation

The requirement to prepare a four-year Council Plan is mandated under Section 125 of the *Local Government Act 1989*. There is no statutory obligation to develop an annual Priority Action Plan, although this is recognised as best practice amongst councils.

Financial Implications and Risk

The Priority Action Plan 2018/19 has been prepared in line with the resource commitments contained in the adopted Annual Budget 2018/19.

Conflict of Interest

There are not declared conflicts of interest by Council Officers in relation to this report.

Community and Stakeholder Consultation

The actions in the Priority Action Plan have been developed with reference to the priorities identified from the community following the 'Have Your Say' consultation undertaken in February to April 2017, and from Council and Council officer input.

Subject to Council's endorsement of the Priority Action Plan 2018/19 at this meeting, the Priority Action Plan will be published on Council's website and made available for viewing at Council offices and libraries.

RESOLUTION:**Cr E Lording / Cr L Dunscombe****That Council adopts the Murrindindi Shire Council Priority Action Plan 2018/19.****CARRIED**

The following report was presented as an addendum to the agenda.

10.2 AUDIT ADVISORY COMMITTEE APPOINTMENT**Purpose**

The purpose of this report is to recommend the appointment of an external independent member to Council's Audit Committee.

Officer Recommendation

That Council appoints Claude Baxter to the Audit Advisory Committee as an external independent member in accordance with provisions in the Audit Advisory Committee Charter.

Background

The primary objective of the Council's Audit Advisory Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Charter of the Audit Advisory Committee is the primary instrument outlining the composition roles and responsibilities of the Committee and Committee members.

Currently one vacancy exists for an independent Committee member.

Discussion

Council officers have sought expressions of interest from the community to fill the vacant position on the committee. Eight expressions of interest were received.

In accordance with the Committee Charter a selection panel consisting of the Mayor, a Councillor member of the Committee and the Chief Executive Officers considered all submissions, and noted that they were all of a very high standard.

Following this assessment, the panel has recommended that Council appoints Mr Claude Baxter of Flowerdale to the vacant committee position.

Mr Baxter has significant senior executive experience in corporate and financial management in Local Government and in the private sector. He also has previous experience as an internal auditor and has been independent member of audit advisory committees in both Local Government and for an Alpine Management Board. He demonstrated a thorough understanding of the role of audit committees. In interview Mr Baxter also expressed an interest to contribute his skills to the local community and to assist Council via participation on the Audit Advisory Committee.

Council Plan/Strategies/Policies

This report is consistent with the Council Plan 2017-2021 Our Promise strategy to 'maintain Council's financial sustainability through sound financial and asset management.

Relevant Legislation

Appointment of a member to the Audit Committee is consistent with the Audit Committee Charter Clause 2 (b) which allows membership of three independent persons. The term of appointment is for two years with the option for a further one year.

Financial Implications and Risk

An honorarium \$2,000.00 per annum is budgeted to be paid to external independent members of the Audit Committee.

Conflict of Interest

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

Community and Stakeholder Consultation

The Expression of Interest was advertised on Council's website and through the statutory newspapers (refer below) and via social media on Council's Linked In page calling for submissions.

Newspaper / Other	Publishing Date(s)
Newspaper:	
Alexandra and Eildon Standard	28/3/18, 4/4/18, 30/05/18, 6/06/18
Yea Chronicle	28/3/18, 4/4/18, 30/05/18, 6/06/18
Marysville Triangle	30/3/18, 6/4/18, 1/06/18, 8/06/18
North Central Review	27/3/18, 3/4/18, 29/05/18, 5/06/18
Website	

Conclusion

The filing of the vacancies for the external independent member to the Audit Committee will provide continuity and stability of representation in successive years.

RESOLUTION:

Cr E Lording / Cr M Rae

That Council appoints Claude Baxter to the Audit Advisory Committee as an external independent member in accordance with provisions in the Audit Advisory Committee Charter.

CARRIED

11. NOTICES OF MOTIONS

Nil

12. MATTERS DEFERRED FROM PREVIOUS MEETING

Nil

13. URGENT BUSINESS

Nil

14. COUNCILLOR AND PORTFOLIO REPORTS**14.1 CR MARGARET RAE - LAND USE PLANNING PORTFOLIO****New Animal Industries Planning Reforms**

You may recall at our meeting of 27 June 2018, I advised that the Victorian Government had announced new animal industries planning reforms to balance industry growth, environmental protection and community amenity.

The reforms have been shaped by extensive consultation with rural and regional communities, peak industry bodies, animal industries, councils and planners. Members of our community were also significantly involved in the consultation process. The reforms introduce new land use definitions and associated planning controls for animal industries into the *Victoria Planning Provisions* and all local planning schemes in Victoria and will come into operation in September 2018.

Information sessions are now being held around the state and Council is working with Agriculture Victoria to schedule an information session in Alexandra. Information and registration for all planned information sessions can be found at <http://agriculture.vic.gov.au/agriculture/livestock/2018-planning-reform> together with documentation relating to the changes.

Amendments to the Planning and Environment Act 1987

The new planning mechanisms for affordable housing came into effect on 1 June 2018 as a result of amendments to the *Planning and Environment Act 1987* (the *Act*). The reforms make it easier for councils and developers to negotiate voluntary agreements for the provision of affordable housing as part of development applications.

Three important changes have been made which:

- add a new objective to the *Act* - 'to facilitate the provision of affordable housing in Victoria'
- provide a definition of affordable housing – 'affordable housing is housing, including social housing, that is appropriate for the housing needs of very low, low, and moderate-income households'
- affirm the use of section 173 for voluntary affordable housing agreements - '... a Responsible Authority may enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing'.

C62 Implementation of Adopted Gaming Policy Review

Following the conclusion of public exhibition and receipt of submissions, a planning scheme amendment to implement Council's gaming policy will be considered by Council at a forthcoming meeting

Activities

In addition to portfolio matters I have attended a number of activities representing Council, including:

- an information session on the NDIS/Aged Care reforms – a valuable initiative to assist our communities prepare for forthcoming changes

- Alexandra and District Traders and Tourism Association AGM – at which a new executive and committee were elected
- Alexandra Bowling Club Thanks to Sponsors event - a very pleasant occasion where, just for a change, I received a certificate on behalf of Council.

14.2 CR JACKIE ASHE – ECONOMIC DEVELOPMENT PORTFOLIO

No report this month.

14.3 CR ERIC LORDING - INFRASTRUCTURE AND WASTE PORTFOLIO

Infrastructure

We are in a period of completing works carried forward from the 2017/18 Capital Works Program and commencing the scoping, design and procurement for our 2018/19 Capital Works Program. Some of the recent works include:

- the unsealed section of Wattle and Pendelbury Street in Alexandra has now been sealed, with a final seal to be applied later in the year
- Station Street in Yea now has the kerb and channel extended from Pelissier Street to the Helipad in Yea with this work to be completed shortly
- the gravel carpark, footpath and lighting in Extons Road Kinglake at the Kinglake Middle Primary School is complete. The carpark will be sealed when the warmer weather permits
- safety upgrades, funded under the VicRoads Black Spot Program, on the Eildon-Jamieson Road have now been completed.

Waste

The annual survey of the Alexandra Landfill was undertaken using drone technology which represents a significant cost saving to the conventional aerial survey method.

A Community Waste Education Officer will be appointed shortly under a joint funding arrangement with the Mitchell and Strathbogie Shire Councils. We are looking forward to having more capacity to work with our communities around waste avoidance and recycling.

Sustainability Victoria have announced an E-Waste Infrastructure Support Program and we are hopeful of securing funding for additional shedding to be installed at our Resource Recovery Centres.

Wasps

Council officers have commenced planning for wasp management for the upcoming Wasp season.

14.4 CR LEIGH DUNSCOMBE - CORPORATE AND CUSTOMER SERVICES PORTFOLIO

No report this month.

14.5 CR REBECCA BOWLES - NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO

Dindi Bulk Buy Scheme

There have been 149 residents registered for the non-obligation free solar quote. Six residents have signed contracts to over 30 kilowatt of installed capacity to come and 18 residents have organised preliminary site visits.

There are two more community information sessions to come, Marysville Community Centre (4 August) and Yea Shire Hall (15 August).

Upper Goulburn Landcare Network (UGLN)

UGLN has partnered with Council and successfully received a \$5000 grant under Managing Fruit Fly Regional Community Grants Program. The Program is supported by Department of Environment, Land, Water and Planning (DELWP)

The project is to deliver information, public workshops and pop-up events and the provision of free traps. Volunteers need to get in touch with UGLN or Council to participate.

The 2018 National Tree Day events are:

- Kinglake Landcare Group – Sunday 22 July
- Strath Creek Landcare Group – Sunday 22 July
- Yea River Catchment Group – Saturday 28 July
- Yellow Creek/Dairy Creek Landcare – Sunday 29 July
- Home Creek/Spring Creek Landcare – Sunday 29 July
- Merton Landcare Group – Sunday 26 August

Activities

I attended the following:

- UGLN general meeting
- Goulburn Regional Assembly
- Yea Community House
- Pioneer Reserve Committee
- NAIDOC Week
- U3A Victorian Secretary
- Yea Saleyards
- Strath Creek Landcare Tree Planting
- Rotary Change Over Dinner
- Vegetable Patch Mowing

14.6 CR SANDICE MCAULAY - COMMUNITY SERVICES PORTFOLIO

Marysville Information and Regional Arts (MIRA)

The building formerly known as the Marysville Tourism and Arts Centre is now MIRA.

I am excited to report that the final touches to the refurbishment are now being completed and the keys to the centre will be handed over in the next week or so.

Planning for the much anticipated official opening is going well and is proposed for October – information will be available soon.

Anniversary of the 2009 Fires

Community led discussions about the ten year memorial of the 2009 fires are continuing to be supported by the Marysville Foundation within the Triangle area.

In brief, the summary from the Triangle is that there will be a calendar of activities developed to share the activities proposed for the lead up to the anniversary. All members of the community will be invited to participate in any of the activities. It is important to note that one third of the community really just want to be left alone. This is understandable and that continues to be respectfully acknowledged.

There is ongoing consensus that there may be quiet local BBQ's in each community on the evening of the anniversary. This will generally mark the end of the anniversary and no further activities will be planned.

Goulburn North East Regional Assembly

The evening in Shepparton was an opportunity for many sectors from the region to share ideas on the priorities of issues that need to be tackled at a regional level. The topics covered:

- barriers to education
- unemployment
- access to transport
- digital connectivity
- children and young people
- healthy lifestyles
- improving well being

The opening address was conducted by the Hon. Jaala Pulford MLC - who announced the \$150,000 funding for Eildon which I am sure will be expanded on by our Chief Executive Office, Mr Lloyd.

There were two facilitated round table discussions. The first round was allocated seating based on responses given on registration. The second roundtable discussion was either to continue an in depth discussion of the first topic or on another topic of interest.

It was a great opportunity to talk to like minded people about issues that are across our region and to look at the broader opportunities for solutions.

14.7 CR CHARLOTTE BISSET – MAYORAL REPORT

Thank you for the opportunity to present my report. This report will be brief as I have had some leave with an opportunity to head back to Papua New Guinea to walk the Kokoda track.

Before I left, I attended the Yea Hospital and Rosebank Auxiliary AGM on 5 July. It was lovely to meet these ladies who do such a wonderful job raising funds and supporting the Yea Hospital and Rosebank aged care facility. The guest speaker was Mother Eden.

A lovely evening was held to acknowledge Margaret Abbey's retirement from her role as Chief Executive Officer at the Murrindindi Shire Council. This evening was also about acknowledging Margaret's 34.5 year service to Local Government and several firsts, Margaret being the first

female planner in some councils. I would like to thank Margaret for her unwavering commitment to our shire and wish her well with her retirement and future plans.

Upon my return I was fortunate enough to be able to share the celebration of the double 100th birthday that was had in Yea last Friday. Lilly and Jean were both born on the same day and just happen to be in the same care facility. Surrounded by four generations it was a lovely way to celebrate two very special ladies.

15. CHIEF EXECUTIVE OFFICER REPORT

Lake Eildon Activation

Significant advocacy in relation to Lake Eildon has been successful in securing \$150,000 contribution from Regional Development Victoria (RDV) to a \$250,000 project 'Activating Lake Eildon to Grow the Regional Economy'.

Mobile Blackspot Funding

Funding for two additional mobile phone towers, one at Strath Creek and one at Cathedral Lane South, have been announced by the State Government. One of these has been on the list of needs Council has been advocating for.

New Licence with Alexandra Senior Citizens

The Alexandra Senior Citizens has signed the licence for use of the Senior Citizens building. The term is for five years and includes an opportunity for additional uses by mutual agreement between the parties.

16. ASSEMBLIES OF COUNCILLORS

Purpose

This report presents the records of assemblies of Councillors for 27 June 2018 to 11 July 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 27 June 2018 to 11 July 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 27 June 2018 to 11 July 2018:

Meeting Name/Type	Councillor Workshop
Meeting Date:	27 June 2018
Matters Discussed:	1. Social Media
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, A Bond, J Canny, M Leitinger, D Jackson, T Elkington, L Peddie
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Councillor Briefing Session
Meeting Date:	27 June 2018
Matters Discussed:	1. Kellock Lodge
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 Brown
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Council Pre-Meet
Meeting Date:	27 June 2018
Matters Discussed:	<ol style="list-style-type: none"> 1. Place of Assembly (Former Yea Butter Factory) - Application 2018/6 2. Proposed Amendment to Sec 173 Agreement – Mulqueeny Lane, Yea 3. Community Grants Program – March to May 2018 4. Annual Budget and Strategic Resource Plan 2018/19 Adoption 5. Procurement Policy Review – 2017/18 6. Audit Advisory Committee Minutes and Appointment of Chair 7. Quarry Products Panel – CONT18/5
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 Brown, A Bond, N McNamara, M Leitinger, D Jackson, K Girvan
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
1	Cr R Bowles	No	Yes	Before

Meeting Name/Type	Councillor Briefing Session
Meeting Date:	4 July 2018
Matters Discussed:	<ol style="list-style-type: none"> 1. CEO KPI Review 2. Corporate Energy and Greenhouse Gas Reduction Plan 3. Employee Assistance Program (EAP) 4. Adoption of Priority Action Plan 2018/19 5. Council Contributions to Community Groups 6. Recreation and Open Space Assets and Services Review
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, M Leitinger, Z Blakeney, L Peddie, N McNamara, S Collier
Conflict of Interest Disclosures: Nil	

Meeting Name/Type		Councillor Briefing Session		
Meeting Date:		11 July 2018		
Matters Discussed:		<ol style="list-style-type: none"> 1. Municipal Association of Victoria (MAV) Attending 2. Tourism and Events Strategy 3. Communications and Marketing Strategy 4. Development Update 5. Proposed Road Discontinuance and Sale of Unused Road Between 413 And 431 Taylor Bay Right Arm Road, Taylor Bay 6. Capital Works Monthly Reporting 		
Councillor Attendees:		Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae		
Council Officer Attendees		C Lloyd, M Chesworth, S McConnell, S Brown, J Rabel, D Jackson, J Canny		
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
4	Cr J Ashe	No	Yes	Before

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.

RESOLUTION:

Cr M Rae / Cr L Dunscombe

That Council receives and notes the record of assemblies of Councillors for 27 June 2018 to 11 July 2018.

CARRIED

17. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/3014	22 June 2018	Section 17D Crown Land (Reserves) Act 1978 Lease (Non Retail) between Murrindindi Shire Council and Yea Railway Market Inc. for Yea Railway Reserve including Railway Station	Craig Lloyd Cr Charlotte Bisset
CONT18/5	13 July 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Castella Quarries Pty Ltd for Quarry Products Panel	Craig Lloyd Cr Sandice McAulay
CONT18/5	13 July 2018	Formal Instrument of Agreement between Murrindindi Shire Council and Norville Nominees Pty Ltd t/as Euroa Quarries for Quarry Products Panel	Craig Lloyd Cr Sandice McAulay

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/3072	13 July 2018	Lease for Crown Allotment 10, Township of Kinglake, Parish of Kinglake (Kinglake Memorial Reserve) between the Minister for Education and Murrindindi Shire Council	Craig Lloyd Cr Sandice McAulay

Officer Recommendation

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

RESOLUTION:

Cr S McAulay / Cr M Rae

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

CARRIED

18. 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 Plant Hire 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:

- Plant Hire Panel

RESOLUTION:

Cr M Rae / Cr S McAulay

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

CARRIED

The meeting closed to the public at 7 pm

The meeting re-opened to the public at 7.07 pm.

During the closed section of the meeting, Council resolved to bring the following resolution into the ordinary meeting.

18.3 PLANT HIRE PANEL

RESOLUTION:

Cr E Lording / Cr S McAulay

That Council:

1. appoint the following contractors to the Plant Hire Panel for the initial term of two years, commencing 1 August 2018, with the option for two extensions of two years each:
 - Plumbtrax Pty Ltd
 - D & L Excavations Pty Ltd
 - Robert Hamilton Earthmoving
 - Fineblade Pty Ltd
 - Alpine Civil Pty Ltd
 - Sherrin Rentals Pty Ltd
 - Porter Excavations Pty Ltd
 - Conx Hire
 - RSP Environmental Services
 - Environmental Services Group Pty Ltd
 - Fern Mowing and Maintenance Pty Ltd
 - Metro Urban Management Pty Ltd
 - Aztec Industries Pty Ltd
2. note that total expenditure on plant hire is estimated to be \$1,500,000 over the next six years
3. authorise the Chief Executive Officer to extend the plant hire panel contract beyond the initial term subject to satisfactory performance
4. authorise the signing and sealing of contracts for the plant hire panel for the recommended panel contractors.

CARRIED

There being no further items of Business, the Chairperson declared the meeting closed at 7.07 pm.

CONFIRMED THIS

Wednesday 22nd August 2018

CHAIRPERSON

