



MINUTES
of the
ORDINARY MEETING OF COUNCIL
WEDNESDAY 28 AUGUST 2019
at
Murrindindi Shire Council
Council Chamber
Perkins Street
Alexandra
6.00 pm

** Audio recordings of all Council meetings are taken by Council's Governance Officers and published on Council's website. (Resolution of Council 23 January 2019)

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1. PLEDGE AND RECONCILIATION STATEMENT

The meeting was opened with the Mayor declaring the following Pledge on behalf of all Councillors:

“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 owners of the Taungurung Nation, and pay our respect to their Elders past and present, and its emerging and future leaders.”

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

There were no apologies or requests for leave of absence tendered.

Present:

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

In attendance:

Acting Chief Executive Officer: Michael Chesworth
Director Assets and Development: Stuart McConnell
Manager Governance and Risk: Tara Carter
Manager Business Services: Graham Haylock
Manager Development Services: Natalie Stewart
Manager Community Assets: Caroline Lintott
Coordinator Project Delivery: Bill Scott
Planning Officer: Clara Gartland
Planning Officer: Nicole Grey
Governance Officer: Audrey Kyval

3. COMMUNITY RECOGNITION

Nil.

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

Nil.

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Ordinary Meeting of Council held on 24 July 2019.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 24 July 2019 be confirmed.

RESOLUTION

Cr L Dunscombe / Cr E Lording

That the minutes of the Ordinary Meeting of Council held on 24 July 2019 be confirmed.

CARRIED UNANIMOUSLY

6. PETITIONS

6.1 PETITION - SEALING SALEYARDS STREET

Attachment(s): *Petition – Sealing Saleyards Street Yea (distributed to Councillors separately)*

Purpose

This report is to advise Council that a petition has been received relating to sealing Saleyards Street Yea.

Officer Recommendation

That Council refer the petition to the Director Assets and Development for a report to be prepared for the 25 September 2019 Ordinary meeting of Council.

Background

The petition was submitted by Philip Armstrong and was signed by 19 people.

The petition requests that Council seals Saleyards Street for the following reasons:

1. Council permitted the initial subdivision of blocks on Saleyards Street to proceed without imposing a sealed road condition on the developer.
2. The recent approval of Planning Permit 2018/143 subdivision, subdivision at 6 Smith Street Yea, will increase traffic volumes on the unsealed section of Saleyards Street.
3. The dust created by the existing traffic on Saleyards Street is impacting on the health and wellbeing of the current residents. It is anticipated that this will only become worse with higher traffic flows.
4. In the notes provided by Council's Planning Department, as presented to Councillors for consideration of Planning Permit 2018/143 at the Council meeting on 24 April 2019, it states under Consideration of Objections – Traffic Impacts Relating to Nearby Roads:
'Councils Development Engineer has advised that the existing contraction standard of Moyle Street will accommodate the additional 8 new dwellings that will require access from this road' (Moyle Street).

Nowhere in this report does the Council's Development Engineer give an opinion as to the suitability of Saleyards Street to accommodate additional traffic requiring access to the four allotments proposed off Smith Street.
5. In the same notes, Traffic Impacts to Nearby Roads, it states that:
'No additional contributions will need to be made by existing residents to the north of Smith Street'. Saleyards Street is the only street north of Smith Street.

RESOLUTION

Cr M Rae / Cr J Ashe

That Council refer the petition to the Director Assets and Development for a report to be prepared for the 25 September 2019 Ordinary meeting of Council.

CARRIED UNANIMOUSLY

The Chairperson declared Public Participation Time.

7. PUBLIC PARTICIPATION TIME

7.1 OPEN FORUM

Philip Armstrong spoke about the Petition - Sealing Saleyards Street (item 6.1 on the Agenda).

Richard Simpson (Scouts Victoria and 1st Alexandra Scout Group) spoke in support of the Proposed Scout Hall and Two Lot Subdivision – 174 Grant Street Alexandra (item 8.3 on the Agenda).

Jack Russell spoke about the Victorian Electoral Commission (VEC) electoral representation review and concerns about council's responsiveness to phone calls.

7.2 QUESTIONS OF COUNCIL

Two questions were received from Jack Russell:

Question 1 Is it true that Councillors and Council staff are instructed to refuse to speak to or interact with myself, whilst conducting my daily needs with Council and if so why so and under what powers of restraint apply, if any?

The Acting Chief Executive Officer responded to Question 1:

Council officers and Councillors are aware that the Council's Chief Executive Officer reviewed and partially lifted the restrictions in place on Mr Russell's access to Council premises and services as of 1 December 2018. Council officers and Councillors have not been instructed to refuse to interact with Mr Russell since his restrictions have been lifted.

It is noted that Council has procedures that permit Council officers to discontinue their interaction with members of the public if the nature of that interaction is abusive, intimidating, threatening or similar.

Question 2 What selection and tender processes and together with costs to Council for:

- a. works to lever/locate the old drip irrigation lines on the centre plantation at Yea
- b. planning services for design work for the concept proposal to the Yea Streetscape Scape – Safety Upgrade to date and for contingencies.

The Acting Chief Executive Officer responded to Question 2:

- a. Councils Project Delivery department is currently in the design stage for the renewal of the irrigation system in the 'centre plantation' area in Yea. The intention of the project is to install a new irrigation system, no effort will be made to locate and remove existing dripper lines. Once the design/layout is confirmed and complete, quotes will be requested in accordance with Council's Procurement Policy.
- b. The design for the safety upgrades to High Street Yea was undertaken by one of Councils engineering services panel contractors. This panel was formed in 2017 and was publicly tendered in accordance with Councils statutory procurement requirements.

The Chairperson closed Public Participation Time.

8. OUR PLACE

8.1 PROPOSED TOURIST ACCOMMODATION – 182 SHANNONS ROAD MURRINDINDI

Attachment(s): *Application Documents (refer Attachment 8.1)
Submission (distributed to Councillors separately)*

Land: 182 Shannons Road, Murrindindi
Proposal: Use and development of the land for accommodation (three glamping tents)
Applicant: S Herges
Zoning: Farming
Overlays: Erosion Management (part only)

Locality Plan



Purpose

This report recommends that a notice of decision to grant a permit be issued to use and develop land at 182 Shannons Road Murrindindi for accommodation (comprising three glamping tents). The application is being reported to Council because an objection has been received from a neighbour. The key issues for Council's consideration relate to whether the proposal is an appropriate form of tourism for the area and whether the proposal will have an adverse impact on amenity and agricultural activities in the area.

Officer Recommendation

That Council issue a notice of decision to grant a permit for the use and development of land for accommodation (three glamping tents) at 182 Shannons Road Murrindindi (Lot 3 PS 313812P) subject to the following conditions:

1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.
2. The permit shall expire if the development hereby permitted is not completed and the use commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made

before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.

3. Prior to the commencement of the use, an Emergency Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and form part of this permit. The plan must address the identified risks for the site and document emergency management procedures to be undertaken in the event of an incident. The plan must also include:
 - a. details of the property
 - b. closure of the premises on any day with a fire danger rating of Code Red
 - c. evacuation plan
 - d. roles and responsibilities of staff and management
 - e. emergency contact details.
4. The glamping site approved by this permit must not exceed three tents with a total maximum occupancy of six people. The use of camping shall be limited to the proposed glamping tent structures, no other tents, caravans, mobile homes or 'unregistered moveable dwellings' shall be permitted on the site.
5. The use of the glamping site must only be used for camping purposes and the accommodation must not be used as a permanent place of residence.
6. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Engineering

7. No stormwater discharge from downpipes or overflow from water storage tanks and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.
8. The approved works must not cut off natural drainage to adjacent properties.
9. The car parking of guest vehicles must be confined to the designated parking area within the site, as set out on the endorsed plan.
10. Prior to the accommodation commencing a combined water system shall be provided to allow sufficient water supply for potable water and firefighting purposes, to the satisfaction of the Responsible Authority. A total minimum of 10,000 litres shall be for firefighting purposes (being in the lower portion of the tank, or in a separate tank). All outlets from the lower tank shall be fitted with 64 millimetres (mm) 3 thread/25mm x 50mm nominal bore British Standard Pipe (BSP), round male coupling, and fire brigade vehicles must be able to get to within four metres of the coupling.

Should the tank not be elevated sufficiently to provide adequate pressure at hose points around the glamping tents, then a 50mm centrifugal water pump shall be provided, driven by an internal combustion engine.
11. The internal access road must be of an all-weather construction with dimensions adequate to accommodate emergency service vehicles.

Environmental Health

12. All wastewater is to be treated and contained onsite in accordance with Council and Environment Protection Authority (EPA) requirements.
13. All wastewater is to be disposed of in the Land Application Area that meets all setback requirements as outlined in the Code of Practice Onsite Wastewater Management Guidelines.

14. A permit to install a septic system will be required from Council prior to the commencement of works.

Background

The Land and Surroundings

The subject land is known as the Sedona Estate and comprises of a 20.9 hectares (ha) land parcel located 1.7 kilometres (km) west of Murrindindi Road and approximately 6.5km from the Melba Highway. The land, which rises from Shannons Road, contains a fully operational cool-climate vineyard (approximately 5.0ha), onsite processing facility (winery), cellar door sales, caretaker's residence, associated rural outbuildings and dams. The vineyard and associated supporting infrastructure is located within the front portion of the land. The rear portion of the land comprises areas of pasture interspersed with mature native trees.

The surrounding land is characterised by farming enterprises (predominately grazing) with a number of these having associated rural dwellings.

Proposal

The application seeks planning approval to use and develop the land for the purpose of accommodation in the form of 'glamping'. Three tents are proposed with each to contain a single bedroom, ensuite, kitchenette and small area of decking. The tents have been described by the applicant as non-permanent 'eco-structures' constructed with a steel frame and canvas walls and waterproof polyvinyl chloride (PVC) shade fly roof cover. The chosen colours ('sand' and 'red sand') are muted and designed to blend in with the surrounding landscape. Each tent will accommodate not more than two guests. The maximum guests to be accommodated in the tents is six.

The tents are to be located internal to the site approximately 227 metres (m) from the Shannons Road frontage, 122m from the eastern boundary and 185m from the western boundary.

The tents have been sited and designed to look over the vineyard and broader valley. The existing driveway is to be extended to the proposed tent sites (for emergency, servicing and maintenance access only). The existing carpark near the cellar door will be used by guests. Guest access from the car park to the tents will be via walking or provided electric buggies.

Effluent disposal for the accommodation has been designated south of the proposed tents (and will require some pumping up slope). A water supply for potable and firefighting purposes will be accommodated in tanks. The accommodation will also be connected to a solar system with lithium-ion batteries for electricity supply.

Public Notification

Notice of the application was provided in accordance with the requirements of the *Planning and Environment Act 1987* by sending letters to surrounding property owners and occupiers. At the end of the notice period two submissions in support of the proposal and one submission objecting to the proposal had been received. The objection was received from an adjoining land owner to the west. The objector's dwelling is located approximately 830m from the area proposed for glamping and approximately 600m from the common boundary between the two properties.

The grounds of objection are summarised below:

- disturbance to livestock (particularly during lambing season) from unsupervised patrons and afterhours activities
- adverse impacts from additional traffic movements (particularly dust and noise)
- visual impacts (the tents will be visible from adjoining properties)
- potential for patron misbehaviour due to alcohol consumption
- potential for bushfires

- potential for wastewater to impact adjoining dams used for agricultural water supply.

Attempts to mediate an outcome relating to the objection has not been successful. The issues raised by the submitter are discussed further in this report.

The submissions in support of the proposal were received from nearby property owners (across the road). The submissions note that:

- increased tourist traffic will ensure that the road is more regularly maintained
- the expansion of existing business will be an asset for the region and will provide a tourist opportunity
- the proposal will have minimal impact on adjoining and nearby land
- the existing business (winery and cellar door) is professional in its operation.

Referral Authority Advice

The application was not required to be referred to external referral authority.

Discussion – Planning Assessment

State, Regional and Local Policy

Clause 14.01-1S sets out State objectives and strategies which seek to protect agricultural land. When considering a proposal to use and develop agricultural land, Council is required to consider:

- desirability and impacts of removing the land from primary production, given its agricultural productivity
- impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production
- compatibility between the proposed or likely development and the existing use of the surrounding land
- the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas
- land capability.

Clause 14.01-2S sets out State objectives and strategies which seek to encourage sustainable agricultural land use. Particular strategies seek to:

- support the development of innovative and sustainable approaches to agricultural and associated rural land use practices
- encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing
- assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

The State objective for design in rural areas (Clause 15.01-6S) seeks to ‘ensure development respects valued areas of rural character’.

Clause 17.04-1S sets out State objectives and strategies seeking to encourage tourism development. In particular Clause 17.04-1R seeks to ‘facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations’.

Council officers are satisfied the proposal is consistent with State, regional and local policy.

Farming Zone (Clause 35.07)

The primary purpose of the zone seeks to provide for agricultural uses. A further purpose seeks to ensure that non-agricultural uses do not adversely affect the use of land for agriculture.

Before deciding on an application to use and develop land, a responsible authority must consider a range of relevant decision guidelines including:

- capability of the land to accommodate the proposal
- how the use and development relates to sustainable land management
- compatibility with adjoining and nearby land uses
- how agricultural production is supported and enhanced
- impact on physical features and resources of the area, in particular on soil and water quality
- location of on-site effluent disposal area to minimise the impact of nutrient loads on waterways and native vegetation
- visual impact of development on surrounding land
- whether the use and development will require traffic management measures.

Council officers have considered, and are satisfied the proposal is consistent with, the decision guidelines above. The application is defined under the Murrindindi Planning Scheme as a 'camping and caravan park' (land used to allow accommodation in caravans, cabins, tents or the like).

Erosion Management Overlay (Clause 44.01)

This overlay does not affect that part of the land proposed for the accommodation and associated works and therefore there are no requirements under this provision.

Discussion – Issues Raised by Objector

A response to the issues raised by the objector is set out below.

Disturbance to livestock (particularly during lambing season) from unsupervised patrons and after hours activities

The objector has raised concerns that the accommodation will extend activity on the site beyond daylight hours adversely affecting his livestock/sheep breeding business by unsupervised patrons. Issues raised relate to the potential for poor patron behaviour, loud music, bonfires and windblown rubbish. The bringing to the site of dogs by guests has been raised as a particular issue with the potential to impact pregnant ewes and young lambs.

The applicant has advised that the vineyard and winery operations are not limited to daylight hours. The cellar door is licenced to 11 pm on normal trading days and on occasion quiet evening functions do occur.

The applicant has advised that the property will be under continual surveillance while guests are present, including staff on the premises at these times. The applicant has advised that a policy for guest etiquette will be developed reflecting best-practice expectations for this form of accommodation.

Issues relating to dogs are relevant and the applicant has agreed to exclude all pets (other than approved companion animals under the supervision of their owners).

In view of the distance from the proposed accommodation to the objector's land and, having regard to the small number of guests proposed, Council officers are satisfied that this particular objection can be managed by the applicant and further addressed through conditions of any permit that may be issued.

Adverse impacts from additional traffic movements (particularly dust and noise)

The additional six people to be accommodated in the proposed accommodation will have a negligible impact on traffic generation when compared with other visitors attending the site. Although the access to the land is via an unsealed road, Council officers are satisfied that the impacts will not have an adverse impact on residents or farming operations.

Within the site, guests will use the existing crossover and access and will not be permitted to drive their own vehicles to the camp sites (or elsewhere on the land – particularly in proximity to the objectors land).

Visual impacts (the tents will be visible from adjoining properties)

While the tents are likely to be visible from the road, they will be well set back and will not be a dominating influence within the landscape. The colours and materials have been chosen to blend in with the surrounding rural landscape. The proposed development is considered to be modest in the context of the other uses, buildings and works on the land. In particular, the tents will not be visible from the dwelling on the objector's land due to an intervening ridgeline. For the above reasons, this objection is not considered to be substantiated.

The applicant has also proposed to plant some native vegetation around the glamping tents to screen them from view, making the landscape appear more natural.

Potential for patron misbehaviour due to alcohol consumption

The applicant has confirmed that the property will be staffed at all times and the guests will have to abide by an in-house policy to ensure the amenity of adjoining and nearby properties are not affected. The operation of the glamping tents will be governed by the *Victorian Caravan Park Regulations 2010* and the consumption of alcohol will be regulated under a liquor licence.

Potential for bushfires

The land is not affected by a Bushfire Management Overlay and a bushfire management plan is not required. Notwithstanding, like much of the municipality the land is within a Bushfire Prone Area and it is appropriate that conditions be put in place to ensure adequate access, water supply and cessation of use during high fire danger periods. Proposed condition of permit seek to ensure this outcome.

Potential for wastewater to impact adjoining dams used for agricultural water supply.

The objector is concerned that overland water will flow directly from the proposed wastewater disposal area into their farming property. Council's Environmental Health Officer is satisfied that the proposal is appropriate for the landscape and that the wastewater can be treated and retained within the subject site. Conditions of any permit issued will seek to ensure this outcome.

Conclusion

Council officers are satisfied that this application proposal is consistent with the provisions of the Murrindindi Planning Scheme. The proposal is for a defined area and, subject to conditions, will not have an adverse impact on agriculture on the land or on adjoining land. Because the accommodation is modest in scale, and achieves appropriate tourism objectives for this area, it is recommended that the application be approved.

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* Our Place strategic objective 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.

Relevant Legislation

The proposal has been assessed under the provisions of the Murrindindi Planning Scheme and the *Planning and Environment Act 1987*.

Financial Implications and Risk

There are no financial implications or risks associated with this report.

Conflict of Interest

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

RESOLUTION

Cr M Rae / Cr E Lording

That Council issue a notice of decision to grant a permit for the use and development of land for accommodation (three glamping tents) at 182 Shannons Road Murrindindi (Lot 3 PS 313812P) subject to the following conditions:

- 1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. The permit shall expire if the development hereby permitted is not completed and the use commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.**
- 3. Prior to the commencement of the use, an Emergency Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and form part of this permit. The plan must address the identified risks for the site and document emergency management procedures to be undertaken in the event of an incident. The plan must also include:**
 - a. details of the property**
 - b. closure of the premises on any day with a fire danger rating of Code Red**
 - c. evacuation plan**
 - d. roles and responsibilities of staff and management**
 - e. emergency contact details.**
- 4. The glamping site approved by this permit must not exceed three tents with a total maximum occupancy of six people. The use of camping shall be limited to the proposed glamping tent structures, no other tents, caravans, mobile homes or 'unregistered moveable dwellings' shall be permitted on the site.**
- 5. The use of the glamping site must only be used for camping purposes and the accommodation must not be used as a permanent place of residence.**
- 6. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.**

Engineering

- 7. No stormwater discharge from downpipes or overflow from water storage tanks and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.**
- 8. The approved works must not cut off natural drainage to adjacent properties.**
- 9. The car parking of guest vehicles must be confined to the designated parking area within the site, as set out on the endorsed plan.**

10. Prior to the accommodation commencing a combined water system shall be provided to allow sufficient water supply for potable water and firefighting purposes, to the satisfaction of the Responsible Authority. A total minimum of 10,000 litres shall be for firefighting purposes (being in the lower portion of the tank, or in a separate tank). All outlets from the lower tank shall be fitted with 64 millimetres (mm) 3 thread/25mm x 50mm nominal bore British Standard Pipe (BSP), round male coupling, and fire brigade vehicles must be able to get to within four metres of the coupling.

Should the tank not be elevated sufficiently to provide adequate pressure at hose points around the glamping tents, then a 50mm centrifugal water pump shall be provided, driven by an internal combustion engine.

11. The internal access road must be of an all-weather construction with dimensions adequate to accommodate emergency service vehicles.

Environmental Health

12. All wastewater is to be treated and contained onsite in accordance with Council and Environment Protection Authority (EPA) requirements.
13. All wastewater is to be disposed of in the Land Application Area that meets all setback requirements as outlined in the Code of Practice Onsite Wastewater Management Guidelines.
14. A permit to install a septic system will be required from Council prior to the commencement of works.

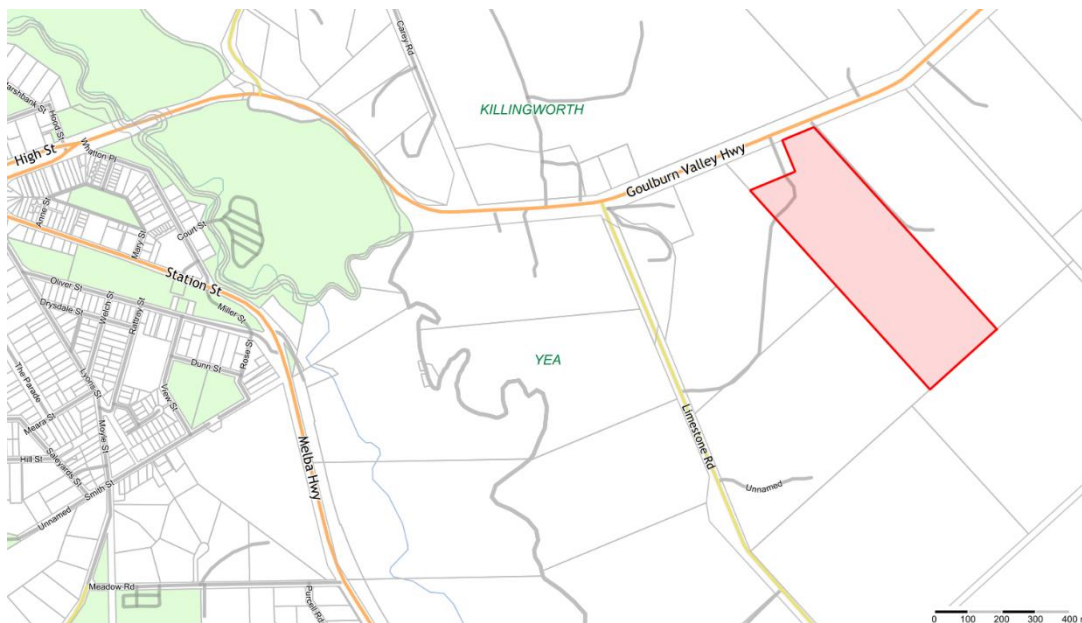
CARRIED UNANIMOUSLY

8.2 YOGA AND WELLNESS RETREAT – 5393 GOULBURN VALLEY HIGHWAY YEA

Attachment(s): *Application Documents (refer Attachment 8.2)*
Submissions (distributed to Councillors separately)

Land: 5393 Goulburn Valley Highway Yea
Proposal: Use and development of land for a yoga and wellness retreat including restaurant, group accommodation (five guest villas) and alternation of access to a Road Zone
Applicant: Spiire Australia Pty Ltd
Zoning: Farming
Overlays: Nil

Locality Plan (next page)



Purpose

This report recommends that a notice of decision to grant a permit be issued to use and develop land at 5393 Goulburn Valley Highway Yea for the purpose of a yoga and wellness retreat including restaurant, group accommodation (five guest villas) and alteration of access to a Road Zone. The application is being reported to Council because an objection has been received from an adjoining landholder. The key issues for Council's consideration relate to whether the proposal is an appropriate form of tourism for the area and whether the proposal will have an adverse impact on amenity and agricultural activities in the area.

Officer Recommendation

That Council issue a notice of decision to grant a permit for the Use and development of land for a yoga and wellness retreat including restaurant, group accommodation (five guest villas) and alternation of access to a Road Zone Category 1 at 5393 Goulburn Valley Highway Yea (Lot 2 PS217851E) subject to the following proposed permit conditions:

1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.
2. Before the development hereby permitted commences, a landscape plan, which is generally in accordance with the landscape plan previously provided, must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of this permit. The landscape plan must show:
 - a. a survey of all existing vegetation and natural features
 - b. the area or areas set aside for landscaping
 - c. a schedule of all proposed trees, shrubs/small trees and ground cover
 - d. the location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material
 - e. paving, retaining walls, fence design details and other landscape works including areas of cut and fill
 - f. appropriate irrigation systems.
3. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.
4. The permit shall expire if the development hereby permitted is not completed and the use

commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.

5. Unless with the prior written consent of the Responsible Authority, within six months of the completion of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
6. All external cladding including the roof and trims of the buildings allowed must be coloured or painted in muted shades of green, brown or charcoal, or in a colour approved in writing by the Responsible Authority.
7. The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, oil or the presence of vermin or otherwise.
8. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Group Accommodation

9. No more than 10 people may be accommodated in the villas at any one time.
10. The use of the villas must only be used for group accommodation purposes and must not be used as a permanent place of residence.

Restaurant

11. The restaurant may only accommodate guests residing in the villas prior to 12 pm.
12. The restaurant may only be open to the public between the hours of 12 pm to 10 pm Wednesday to Sunday.

Special Events Relating to Yoga and Meditation Studio

13. Special events relating to the yoga and meditation studio must be restricted to three times a year and not more than 50 attendees unless consent is provided in writing by the Responsible Authority.

Engineering

14. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the Relevant Authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.
15. The approved works must not cut off natural drainage to adjacent properties. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.
16. The internal access road to the building shall be constructed to a size and standard satisfactory to the Responsible Authority to provide all weather access for emergency service vehicles. The works must include the provision of suitable pavement material of at least 3.5 metres (m) in width with 0.5m side clearances and 4.0m vertical clearance and designed to carry a vehicle weighing at least 15 tonnes.

17. All internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
18. Before construction works start in relation to the provision of driveway, drainage and car parking, detailed construction plans in accordance with the endorsed plan, AS 2890 Part 1 Off Street Car Parking and AS 3500 Part 3 Stormwater Drainage and to the satisfaction of the Relevant Authority must be submitted to and approved by the Responsible Authority. The design and plans must be drawn to scale with levels and dimensions and prepared by a suitable qualified person.
19. Signs to the satisfaction of the Responsible Authority must be provided directing drivers to the area/s set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.
20. Car spaces, access lanes and driveways must be kept available for these purposes at all times and guest car parking must be confined to the designated parking area within the site, as set out on the endorsed plan.
21. Prior to use of land for a yoga and wellness retreat including restaurant, group accommodation, the sealed access must be constructed or upgraded and maintained in accordance with VicRoads standard drawing SD2066 - Typical Rural Driveway Access To Residential Properties - Type C to the satisfaction of and at no cost to the Roads Corporation.

Environmental Health

22. All Wastewater is to be installed and contained on-site in accordance with the Land Capability Assessment Report (No. A171102, Paul Williams & Associates).
23. The onsite effluent system must consist of a grease trap, a load balancing tank/facility and either a sand filter system or an aerated wastewater treatment system (AWTS) (a device to treat the effluent to at least the 20/30 standard) and the irrigation areas including effluent distribution system must consist of sub-soil irrigation.
24. A permit to install a septic system will be required from Council prior to the commencement of works.

Notations

1. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A site assessment for determining the bushfire attack level (BAL) in relation to the construction of a building has not been considered as part of this planning permit application.
3. Separate consent for works within the road reserve and the specifications of these works may be required under the *Road Management Act*.

Background

The Land and Surroundings

The subject site comprises of a rural lot of 20.8 hectares (ha) located to the south of the Goulburn Valley Highway. The land is located approximately 3.0 kilometres (km) east of the Yea Township. The property is currently used for cattle, sheep and alpaca grazing. The land contains two agricultural sheds, cattle yards and two dams. There are scattered paddock trees throughout the property (none of which will be impacted by the proposed development). There is an existing vehicular access from Goulburn Valley Highway but no internal constructed access beyond this point.

All abutting properties are also located within the Farming Zone while properties to the north of Goulburn Valley Highway are within a Rural Living Zone.

The majority of surrounding properties are of similar size to the subject site other than small rural residential lot of 1.6ha containing a dwelling that sits between Goulburn Valley Highway and part of the subject site. The objector is located on this land.

The surrounding land is characterised by farming enterprises (predominately grazing) with a number of these having associated rural dwellings.

Proposal

The applicant seeks planning approval to use and develop the land for a yoga and wellness retreat. This element of the proposal consists of a yoga hall, main building, meditation hall, gazebo and storage facility. Other proposed uses include a restaurant, group accommodation comprising five guest villas (ten guests) and a dwelling for the landowners.

The applicant has advised that the yoga and meditation studio will be exclusively used by guests of the villas other than during special events where the studio will be open to the public up to three times per year. At these times the applicant has advised that up to 50 people will attend the site.

The proposed restaurant will cater up to 50 people and will be open to both guests and the public. There is no intention to serve alcohol and a planning permit for a liquor licence has not been sought. The hours of operation for the restaurant are noon to 10 pm Wednesday to Sunday. Guests of the villas will be able to use the restaurant outside these times for breakfast and lunch.

The proposal includes a 'farm to table' component and there will be an organic garden along with animal grazing. The agricultural component of the proposed use is set out in a farm management plan.

The buildings are designed to reflect a Bhutanese architectural style. The proposed buildings are situated in the centre of the property at a lower elevation and away from prominent ridgelines.

Public Notification

Notice of the application was provided in accordance with the requirements of the *Planning and Environment Act 1987* by sending letters to adjoining and nearby property owners and occupiers, displaying a sign on site and placing a notice in a local newspaper (Yea Chronicle). At the end of the notice period two objections had been received, however following mediation the plans were amended resulting in one objection being withdrawn.

The grounds of the remaining objection are summarised below:

- landscape impacts relating to the proposed two storey yoga and retreat building
- construction of an internal access road close to the objector's property
- adverse impact on rural lifestyle.

Attempts to further mediate an outcome relating to the objection have not been successful. The issues raised by the submitter are discussed further in this report.

Referral Authority Advice

The application was referred to Regional Roads Victoria. The road authority has advised that the existing crossover does not require any upgrade or modification in relation to the new use and development. As part of a planning permit issued for this property in 2014 the road authority required that the crossover be consistent with VicRoads standard drawing SD2066 and subsequently approved the construction works in 2016.

Discussion – Planning AssessmentState, Regional and Local Policy

Clause 14.01-1S sets out State objectives and strategies which seek to protect agricultural land. When considering a proposal to use and develop agricultural land, Council is required to consider:

- desirability and impacts of removing the land from primary production, given its agricultural productivity
- impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production
- compatibility between the proposed or likely development and the existing use of the surrounding land
- the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas
- land capability.

Clause 14.01-2S sets out State objectives and strategies which seek to encourage sustainable agricultural land use. Particular strategies seek to:

- support the development of innovative and sustainable approaches to agricultural and associated rural land use practices
- encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing
- assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

The State objective for design in rural areas (Clause 15.01-6S) seeks to 'ensure development respects valued areas of rural character'.

Clause 2.02 outlines the Vision for the municipality. The applicant has established that the proposal will have a beneficial impact on the economic growth of the municipality.

Clause 17.04-1S sets out State objectives and strategies seeking to encourage tourism development. In particular Clause 17.04-1R seeks to 'facilitate rural tourism activities that support agricultural enterprises...and accommodation in appropriate locations'.

Council officers are satisfied the proposal is consistent with State, regional and local policy.

Farming Zone (Clause 35.07)

The primary purpose of the zone seeks to provide for agricultural uses. A further purpose seeks to ensure that non-agricultural uses do not adversely affect the use of land for agriculture.

Before deciding on an application to use and develop land, a Responsible Authority must consider a range of relevant decision guidelines including:

- capability of the land to accommodate the proposal
- how the use and development relates to sustainable land management
- compatibility with adjoining and nearby land uses
- how agricultural production is supported and enhanced
- impact on physical features and resources of the area, in particular on soil and water quality

- location of on-site effluent disposal area to minimise the impact of nutrient loads on waterways and native vegetation
- visual impact of development on surrounding land
- whether the use and development will require traffic management measures.

The application was accompanied by a Land Capability Assessment, which detailed the proposed method of effluent disposal. Council officers are satisfied that this the proposed method of effluent disposal is appropriate for the development.

The proposed development has been designed to reduce impact on the agricultural use of the land and impacts on the rural landscape. The original proposal placed the development throughout the property and on top of prominent ridgelines. The application was amended to consolidate the development in a more appropriate location which will not be prominent when viewed from neighbouring properties or along the highway.

A farm management plan details the proposed agricultural use of the site to compliment the development. This includes a 'farm to table' proposal and sets out a timeframe for completing these works.

A traffic assessment report has been provided which details the traffic mitigation measures proposed. This has been assessed by Council officers as adequate for the proposed development.

Land Adjacent to a Road Zone Category 1 (Clause 52.29)

There is an existing crossover off the Goulburn Valley Highway. In 2016 VicRoads advised that the cross over needed to comply with VicRoads standard drawing SD2066. While Regional Roads Victoria have advised no further upgrade is required it is appropriate to confirm and require that the crossover is maintained to the standard previously advised.

Car Parking (Clause 52.06)

The applicant has addressed the car parking requirements. The proposal includes the provision of 40 car parking spaces. This figure was supported by the traffic impact assessment and also complies with the requirements of the Scheme in relation to the number of spaces required.

Discussion – Issues Raised by Objector

A response to the issues raised by the objector is set out below.

Landscape impacts relating to the proposed two storey yoga and retreat building

The proposal consists of a number of larger buildings. These buildings have now been designed and located to reduce the impact on the landscape as much as possible. Impacts have been mitigated by positioning the development below ridgelines and setting the development into the hill. The retention of rural character and amenity is integral to the proposed design and activities proposed at the site. The ongoing use of the balance of the land for agriculture and the proposal to incorporate organic gardens will further assist in reducing landscape impacts.

Construction of an internal access road close to the objector's property

The original proposal included an access track that abutted the objector's land. The applicant has confirmed that the proposed access track will now not be located abutting the objector's property and is now proposed to be 80m to 100m from the property boundary.

Adverse impacts on rural lifestyle

The objector submits that the intensity of the use will have an adverse impact on rural lifestyle and amenity. It is accepted that the proposed use of the land for a yoga retreat differs from the existing use of grazing or cropping. However the applicant has taken steps to minimise impacts of the development and use. This has been achieved through the siting of the development within

the centre of the property and as far away as possible from the existing dwellings. Development on ridgelines has been avoided.

A large organic garden is proposed to be situated in the area abutting the objector's property. Together with landscaping this will provide a buffer between the objector's land and the proposed yoga retreat.

The activities on the site will be focused on quietness and meditation and are not expected to be disruptive.

Conclusion

Council officers are satisfied that the application proposal is consistent with provisions of the Murrindindi Planning Scheme. The proposal will contribute to a diversified rural economy by creating unique cultural tourist experience. As the issues raised by the objector have been addressed through the redesign and can be further addressed through conditions, it is recommended that the application be approved.

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* Our Place strategic objective 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.

Relevant Legislation

The proposal has been assessed under the provisions of the Murrindindi Planning Scheme and the *Planning and Environment Act 1987*.

Financial Implications and Risk

There are no financial implications or risks associated with this report.

Conflict of Interest

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

RESOLUTION

Cr L Dunscombe / Cr M Rae

That Council issue a notice of decision to grant a permit for the Use and development of land for a yoga and wellness retreat including restaurant, group accommodation (five guest villas) and alternation of access to a Road Zone Category 1 at 5393 Goulburn Valley Highway Yea (Lot 2 PS217851E) subject to the following proposed permit conditions:

- 1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. Before the development hereby permitted commences, a landscape plan, which is generally in accordance with the landscape plan previously provided, must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of this permit. The landscape plan must show:**
 - a. a survey of all existing vegetation and natural features**
 - b. the area or areas set aside for landscaping**
 - c. a schedule of all proposed trees, shrubs/small trees and ground cover**
 - d. the location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material**
 - e. paving, retaining walls, fence design details and other landscape works**

including areas of cut and fill

- f. appropriate irrigation systems.
3. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, shall not be altered or modified without the consent in writing of the Responsible Authority.
4. The permit shall expire if the development hereby permitted is not completed and the use commenced within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.
5. Unless with the prior written consent of the Responsible Authority, within six months of the completion of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
6. All external cladding including the roof and trims of the buildings allowed must be coloured or painted in muted shades of green, brown or charcoal, or in a colour approved in writing by the Responsible Authority.
7. The use or development hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the transportation of materials, goods and commodities to and from the land, the appearance of any building, works, or materials on the land, the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, oil or the presence of vermin or otherwise.
8. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Group Accommodation

9. No more than 10 people may be accommodated in the villas at any one time.
10. The use of the villas must only be used for group accommodation purposes and must not be used as a permanent place of residence.

Restaurant

11. The restaurant may only accommodate guests residing in the villas prior to 12 pm.
12. The restaurant may only be open to the public between the hours of 12 pm to 10 pm Wednesday to Sunday.

Special Events Relating to Yoga and Meditation Studio

13. Special events relating to the yoga and meditation studio must be restricted to three times a year and not more than 50 attendees unless consent is provided in writing by the Responsible Authority.

Engineering

14. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the Relevant Authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties.

15. The approved works must not cut off natural drainage to adjacent properties. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.
16. The internal access road to the building shall be constructed to a size and standard satisfactory to the Responsible Authority to provide all weather access for emergency service vehicles. The works must include the provision of suitable pavement material of at least 3.5 metres (m) in width with 0.5m side clearances and 4.0m vertical clearance and designed to carry a vehicle weighing at least 15 tonnes.
17. All internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
18. Before construction works start in relation to the provision of driveway, drainage and car parking, detailed construction plans in accordance with the endorsed plan, AS 2890 Part 1 Off Street Car Parking and AS 3500 Part 3 Stormwater Drainage and to the satisfaction of the Relevant Authority must be submitted to and approved by the Responsible Authority. The design and plans must be drawn to scale with levels and dimensions and prepared by a suitable qualified person.
19. Signs to the satisfaction of the Responsible Authority must be provided directing drivers to the area/s set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.
20. Car spaces, access lanes and driveways must be kept available for these purposes at all times and guest car parking must be confined to the designated parking area within the site, as set out on the endorsed plan.
21. Prior to use of land for a yoga and wellness retreat including restaurant, group accommodation, the sealed access must be constructed or upgraded and maintained in accordance with VicRoads standard drawing SD2066 - Typical Rural Driveway Access To Residential Properties - Type C to the satisfaction of and at no cost to the Roads Corporation.

Environmental Health

22. All Wastewater is to be installed and contained on-site in accordance with the Land Capability Assessment Report (No. A171102, Paul Williams & Associates).
23. The onsite effluent system must consist of a grease trap, a load balancing tank/facility and either a sand filter system or an aerated wastewater treatment system (AWTS) (a device to treat the effluent to at least the 20/30 standard) and the irrigation areas including effluent distribution system must consist of sub-soil irrigation.
24. A permit to install a septic system will be required from Council prior to the commencement of works.

Notations

1. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A site assessment for determining the bushfire attack level (BAL) in relation to the construction of a building has not been considered as part of this planning permit application.
3. Separate consent for works within the road reserve and the specifications of these works may be required under the *Road Management Act*.

CARRIED UNANIMOUSLY

8.3 PROPOSED SCOUT HALL AND TWO LOT SUBDIVISION – 174 GRANT STREET ALEXANDRA

Attachment(s): *Attachments (refer Attachment 8.3)
Submissions (distributed to Councillors separately)*

Land: 174 Grant Street, Alexandra
Proposal: Development of the land for the purpose of a Scout hall, reduction in car parking requirements and a two-lot subdivision
Applicant: Axiom Architects Pty Ltd
Zoning: General Residential (Schedule 1)
Overlays: Bushfire Management
Heritage (HO32)

Locality Plan



such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.

4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the Relevant Authority for which the easement or site is to be created.
5. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the Relevant Authority in accordance with Section 8 of that Act.
6. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time
 - b. a suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.
7. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time
 - b. a suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the NBN will not be provided by optical fibre.
8. Prior to the commencement of works plans must be submitted to and approved by the Responsible Authority including:
 - a. Engineering Plan
A suitably prepared engineering plan, detailing the proposed crossover, driveway, earthworks and drainage, including erosion and sediment control measures. The crossover is to be sealed and in accordance with Council's Infrastructure Design Manual Section 12.9.2 – Rural Vehicle Crossings and Standard Drawing SD 255.
 - b. Car Parking Plan
A car parking plan which details the 11 car parking spaces, including the disabled car parking space, to demonstrate how vehicles will be able to enter and exit the car parking area in a forward direction, and show the grassed overflow car parking area (amended to remove nominated individual spaces).
 - c. Landscaping Plan
A plan which provides for the retention of existing trees adjacent to Grant Street and Plantation Lane frontages, areas to be grassed and the fencing details between proposed Lots 1 and 2.

Once the plans are approved they will be endorsed and form a part of this permit.
9. Prior to the commencement of works and Statement of Compliance the access, car parking facilities and sealed crossover must be constructed in accordance with the endorsed engineering plan.

10. The approved upgraded vehicular entrance to the subject land from the road must be constructed at the applicant's expense to provide ingress and egress to the site at a location, size and standard satisfactory to the Responsible Authority.
11. Car parking spaces and access ways must be kept available for these purposes at all times.
12. All stormwater and surface water discharging from the buildings and works must be conveyed to a point of discharge and approved by the Responsible Authority. No stormwater discharge from downpipes, overflow from water storage tanks or surface water shall be directed, or caused to be directed, in a concentrated form that will cause erosion and/or adverse effects within the site or to adjoining land.
13. The approved works must not cut off natural drainage to adjacent properties.

Country Fire Authority (CFA)

14. The Bushfire Management Plan – *174 Grant Street, Alexandra (Yarra Valley BAL Assessments, Version A, 4 May 2019)* must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
15. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.
16. The operation of the facilities at the site are to be conducted in accordance with the *Alexandra Scout and Community Shed – Interim Bushfire Emergency Management Plan – 174 Grant Street, Alexandra (John Horn, May 2019)* and must be endorsed to form part of the permit.

Proposed Notations

1. The use associated with the development approved under this permit is confined to a place of assembly relating to a Scout hall and associated Scouting activities. The use of the land for other place of assembly uses including functions may require separate planning approval.
2. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004* and associated regulations.
3. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Background

The Land and Surroundings

The subject land at 174 Grant Street Alexandra is currently owned by Council and has historically been used by the 1st Alexandra Scout Group. The land comprises of approximately 1 hectare (ha) and is situated between Grant Street and Plantation Lane. There is an existing single storey weatherboard Scout hall located approximately in the middle of the site and storage buildings at the southern end of the property. Existing vegetation includes small trees along the Grant Street and Plantation Lane frontages and other scattered trees within the site.

The current Scout hall comprises the historic and former 'Oddfellows Hall' constructed in 1899 and originally located elsewhere in town. The building was relocated to the current site and ceased use in the 1970s. Council's Heritage Report (2011) describes the building as:

‘A small gable-fronted building with Ashlar-look timber cladding to the façade and weatherboard sides. Its most distinctive feature is a decorative front parapet and timber ‘flat arches’ and ‘keystones’ over the front window’.

Together with an adjacent mature oak tree to the north side of the hall the building is of historic and aesthetic significance to Murrindindi shire at the local level. It demonstrates the importance of friendly societies to localities founded in the 19th century which provided some of the essential services their communities lacked.

Although in poor condition, the building and surrounds is now protected under a Heritage Overlay (Schedule 32) under the Murrindindi Planning Scheme.

The surrounding land is characterised by residential dwellings, to the north and east. These dwellings are generally single storey and on relatively large allotments. The land to the south comprises of Crown Land in a Public Conservation and Resource Zone. The land opposite (to the west) comprises of vacant land which has the potential to be developed for dwellings in the future.

The proposal site is located at the edge of the Alexandra township area just south of Pendlebury Street. Reticulated services are available to the land.

Proposal

The application seeks planning approval to develop the land for the purpose of a Scout hall, associated storage sheds and a reduction in the required car parking. The application also seeks approval to subdivide the land into two lots. The boundary between the two proposed lots aligns with the Heritage Overlay boundary.

The proposed new buildings will include a multi-purpose hall, store room, office, meeting room, kitchen and toilet facilities. A new 6.4 metre (m) gravel crossover is proposed to be constructed which will service 11 car parking spaces (including one disabled car parking space) and an overflow grass parking area. The entrance will also provide vehicle access to the storage shed and rear access to the multi-purpose hall and store room.

Proposed Lot 1, 4,344 square metres (m²), will contain the new Scout facility and proposed Lot 2 (5,788m²) will retain the existing heritage place within Council-ownership and control. An existing electricity easement along the southern boundary will be retained.

The proposed Scout hall has been architecturally designed and will be set back from Grant Street, behind existing vegetation. The existing structures on the southern end of the site (which are not subject to heritage controls) are to be demolished to allow for the new development.

Public Notification

Notice of the application was provided in accordance with the requirements of the *Planning and Environment Act 1987* by sending letters to surrounding property owners and occupiers and by placing a sign on the site. At the end of the notice period one submission objecting to the proposal was received. The objection was received from a nearby land owner. The objector’s dwelling is located approximately 70m from the area proposed for the new hall.

The grounds of objection are summarised below:

- lack of clarity regarding the proposed use of land
- potential use of the land for functions after hours and particularly where alcohol will be available.

Attempts to mediate an outcome relating to the objection have not been successful. The issues raised by the submitter are discussed further in this report.

Referral Authority Advice

The application, including a bushfire management plan, was referred to the Country Fire Authority (CFA). The authority does not object to the proposal subject to conditions.

Discussion – Planning Assessment

State, Regional and Local Policy

Clause 2.03 supports 'the development of education opportunities, including outdoor education', and the provision of community infrastructure. In particular, planning policy seeks to:

- encourage the development of and access to community infrastructure and services to cater for the current and potential future needs of all age demographics
- encourage the development of the education industry, particularly the post-secondary, outdoor and environmental education sectors
- encourage local 'place-based' initiatives that will provide community benefit to individual towns and communities.

The proposal is consistent with these objectives.

Clause 13.02-1L and 13.02-1S set out objective to 'strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'. In response to this, the application is supported by a bushfire management plan and bushfire emergency management plan. These documents will be approved as part of any planning permit that may be issued.

General Residential Zone – Schedule 1 (Clause 32.08)

The current use of the land falls within the broader definition of a place of assembly and in particular a Scout hall. Typically this use would be a 'Section 2' (permit required) use in a residential zone, however Clause 63.01 of the Murrindindi Planning Scheme allows for an 'existing use right' to be established without the need to obtain a planning permit where a use has been operating continuously for a period of 15 years or more. Council officers are satisfied that the 1st Alexandra Scout Group enjoys existing use rights in relation to the current land. These rights are capable of continuing within the new lot (proposed Lot 1) as this land has historically been used for Scout-related activities. Because a permit is not required to use the land for the purpose of a Scout hall, Council's consideration can be confined to the development aspects of the proposal and the suitability of the subdivision.

With respect to the balance of the land (proposed Lot 2) which will contain the existing historic hall, existing use rights are likely to be lost as this part of the land will no longer be used for Scout-related activities. Any further place of assembly use, if proposed, may need to be authorised under a planning permit.

Before deciding on an application to develop and subdivide land, the Responsible Authority must consider a range of relevant decision guidelines under the General Residential Zone including:

- the pattern of subdivision and its effect on the spacing of buildings
- whether the development is compatible with residential use
- the design, height, setback and appearance of the proposed buildings and works
- proposed landscaping
- the provision of car parking
- the safety, efficiency and amenity effects of traffic to be generated by the proposal.

Council officers are satisfied that the proposed subdivision is appropriate because it aligns with the Heritage Overlay, does not fragment the existing heritage place and allows for an appropriate buffer. The subdivision will create two large lots that are consistent with the character and

existing streetscape. Importantly, the proposed development will allow the Scouts to have access to a new and modern facility, which will cater for current and future needs including storage.

The proposed hall and storage shed are architecturally designed and the external colours and materials will be in muted tones consistent with the surrounding area. The front of the hall will be set back of 8.5m from Grant Street and existing treed vegetation will assist with the integration of the building when viewed from the street. No objections have been received in relation to the design or development aspects of the proposed building.

Heritage Overlay (Clause 43.01)

The purpose of the Overlay seeks to conserve and enhance buildings and places and ensure that development does not adversely affect the significance of place. Before deciding on an application to develop and subdivide land, the Responsible Authority must consider:

- whether the proposed subdivision will adversely affect the significance of the heritage place
- whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.

Clause 15.03-1L (Heritage Conservation) sets out strategies to protect heritage places and in particular 'encourages new development that maintains and enhances the setting of heritage places...'. The *Murrindindi Shire Heritage Study* (which forms part of the Planning Scheme) sets out specific measures for this site to assist in implementing these strategies including:

- ensure that the siting and design of new development does not overwhelm the historic setting of the building and the site as a whole by becoming a dominant element or by interfering with key views to and from the site
- encourage any new development on the property to relate and be complementary in form, scale and materials to the significant buildings and other elements, but be clearly contemporary in design
- retain views of significant building(s) and plantings from the street
- in the case of subdivision of the property, encourage the retention of the significant buildings, trees and related elements on one lot.

Council officers consider the proposed development and subdivision meet these objectives as the lot will retain the heritage place and the significant tree within a single lot corresponding with the Heritage Overlay. The proposed development is to be located out of the Heritage Overlay area.

Bushfire Management Overlay (Clause 44.06)

The CFA has advised Council that a planning permit may be issued subject to conditions requiring compliance with a bushfire management plan and bushfire emergency management plan.

Car Parking (Clause 52.06)

The applicant has sought a reduction of the car parking requirements. A total of 11 car parking spaces are proposed which includes a single disabled car parking space in proximity to the entrance. The proposed spaces have been assessed as adequate to accommodate parking for Scout leaders, supervisors and parents. A reduction is considered reasonable on the basis that many of those attending will not be of driving age. A grassed overflow area has been nominated on the plans for overflow parking if required. As the Scout activity is existing on the land, it is not anticipated there will be an increase in traffic as part of the new development.

Traffic movements into and out of the site will be via a new sealed crossover which will allow vehicles to enter and exit in a forward direction.

Approval of an Application to Subdivide Land (Clause 65.02)

Council officers are satisfied that the proposed subdivision meets the Decision Guidelines as set out in Clause 65.02 which require the Responsible Authority to consider:

- the suitability of the land for subdivision
- the existing use and possible future development of the land and nearby land
- the subdivision pattern having regard to the physical characteristics of the land including existing vegetation
- the density of the proposed development
- the area and dimensions of each lot in the subdivision.

Discussion – Issues Raised by Objector

A response to the issues raised by the objector is set out below.

Lack of clarity regarding the proposed use of land

The objector has raised concerns that existing use rights have not been established and whether this extends to other related uses. There is concern that the new Scout hall may include other uses. In relation to Scouting activities, Council officers are satisfied that the land has been used for this purpose for a number of decades. Clause 63.05 states that a 'Section 2' (permit required) use may continue with respect to an existing use right provided:

- no building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme
- any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use
- the amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

It is the view of Council officers that the existing use right complies with these requirements. There will not be any change in activities on the land and it is not intended that the use will intensify.

In relation to other related place of assembly uses such as hiring of the hall for functions and events, the objector's concerns have some merit. Council officers are not able to be satisfied at this time that the existing use right extends to functions and, accordingly, the permit will not make reference to this. The operator would need to further satisfy Council officers that existing use rights extend to functions and unrelated Scouting events. As an objector has raised concerns in relation to such rights it may be necessary that, pursuant to Clause 63.11 of the Scheme (proof of continuous use), that a Certificate of Compliance be obtained under section 97N of the *Planning and Environment Act (1987)*.

A permit notation to address the above matter has been included which can form part of any planning permit that may be issued.

Potential use of the land for functions after hours and particularly where alcohol will be available

The objector has raised concerns that the hiring out of the hall may lead to anti-social behaviour, especially where the consumption of alcohol will be permitted. The 1st Alexandra Scout Group have advised in response that the 'Committee do not intend to have the facility used by any group that would damage the facility, their neighbourhood, or their reputation in Alexandra'. It should be noted that the application does not include an application for a liquor licence.

Non Scout-related activities on the land will need to be resolved separately to the current application. A further planning permit may be required to use the land for functions (depending on whether an existing use right can be established or not). However, an application for planning permit would be required for a liquor licence and it would be appropriate to consider amenity impacts if and when such a proposal is formalised. Accordingly this objection is not able to be considered as part of the current proposal.

Conclusion

Council officers are satisfied that this application proposal is consistent with the provisions of the Murrindindi Planning Scheme. The proposal is for a subdivision which will respect the character of the area and protect the existing heritage place. The development of a new Scout's hall will provide a modern facility to be utilised by local and regional Scouting groups. Accordingly, it is recommended that the application be approved.

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* Our Place strategic objective 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.

Relevant Legislation

The proposal has been assessed under the provisions of the Murrindindi Planning Scheme and the *Planning and Environment Act 1987*.

Financial Implications and Risk

There are no financial implications or risks associated with this report.

Conflict of Interest

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

RESOLUTION

Cr E Lording / Cr M Rae

That Council issue a notice of decision to grant a permit for the development of the land for the purpose of a Scout hall and two lot residential subdivision at 174 Grant Street Alexandra (Crown Allotment 30N Parish of Alexandra) subject to the following conditions:

- 1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans, must not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. The subdivision must be in accordance with the endorsed plan. This endorsed plan can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.**
- 3. The permit will expire if the development is not completed, and the plan of subdivision hereby permitted is not certified, within two years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within six months after the permit expiry date, where the use of development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.**
- 4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the Relevant Authority for which the easement or site is to be created.**
- 5. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the Relevant Authority in accordance with Section 8 of that Act.**

-
6. **The owner of the land must enter into an agreement with:**
 - a. a telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time
 - b. a suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.
 7. **Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:**
 - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time
 - b. a suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the NBN will not be provided by optical fibre.
 8. **Prior to the commencement of works plans must be submitted to and approved by the Responsible Authority including:**
 - a. **Engineering Plan**
A suitably prepared engineering plan, detailing the proposed crossover, driveway, earthworks and drainage, including erosion and sediment control measures. The crossover is to be sealed and in accordance with Council's Infrastructure Design Manual Section 12.9.2 – Rural Vehicle Crossings and Standard Drawing SD 255.
 - b. **Car Parking Plan**
A car parking plan which details the 11 car parking spaces, including the disabled car parking space, to demonstrate how vehicles will be able to enter and exit the car parking area in a forward direction, and show the grassed overflow car parking area (amended to remove nominated individual spaces).
 - c. **Landscaping Plan**
A plan which provides for the retention of existing trees adjacent to Grant Street and Plantation Lane frontages, areas to be grassed and the fencing details between proposed Lots 1 and 2.

Once the plans are approved they will be endorsed and form a part of this permit.
 9. **Prior to the commencement of works and Statement of Compliance the access, car parking facilities and sealed crossover must be constructed in accordance with the endorsed engineering plan.**
 10. **The approved upgraded vehicular entrance to the subject land from the road must be constructed at the applicants expense or by agreement with the Responsible Authority to provide ingress and egress to the site at a location, size and standard satisfactory to the Responsible Authority.**
 11. **Car parking spaces and access ways must be kept available for these purposes at all times.**
 12. **All stormwater and surface water discharging from the buildings and works must be conveyed to a point of discharge and approved by the Responsible Authority. No**

stormwater discharge from downpipes, overflow from water storage tanks or surface water shall be directed, or caused to be directed, in a concentrated form that will cause erosion and/or adverse effects within the site or to adjoining land.

13. The approved works must not cut off natural drainage to adjacent properties.

Country Fire Authority (CFA)

14. The Bushfire Management Plan – 174 Grant Street, Alexandra (Yarra Valley BAL Assessments, Version A, 4 May 2019) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
15. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.
16. The operation of the facilities at the site are to be conducted in accordance with the *Alexandra Scout and Community Shed – Interim Bushfire Emergency Management Plan – 174 Grant Street, Alexandra (John Horn, May 2019)* and must be endorsed to form part of the permit.

Notations

1. This permit is for the development and subdivision. Use of the site must be in accordance with uses permitted under the relevant zone in the Murrindindi Planning Scheme or any existing use rights. The use of the land for large private functions and special events may require separate planning approval.
2. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004* and associated regulations.
3. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

CARRIED UNANIMOUSLY

8.4 ALEXANDRA YOUTH PRECINCT MASTERPLAN

Attachment(s): *Alexandra Youth Precinct – Masterplan report (refer Attachment 8.4a)*
Community Feedback (refer Attachment 8.4b)

Purpose

This report includes a summary of feedback received during the public exhibition period for the draft Rotary Park Playground and Skate/BMX Park Master Plan (Master Plan) for the Alexandra Youth Precinct, proposed changes to the Master Plan, and the recommended funding model for the project.

Officer Recommendation

That Council

1. endorses the draft Rotary Park Playground and Skate/BMX Park Master Plan as attached to this report
2. authorises the Chief Executive Officer to apply for funding to Sport and Recreation Victoria for delivery of the project in 2020/21
3. commits to allocating a maximum of \$379,134 in the 2020/21 annual budget for project delivery, contingent on Council securing Sport and Recreation Victoria grant funding.

Background

Community consultation undertaken during October 2018 and March 2019 into the future development of the Rotary Park Playground and skate/BMX Park involved approximately 200 people providing input into the development of an initial concept plan for site that considered the following themes:

- enhance/improve the interconnectedness between the two open space areas
- upgrade play equipment, including nature based play
- upgrade BMX experience
- incorporate pump track to support mountain bike/BMX development
- upgrade the skate park with new features.

This consultation included discussion about budget restrictions for Council and the community's priorities which have helped shape the project scope.

Following this consultation the draft Master Plan, including the project scope and budget, was placed on public exhibition for the period 25 July – 14 August 2019, seeking further community input.

Discussion

In total 12 submissions were received following the exhibition period and the main themes from the submissions included:

Item	Suggested Action
Consideration of additional shade provision at Northern Playspace	No Action. Sufficient shade protection available from existing tree coverage during peak UV periods.
Consideration for permanent hydration stations	Future planning, no current action. One station at skate park. Additional station at Rotary Park BBQ to be progressed with Goulburn Valley Water program.
Consideration for additional toilet facilities	No action. Outside of scope and available budget. Additional toilets mean additional staff requirements due to increased service levels.
Consideration for additional seating, and all access abilities	No action. Seating within Northern play space adequate. Future detailed design to ensure seating accessible for wheelchairs.
Consideration for additional fencing	No action. Existing fence will be retained for Northern Play space. Traffic management signage to be installed on Bayley Street.
Consideration for additional parking requirements	The existing budget does not provide for extending parking options. Consideration by Council for future budget to develop appropriate parking.

Council Plan/Strategies/Policies

This report is consistent with the Council Plan 2017-2021 Our Place strategic objective 'support recreation opportunities for our residents and visitors that encourage participation and community connections' and Our Promise strategic objective 'expand our communication and two-way engagement with community'.

The project scope and budget shown below in Table 1, taken from the draft Master Plan, is of an appropriate scale for an open space environment pitched at a district level, as outlined in the Playground Management Framework adopted in Council's Recreation and Open Space Strategy.

Relevant Legislation

There are no specific legislative requirements in relation to this item.

Financial Implications and Risk

The proposed project scope and budget are summarised in Table 1. The scope incorporates signage upgrade to support traffic management on Bayley Street and irrigation to enable landscape development. The total project budget is estimated to be \$629,134.

Table 1: project scope and budget:

In order of priority the following aspects are presented in the Master Plan report:	
Northern playspace upgrade (Rotary Park Playground)	\$182,900
Pump track development for mountain/BMX bikes	\$ 93,800
Linear connection landscaping	\$139,000
Southern playspace	\$ 45,600
Sub Total	\$461,300
Other expenditure items include:	
Detailed design	\$ 30,000
Preliminaries (site establishment, project management)	\$ 44,390
Irrigation to establish landscaping	\$ 19,875
Signage upgrade	\$ 20,000
10% contingency	\$ 53,569
Sub Total	\$167,834
Total	\$629,134

The draft Master Plan highlights a significant project for the Youth Precinct to enable greater activation of the space and improved health and wellbeing outcomes for the community.

With Council endorsement, Council officers will seek State Government funding support through Sport and Recreation Victoria. Such a funding application requires evidence of Council's commitment to allocate funding to the project. The maximum grant available to Council is \$250,000. To meet the total project budget Council would need to provide a contribution of \$379,134.

This would be funded from a mixture of capital renewal and upgrade allocations and a contribution from Council's public open space reserve.

Conflict of Interest

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

Community and Stakeholder Consultation

The concept design and draft Master Plan development was developed through community consultation undertaken in October 2018 to March 2019 with over 200 community members providing input.

The draft Master Plan has more recently been placed on public exhibition between 25 July - 14 August 2019 and public submissions sought.

RESOLUTION

Cr C Bisset / Cr M Rae

That Council

1. endorses the draft Rotary Park Playground and Skate/BMX Park Master Plan as attached to this report
2. authorises the Chief Executive Officer to apply for funding to Sport and Recreation Victoria for delivery of the project in 2020/21
3. commits to allocating a maximum of \$379,134 in the 2020/21 annual budget for project delivery, contingent on Council securing Sport and Recreation Victoria grant funding.

CARRIED UNANIMOUSLY

9. OUR PEOPLE

Nil.

10. OUR PROSPERITY**10.1 GRANTS AND CONTRIBUTIONS – JULY 2019**

Attachment(s): *Community Projects, Events and Sponsorships – Summary July 2019 (refer Attachment 10.1)*

Purpose

The purpose of this report is to address the applications made to the first round of the 2019/20 Grants and Contributions Program, specifically:

- recommendations to Council for decision made by the Community Projects, Events and Sponsorships Assessment Committee
- allocations made by Council officers under delegation for Fee Reduction, Events and Skills and Capacity Building streams.

Officer Recommendation

That Council:

1. endorse the following grants and contributions:

	Applicant	Project	Funding sought	Community Grants Panel recommendation
1	Alexandra Community Christmas Tree Festival Inc.	Alexandra Community Christmas Tree Festival 2019 – Bringing the Festival to the Town Centre	\$4,000	Supported in full with a grant of \$4,000
2	Foggy Mountain Inc.	Ten Years On – Foggy Mountain Primary School Recording Project	\$5,000	Supported in full with a grant of \$5,000
3	Sing and Grow Australia	Music Therapy Program in Eildon	\$480	Supported in full with a grant of \$480, approved under Assessment Panel delegation
4	Upper Goulburn Landcare Network	Say Goodbye to Queensland Fruit Fly	\$4,530	Supported in part with a grant of \$3,000
5	Alexandra Bowling Club	Sponsorship request	\$500	Supported in full with a sponsorship of \$500

2. note the allocations made by Council officers under delegation:

Applicant	Title	Grant requested	Decision made under Officer delegation
Alexandra Scouts	Planning permit fee reduction	\$1,398	Approved for 50% reduction (\$699) of planning permit application fees.
Alexandra Indoor Swimming Pool	Planning and Building permit fee reduction	Planning - \$773.80 Building - \$408.45	Approved for 50% reduction of planning (\$386.90) and building permit (\$204.23) application fees.

Background

The Grants and Contributions Program provides the opportunity for community groups, not for profit organisations and businesses to seek funding to support a range of activities and initiatives.

Discussion

In total, four applications were received from community organisations and groups for the current round of community projects and events grants and one application for sponsorship was received. These applications are summarised in Attachment 10.1.

The assessment panel has recommended supporting the following three applications in full:

1. The Alexandra Community Christmas Tree Festival Inc. sought a grant of \$4,000 to support the purchase of outdoor Christmas garlands and lighting to decorate the Rotunda in Grant Street Alexandra as part of expanding the Christmas Tree Festival and bringing Christmas cheer to the main street of town. A grant of \$4,000 has been recommended acknowledging the support for the initiative from the Tourism and Traders Association and a number of key service clubs.
2. Foggy Mountain Inc. has sought a grant of \$5,000 to support the 'Ten Years On – Foggy Mountain Primary School Recording Project'. The project will involve all primary schools across the Kinglake Ranges and surrounds, engaging children in writing and recording songs on a CD with the support of Carter and Carter expertise and equipment. A grant of \$5,000 is recommended, acknowledging the significant amount of funding that has been sourced through other funding partners.

The Assessment Panel (Panel) has approved the following grant within their delegation:

3. Sing and Grow Australia is seeking a grant of \$480 to support travel costs for a music therapist to deliver the Sing and Grow program in Eildon. Program facilitation and other costs will be covered by Sing and Grow Australia for the eight week long program. A grant of \$480 was approved by the Assessment Panel under delegation.

The Panel have recommended supporting the following application in part:

4. The Upper Goulburn Landcare Network sought a grant of \$4,530 to support the Say Goodbye to Fruit Fly community education project which will include community information sessions and monitoring of fruit fly populations across the Murrindindi shire. The Panel has recommended that this application be supported in part with a grant of \$3,000. The Panel has recommended the group seek further sponsorship through major fruit growers and wine producers in the area to support the project. The Panel has also recommended that the community information sessions also provide an opportunity to educate the community on European wasps. Council's Environment Officer will be supporting the sessions and can deliver this content.

The Panel has recommended supporting the following application for sponsorship:

5. The Alexandra Bowling Club has requested a sponsorship of \$500 to support club activities. The Panel has recommended that this sponsorship be supported in full with a grant of \$500.

Council Plan/Strategies/Policies

The Community Grants and Contributions program delivers operational outcomes of the 2017-2021 Council Plan Our People strategic objective 'to provide a seed funding pool to support community initiated projects' and Our Prosperity strategic objective 'in partnership with the community we will promote an environment in which business and community can thrive'.

The program is guided by the Community Grants and Contributions Policy.

Relevant Legislation

There is no legislation relating to this matter.

Financial Implications and Risk

The Council Grants and Contributions Program budget for the 2019/20 financial year is \$230,000. A total of \$14,270.13 is recommended for this round (applications received in July 2019), leaving a balance of \$215,729.87 for the remainder of the financial year.

Conflict of Interest

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

Community and Stakeholder Consultation

The Community Projects and Events Grants applications are assessed by the Assessment Panel including the Deputy Mayor, Portfolio Councillor and the Chief Executive Officer (CEO). The CEO, Manager Development Services, Manager Community Wellbeing, Coordinator Tourism and Events, Director Assets and Development, Director Community Engagement have all been involved in the assessment of applications.

RESOLUTION

Cr M Rae / Cr E Lording

That Council:

1. endorse the following grants and contributions:

	Applicant	Project	Funding sought	Community Grants Panel recommendation
1	Alexandra Community Christmas Tree Festival Inc.	Alexandra Community Christmas Tree Festival 2019 – Bringing the Festival to the Town Centre	\$4,000	Supported in full with a grant of \$4,000
2	Foggy Mountain Inc.	Ten Years On – Foggy Mountain Primary School Recording Project	\$5,000	Supported in full with a grant of \$5,000
3	Sing and Grow Australia	Music Therapy Program in Eildon	\$480	Supported in full with a grant of \$480, approved under Assessment Panel delegation
4	Upper Goulburn Landcare Network	Say Goodbye to Queensland Fruit Fly	\$4,530	Supported in part with a grant of \$3,000
5	Alexandra Bowling Club	Sponsorship request	\$500	Supported in full with a sponsorship of \$500

2. note the allocations made by Council officers under delegation:

Applicant	Title	Grant requested	Decision made under Officer delegation
Alexandra Scouts	Planning permit fee reduction	\$1,398	Approved for 50% reduction (\$699) of planning permit application fees.
Alexandra Indoor Swimming Pool	Planning and Building permit fee reduction	Planning - \$773.80 Building - \$408.45	Approved for 50% reduction of planning (\$386.90) and building permit (\$204.23) application fees.

CARRIED UNANIMOUSLY

11. OUR PROMISE

11.1 END OF YEAR REPORT – CAPITAL WORKS PROGRAM 2018/19

Attachment(s): *Capital Works Quarterly Report – June (refer Attachment 11.1)*

Purpose

This report provides Council with the final report on the 2018/19 Capital Works Program (CWP) and advises Council on the end of year financial status for the CWP compared to budget allocations.

Officer Recommendation

That Council:

1. note the End of Year Report – Capital Works Program 2018/19
2. endorse the reallocation of residual funds and savings to the relevant reserves or project as outlined in Table CF1 within this report
3. note the projects and funds proposed for carry forward to the 2019/20 year as outlined in the report
4. approve adding the Yea Caravan Park fire services improvements (\$170,000) to the 2019/20 Capital Works Program with funds drawn from the Yea Caravan Park Reserve, noting the reserve will go into deficit and will be repaid over time by the rental associated with the caravan park lease
5. approve adding the renewal of the Kinglake Memorial Netball Courts to the 2019/20 Capital Works Program including the allocation of \$300,000 for the project from the reserve holding residual Victorian Bushfire Recovery and Reconstruction Authority funds
6. note that Council will apply for funding under the 2019 TAC Local Government Grant Program to improve safety around the Kinglake West Primary School by constructing the service road, which, if successful, will require Council to resolve to contribute \$55,000 from reallocated savings or reserves.

Background

This report is the final report of the CWP. The period of reporting is from 1 July 2018 to 30 June 2019.

The CWP is comprised of projects:

- endorsed by Council as part of the 2018/19 capital works budget
- carried forward from the 2017/18 CWP
- added to the CWP during the 2018/19 financial year.

In addition, some further projects are highlighted for possible inclusion in the 2019/20 capital works budget.

Discussion

The adopted capital budget for 2018/19 was \$7.82 million, of which \$6.23 million was for capital works projects or the CWP. The remainder of the capital budget was allocated to plant and fleet, information technology and other projects.

Carry forwards and additional projects resulted in a revised CWP budget of \$8.86 million. After delivering approximately \$5.8 million of the revised CWP, \$2.9 million of the CWP is

recommended for carry forward as detailed in this report as well as \$2,188,200 of non-capital works funding.

The following projects to the value of \$747,328 identified for delivery in the 2018/19 CWP were postponed into 2019/20 financial year or are no longer required. The funding of \$747,328 is recommend for carry forward to enable the deferred projects to be completed.

Table 1 – projects postponed or no longer required – funds to be carried forward (as indicated):

Project	\$ to be carried forward	Status
Girdwood Parade, Eildon (part of reseal program)	\$29,495	Postponed to allow for the completion of private construction works. A permit has been issued for occupation of roadway by site huts for the duration of the private works.
Aitken Crescent, Kinglake	\$91,931	Design completed, works postponed so that works can be completed in conjunction with the Kinglake Streetscape works.
Dropmore Bridge, Molesworth – Renewal	0	Budget reallocated to replace Campbells Creek Bridge Castella (higher priority due to condition).
Aitken Crescent, Whittlesea-Kinglake Road and Kinglake Glenburn Road, Kinglake - Stage 2 (pathway missing link)	\$40,000	Postponed so that works can be completed in conjunction with the Kinglake Streetscape works.
Station Street, Yea (Seg 673)	0	Deferred so that works can be completed in conjunction with Yea's Shire Office accessibility works. Project now budgeted in 2019/20 financial year. No carry forward required.
Emergency Services Access to Helipad, Alexandra	\$22,000	Postponed to a more suitable time of year to seal the surface. Completion planned early spring.
Yea Office Carpark Traffic Management	\$22,000	Postponed to be completed in conjunction with Pioneer Reserve sealing project. Consultation with Pioneer Reserve Committee complete. Committee requested works to be undertaken during spring school holidays.
Pioneer Reserve Parking Area, Yea – Sealing	\$57,000	Consultation with Pioneer Reserve Committee complete. Committee requested works to be undertaken during Spring school holidays.
Tourist Signage	\$8,817	Original project scope has been delivered with savings. Savings have been re-allocated to supply and install indigenous recognition signage. Currently awaiting sign artwork from Taungurung. Works postponed until artwork is confirmed.
Kinglake Community Centre - Roof and Lighting	\$52,950	Lighting completed. Following further investigation of the condition of the roof, it was found that the roof has deteriorated more extensively than scoped. This project will require additional funding to complete. Postponed to allow for a further capital works submission.
Yea Saleyard – Ramp	\$28,365	Original ramp installation placed on hold due to cost reduction in combining with the Yea Saleyards auctioneers walkway.
Yea Recreation Reserve - Change rooms - Renewal and Upgrade	Not applicable	Design completed. Construction works postponed to occur out of season, as requested by resident clubs. Funding was previously carried forward as part of the 2018/19 mid-year review.
Leckie Park Storage Shed Extension	0	Council works complete, shed supplied. Club in-kind works on hold. It is expected the in-kind works will be completed in the coming year.
Alexandra Shire Office	\$101,049	External façade works postponed. This project will require additional funding to complete.

Project	\$ to be carried forward	Status
Alexandra Landfill Cell Design	\$55,200	Minor survey works completed. Design works have been deferred to next financial year. This project was delayed until May 2019 awaiting the completion of the draft landfill study.
Kinglake Resource Recovery Centre – various items	\$14,597	Some works completed. Further works required. Ongoing fence line repair due to trespasser cutting fence.
Alexandra Resource Recovery Centre – various items	\$41,615	Seal on hold. To be completed in warmer weather.
Kinglake Memorial Reserve - Netball Courts Drainage Upgrade	0	Originally entered in the 2018/19 CWP to investigate surfacing issues and address. No budget was allocated. The investigation confirmed a renewal of the pavement is required to correct the issues. Investigation indicates best option is renewal. Cost estimated to be \$300,000. Refer to recommendations for inclusion as a new project.
Pendlebury Street, Alexandra - Kerbing Special Charge Scheme	\$53,000	Postponed as design and statutory process for resident agreement not complete.
Snodgrass Street, Yea - Special Charge Scheme	\$129,309	Postponed as design and statutory process for resident agreement not complete.
Total		\$747,328

Excluding the works outlined in Table 1, 108% of the infrastructure project spend from the original adopted budget was delivered, with savings of approximately \$0.6 million. A further \$436,000 from these savings and unrequired contingencies was re-invested in additional capital works projects. More than 100% of the original program has been delivered, reflecting a combination of project savings and new projects, from carry forwards and grant funding, which have been delivered in addition to projects from the original CWP. The remaining savings will be returned to the relevant reserve.

Revised Capital Works Program

A number of infrastructure projects were added to the CWP during the year following receipt of grant funding or through reallocation of savings. The additional projects included:

- Ghin Ghin Road, Yea – Safety Upgrades – Fixing Country Roads (\$469,028)
- Jorgensen Parade, Kinglake – Safety Upgrades. Fixing Country Roads (\$110,175)
- High Street, Yea – Traffic Management Review. Fixing Country Roads (\$22,814)
- Kinglake West (bushfire memorial) Carpark Resealing (\$37,000)
- Lake Mountain – Bike Path Extension (\$19,000)
- Eildon Speed Limit Review Works Program (\$20,000)
- Alexandra Depot – Fire Safety Works (\$80,000)
- Eildon Boat Ramp (Alliance Ramp Goulburn-Murray Water funded) (\$70,000)
- Kerami Crescent, Marysville – Drainage Upgrade Works (\$42,000)
- E-waste Sheds at Kinglake and Alexandra (\$170,000).

These additional infrastructure projects, along with carry forwards from the previous year, resulted in an annual revised infrastructure budget of \$8.86 million. Excluding the projects in Table 1, 108% of the original CWP was delivered, translating to 72% of the revised CWP delivered with a further 12% being committed (bringing the total to 84%).

Carry Forward Recommendations

The following table provides commentary on the more significant projects where a recommendation is made to carry forward funds.

- Table 1 – is a list of capital projects which have been placed on hold or are no longer required. Those projects requiring completion in the 2019/20 financial year with allocated budgets to be carried forward, total \$747,328.
- Table CF1 – is a list of projects to the value of \$180,366 where savings have been realised. Council officers recommend that, in accordance with Council's Capital Works Expenditure Policy, these amounts be reallocated to projects as shown or returned to the following reserves as appropriate:
 - infrastructure reserve
 - waste reserve.
- Table CF2 – is a list of projects to the value of \$709,194 that have not yet commenced. It is recommended that this amount is carried forward to complete allocated projects.
- Table CF3 – is a list of projects to the value of \$1,483,849 that were works in progress (WIP) but not yet completed in the financial year, and are either now complete or will be completed in the 2019/20 year. This budget is also recommended to be carried forward.
- Table CF4 – is a list of other capital projects which are not infrastructure related as well as projects whilst infrastructure in nature, Council will not own the asset at the conclusion of the works. These are largely grant funded. These projects require a carry forward of \$2,188,200.

Table CFI – project funds to be returned to reserve or reallocated:

Project	Comment	\$ Savings
Eildon Visitor Information Centre - Renewal	Work successfully completed	\$5,573
Thornton Recreation Reserve - Renewal	Work successfully completed	\$1,786
Flag Poles at Council Offices	Work successfully completed	\$9,287
Public Conveniences - Renewal	Work successfully completed. Savings in demolition of Leckie Park Toilet	\$14,492
Gravel Roads - Resheeting	Work successfully completed	\$22,215
Yea and District Children's Centre - Facility Upgrade	Work successfully completed	\$22,088
Sealed Road Shoulder Renewal – Ruffy Road, Ruffy	Work successfully completed	\$59,136
Total Infrastructure Savings		\$134,577
Project	Comment	\$ Reallocated
Path and Kerb Renewal Programs	Reallocation into the projected overspend in Path and Kerb Renewal Programs. These programs require an additional \$15,356 and \$6,365 respectively to cover the on order components moving into the new financial year. Pathway overspend relates to additional works required at the Rotary Park RSL. Kerb overspend relates to additional kerb works required in Snodgrass Street Yea. These funds are required to fund works committed and are offset by the savings above.	\$21,721

Project	Comment	\$ Reallocated
Leckie Park Pavilion	Leckie Park – removal of disused tennis court slab planned following the removal of the toilet block.	\$9,000
	Total Reallocated	\$30,721
Project	Comment	\$ Savings
Landfill Leachate Pond Repairs	Work successfully completed	\$16,491
Landfill Ancillary Works - Including Installation of Bores	Work successfully completed	\$29,298
Grant funding Non-Council		
	Total infrastructure reserve	\$134,577
	Total proposed to be reallocated	- \$30,721
	Total waste reserve	\$45,789

Table CF2 – works not yet started – to be carried forward:

WORKS NOT YET STARTED			
Job description	Comments	Budget	Recommended Carry forward
ROADS AND TRANSPORT			
Wilhelmina Falls Road, Murrindindi – Stage 2	These works were placed on hold to accommodate the Fixing Country Roads projects (Ghin Ghin Road, Yea and Jorgensen Parade, Kinglake). These were deemed of greater importance due to the funding being contingent on a 30 th June delivery date. The works are still required and funding needs to be carried forward to allow construction in the 2019/20 financial year.	\$182,000	\$182,000
Bridge Component Renewal	• Dyes Lane Bridge, Buxton - works were put on hold until pricing confirmed for Campbell's Creek Bridge, Castella - works now in specification writing stage. Works are still required. Funding required to be carried forward to allow 2019/20 construction.	\$66,000	\$66,000
	• Brooks Cutting Bridge, Alexandra - works were put on hold until pricing confirmed for Campbell's Creek Bridge Castella, works now in specification writing stage. Insufficient funding remained to complete scoped works (\$135,000 remaining \$185,000 scoped). Works are still required. Remaining funding is required to be carried forward and combined with a further \$50,000 from 2019/20 to allow 2019/20 construction.	\$134,687	\$134,687
	• UT Creek Bridge, Alexandra - works were put on hold until pricing confirmed for Campbell's Creek Bridge, Castella - works now in specification writing stage. Works are still required. Funding required to be carried forward to allow 2019/20 construction.	\$35,000	\$35,000

Job description	Comments	Budget	Recommended Carry forward
Fannings Bridge, Glenburn	Budget was placed on hold until pricing was confirmed to replace Campbell's Creek Bridge, Castella (higher priority due to condition). Funds to be carried forward to now allow project to progress.	\$81,568	\$81,568
Eildon Speed Limit Review Works Program	Works were delayed. VicRoads approval now obtained and are ready to commence.	\$20,000	\$20,000
DRAINAGE			
Marshbank Street, Yea – Drainage Renewal/Upgrade	Design and environmental assessment currently underway. Some minor vegetation removal and offsets required. Department Environment, Land, Water and Planning (DELWP) permit is required, informed by DELWP that there will be a two month wait for permit issue.	\$47,000	\$47,000
Drainage Network Expansion – Drainage Expansion	Budget need to be reallocated to Kerami Crescent Marysville as current design works indicate current budget may be insufficient to correctly resolve the issues.	\$19,539	\$19,539
COMMUNITY ASSETS			
Irrigation Upgrade, High Street Yea – Renewal/Upgrade	Design delayed to coordinate with High Street Yea – Safety Improvements project, to ensure no clash of infrastructure. Project will now proceed to technical specification and procurement. This project to be carried forward.	\$103,000	\$103,000
Bus Shelters	Budget savings. However, there is now a current request for Connellys Creek Road Acheron. The shelter is to be relocated to the concrete base. No budget was allocated to the 2019/20 financial year. Carry forward of this budget to complete these works.	\$20,400	\$20,400
Total			\$709,194

Table CF3 – works in progress – to be carried forward:

All Projects Currently Works in Progress (WIP)			
Job description	Comments	Budget	Recommended Carry forward
ROADS AND TRANSPORT			
Mt Pleasant Road, Alexandra - Entrance Sealing – Stage 1 - Design	Geotechnical investigation, feature survey and preliminary design are complete. Awaiting final design.	\$25,000	\$25,000
Yarck Road, Gobur – Route Improvement – Stage 1 – Design (Bridge Upgrade)	Project specification completed and preliminary quotes sought. Quotes were significantly higher than anticipated forcing further procurement processes. Further procurement currently underway.	\$48,054	\$20,000
Unsealed Roads - Major Maintenance	Works delayed due to high level of maintenance grading required throughout the year. Delayed program disrupted by inclement weather. Delayed works now underway but will require carry forward of unspent funds	\$426,291	\$130,631

Job description	Comments	Budget	Recommended Carry forward
Wattle Street, Alexandra (Sealed Road – Renewal and Major Patching)	Works were delayed due to alteration in the scope of works. Works now completed, however invoices have not been issued.	\$14,980	\$14,980
Sealed Road - Renewal and Major Patching	Carry forward uncommitted component for commitment to works proposed on Break O'day Road Glenburn.	\$276,082	\$39,025
Jorgenson Parade, Kinglake (Fixing Country Roads)	Primary works completed. Awaiting appropriate weather for sealing	\$110,175.00	\$16,510
Path Program – Renewal	One asset renewal item of this program has not yet been finalised. Works have been completed however, payment and practical completion are yet to be issued.	\$102,990	\$6,818
Pathway Program – Missing Link	Allocate \$5,280 of un allocated funding to Path Renewal Program above. \$40,000 is unspent amount for the Aitken Crescent component of the Kinglake Streetscape currently on hold (see Table 1).	\$88,521	\$5,280
Street Lighting – Road Safety	Bus stop light at Marysville completed. Kinglake-Glenburn Road Kinglake, in progress, procurement complete. Works delayed as a result of public request to relocate light away from residence. New location needs to be confirmed.	\$10,000	\$7,424
Cycling Road Signage – Road Safety	Works were planned, specified and tendered. All signs have been delivered however, installation was ongoing in the 2019/20 financial year. Works are now complete as of early August, awaiting final signoff and invoicing.	\$103,000	\$88,364
Shoulder Resheeting Program	Works completed booked incorrectly to maintenance ledgers. Carry forward to journal and correct expenditure	93,000	\$33,864
Murchison Street Marysville - Carpark	Design completed construction works are programmed for spring 2019	\$66,110	\$66,110
DRAINAGE			
Williams Street to UT Creek, Alexandra – Drainage Upgrade/New	Project has been designed, tendered and awarded. These works are currently under construction with a programmed completion date for early September.	\$295,627	\$209,482
Kerami Crescent, Marysville - Drainage Upgrade Works	Project budget was allocated very late in the financial year (April). Final design is underway construction best suited to early spring.	\$42,000	\$42,000
COMMUNITY ASSETS			
Kinglake Ranges Neighbourhood House - Kitchen	Works were originally delayed due to tender responses coming in substantially higher than budget. Funds were reallocated from savings and works were awarded. Works have now been completed, however, final invoice has not yet been issued.	\$108,125	\$60,302

Job description	Comments	Budget	Recommended Carry forward
Switchboard Compliance Council Buildings	Stage one works completed. Stage two works were replacement of boards that were not previously recorded and identified during stage one works. Replacement of these boards are now underway.	\$100,829	\$52,952
Pools Capital Equipment Replacement	Works well underway but remain ongoing in preparation for the commencement of the pool season.	\$29,000.00	\$14,964
Yea Shire Hall - Restoration Works (includes clock tower)	Works were delayed due to consultation requirements with AusNet. Works now delayed until warmer weather	\$226,867 (combined ledger)	\$224,823
CORPORATE ASSETS			
Alexandra Depot Development Work	Development of report regarding best location for future operations centre took longer than anticipated, draft report has been submitted and further works are now progressing.	\$54,000	\$49,403
Alexandra Depot - Fire Services	Design was referred to Country Fire Authority (CFA) for approval. Construction planned for completion in August 2019.	\$80,000	\$77,250
WASTE PROJECTS			
Electromagnet for 13 Tonne Excavator	Original quotes were significantly higher than budget. Further funding was allocated and full procurement completed. Product is now on order	\$65,000	\$42,349
Closed Landfills - Flowerdale - Stage 2	Review of closed landfill report is ongoing (currently with Environment Protection Authority (EPA) and consultant). Bore installation works complete. Further fencing works will require consultation with neighbouring property under the <i>Fences Act 1968</i> .	\$65,000	\$25,886
Closed Landfills - Yea - Groundwater Monitoring Bores	Major works complete. Awaiting final commissioning documentation.	\$40,000	\$15,580
Alexandra Landfill Capping Design Cell 1A - Alexandra - Stage 1	Design has been completed, auditor review is complete, first round of design iteration is in progress. Timelines for EPA approval of design require that this be carried forward.	\$93,000	\$60,685
Alexandra Landfill - Expansion of Monitoring Network	Original bore installation complete. The Hydrogeological Assessment (HA) subsequently required additional bores (these requirements were unknown at the start of the year). Works to install the additional bores is ongoing.	\$105,180	\$51,335
Alexandra – E-waste Shed (Grant Funded)	Primary works completed. Minor outstanding work remains and further funding due (\$14,500) in the 2019/20 financial year.	\$85,000	\$3,575

Job description	Comments	Budget	Recommended Carry forward
Kinglake - E waste Shed (grant funded)	The announcement for e-waste and Sustainability Victoria (SV) funding was late in the financial year (April). Works are nearing completion. Additionally a further \$15,000 is due from SV in the 2019/20 financial year. These works are already underway hence, the current indicated overspend.	\$85,000	\$14,381
SPECIAL PROJECTS			
Vegetation Projects	Projects relate to outstanding tree offsets from historical works. Further investigation is required before finalising the final scope however there has been an ongoing commitment to resolve this issue	\$87,876	\$84,876
Total			\$1,483,849

Table CF4 – non infrastructure capital projects and major infrastructure projects that will not be owned by Council at the conclusion of works:

Project	Comment	Recommended Carry Forward
Information Technology Hardware	Upgrades to corporate software	\$35,206
Information Technology - Office Software Upgrade	Upgrades to corporate software	\$49,500
Asset Management System	Upgrades to corporate software	\$7,165
Project/Contract Management System	Upgrades to corporate software	\$50,000
Plant and Fleet	Plant and fleet purchases currently awaiting delivery or procurement	\$1,260,589
Eildon Houseboat - Infrastructure - Releasing the Floating City.	Project plan provides for multiyear delivery. Programmed delivery date 2021. Construction design works under procurement	\$750,000
Alexandra Timber Tramway Museum	The site is leased by Council from VicTrack and works were delayed to determine the exact scope of the works required to 'make good' the site prior to the end of the lease. Works are now scoped and are still required.	\$35,740
Total		\$2,188,200

2019/20 Capital Works Budget Adjustment

Council officers propose three projects as additions to the 2019/20 CWP as follows:

Yea Caravan Park

Works are required following a fire service audit conducted by CFA at the change of lease of the Yea Caravan Park. This audit identified deficiencies in the existing fire services infrastructure and the need for significant works to bring these up to the required standard.

A budget of \$170,000 is proposed to undertake the necessary works. These funds will be drawn from the Yea Caravan Park reserve, which will, as a result, go into deficit. Council holds sufficient cash reserves to cover the Yea Caravan Park reserve being in deficit and the funds will be repaid over time by rental associated with the caravan park lease.

In order to improve the system an estimated budget is proposed for compliance related improvements to the fire services.

Kinglake West Primary School

Council officers propose to apply for funding to improve the safety of the service road adjoining Kinglake West Primary School through the 2019 TAC Local Government Grant Program.

Works include the formalisation of the existing gravel entry to create a sealed service road, line-marking, drop off areas, footpath, raised crossing and fencing to main road school crossing.

The cost estimate for this project is \$110,000 and grant conditions require a \$55,000 contribution from Council.

Council officers propose that should this grant application be successful, that this be firstly funded from any savings made from projects in the 2019/20 capital works budget and if there is not sufficient savings, that this be funded from reserves. If the grant application is successful, a resolution of Council will be sought to confirm the allocation of the funds.

Kinglake Memorial Netball Courts

A geotechnical investigation regarding the cause of the bumps in the asphalt surface concluded that the pavement material has two serious deficiencies, specifically, the pH is low and the material has high concentrations of specific mineral salts. While the pH can be corrected by lime stabilisation nothing can effectively correct for the salts. These reactive minerals when exposed to water are migrating to the surface and crystallising, causing the bumps on the surface.

The solution is to remove the existing material (crushed rock beneath the asphalt) and replace it with a standard class two crushed rock base, include some sub-surface drainage. A new asphalt surface would then be laid on top of the new base. This will prevent any recurrence of the issues.

The estimated cost of the required works is approximately \$300,000. Council officers propose that this asset renewal is funded from the residual Victorian Bushfire Reconstruction and Recovery Authority funds that are currently held in reserve.

The court surface has been unsuitable for play for some time. Other options risk further delay in returning the surface to a playable condition. A temporary repair could be attempted, however this would still carry a significant cost and would not prevent recurrence – potentially within the next season of play. Council could seek grant funds to assist from, say, State Government, however most sources of grant funds do not support renewal works.

Council Plan/Strategies/Policies

The CWP is consistent with the Council Plan 2017-2021 Our Promise strategic objective to work in collaboration with our communities to deliver the best possible outcomes in all that we do. It is also consistent with the strategy to maintain Council's financial sustainability through sound financial and asset management.

Financial Implications and Risk

Timely reporting of financial issues assists in early identification of the need for corrective action or reallocation of budget where required. Reporting of project progress also provides Council and the community with an understanding of when projects will commence and communicates delays if they occur.

Conflict of Interest

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

Community and Stakeholder Consultation

No external consultation was specifically required in preparation of this report. However, significant external consultation occurs as part of the delivery of specific projects and programs covered in this report and this often results in adjustments to the scope or timing of the works.

RESOLUTION**Cr E Lording / Cr L Dunscombe****That Council:**

1. note the End of Year Report – Capital Works Program 2018/19
2. endorse the reallocation of residual funds and savings to the relevant reserves or project as outlined in Table CF1 within this report
3. note the projects and funds proposed for carry forward to the 2019/20 year as outlined in the report
4. approve adding the Yea Caravan Park fire services improvements (\$170,000) to the 2019/20 Capital Works Program with funds drawn from the Yea Caravan Park Reserve, noting the reserve will go into deficit and will be repaid over time by the rental associated with the caravan park lease
5. approve adding the renewal of the Kinglake Memorial Netball Courts to the 2019/20 Capital Works Program including the allocation of \$300,000 for the project from the reserve holding residual Victorian Bushfire Recovery and Reconstruction Authority funds
6. note that Council will apply for funding under the 2019 TAC Local Government Grant Program to improve safety around the Kinglake West Primary School by constructing the service road, which, if successful, will require Council to resolve to contribute \$55,000 from reallocated savings or reserves.

CARRIED UNANIMOUSLY

11.2 QUARTERLY FINANCIAL REPORT TO 30 JUNE 2019

Attachment(s): 4th Quarter Financial Report 2018/19 (refer Attachment 11.2)

Purpose

This report provides the quarterly financial report for the period ending 30 June 2019. It should be noted that the figures included in the report are the interim, pre-audited results, and may differ from the final annual financial results included in the 2018/19 Annual Report.

Officer Recommendation

That Council receives the Quarterly Financial Report to 30 June 2019.

Background

The Quarterly Financial Report for the period ended 30 June 2019 is presented for consideration by Council, in accordance with the *Local Government Act 1989*.

The report includes the following statements:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Cash Flow
- Statement of Capital Works
- Reconciliation of Non-Discretionary Cash & Reserves.

Discussion

The statements for the fourth quarter to 30 June 2019 are included in Attachment 11.2.

Income Statement (Statement A)

The Income Statement for the period 1 July 2018 to 30 June 2019 (also within the attached report) is presented below:

Income Statement
For the period ended 30th June 2019

	Original Budget 2018/19 \$	Annual Revised Budget 2018/19 \$	YTD Budgets 30/06/2019 \$	YTD Actual 30/06/2019 \$	Budget/ Actual Variance (unfav) \$	%
Revenue						
Rates & Charges	20,525,445	20,612,589	20,612,589	20,542,270	(70,319)	0%
Special Charge	87,000	87,000	87,000	-	(87,000)	-100%
Statutory fees and fines	888,678	1,049,980	1,049,980	1,048,130	(1,850)	0%
User fees	2,345,277	2,791,655	2,791,655	2,756,813	(34,842)	-1%
Grants - Operating	7,346,704	8,846,851	8,846,851	9,079,498	232,647	3%
Grants -Capital	1,414,759	2,304,960	2,304,960	2,900,136	595,176	26%
Contributions - Cash	54,275	602,416	602,416	534,327	(68,089)	-11%
Contributions - Non Cash	400,000	805,000	805,000	1,649,478	844,478	105%
Reimbursements	382,114	553,361	553,361	433,964	(119,397)	-22%
Other revenue	1,181,015	1,238,489	1,238,489	1,356,191	117,702	10%
Total Revenue	34,625,267	38,892,301	38,892,301	40,300,805	1,408,504	4%
Expenses						
Employee Benefits	14,799,536	14,804,255	14,804,255	14,586,990	217,265	1%
Materials and Services	9,798,106	12,437,775	12,437,775	11,188,587	1,249,188	10%
Depreciation and amortisation	9,602,649	9,183,849	9,183,849	9,651,370	(467,521)	-5%
Bad and Doubtful Debts	-	65,278	65,278	76,316	(11,038)	-17%
Other Expense	313,338	330,065	330,065	360,090	(30,025)	-9%
Finance Costs (Interest)	55,050	55,050	55,050	54,587	463	1%
Total Expenses	34,568,679	36,876,272	36,876,272	35,917,940	958,332	3%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(55,054)	223,845	223,845	(855,327)	(1,079,172)	-482%
Increase/(Decrease) Landfill Provison	-	-	-	652,685	652,685	-100%
Surplus (deficit) for the period	1,534	2,239,874	2,239,874	4,180,223	1,940,349	87%

The \$4.18 million operating surplus for the 2018/19 financial year is a \$1.94 million favourable variance to the annual revised budget. After adjusting this surplus figure for non-recurrent items such as capital grants, assets received from developers, asset disposal and provision adjustments, the underlying result is a favourable variance of \$927,182 (a deficit of \$166,749, compared to the annual revised budget deficit estimate of \$1.09 million). A reconciliation of the underlying result is shown in the table below:

	Original Budget 2018/19	Annual Revised Budget 2018/19	YTD Budgets 30/06/2019	YTD Actual 30/06/2019	Budget/ Actual Variance (unfav)	%
	\$	\$	\$	\$	\$	
Surplus (deficit) for the period	1,534	2,239,874	2,239,874	4,180,223	1,940,349	87%
Less capital adjustments						
Grants -Capital	1,414,759	2,304,960	2,304,960	2,900,136	595,176	26%
Contributions - Non Cash	400,000	805,000	805,000	1,649,478	844,478	105%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(55,054)	223,845	223,845	(855,327)	(1,079,172)	-482%
Increase/(Decrease) Landfill Provison	0	0	0	652,685	652,685	-100%
	1,759,705	3,333,805	3,333,805	4,346,971	1,013,166	30%
Underlying result (deficit)	(1,758,171)	(1,093,931)	(1,093,931)	(166,749)	927,182	-85%

The major variances between the actual result and the revised budget are shown in the table below:

Line Item	Variance	Main Contributing Factors
Special charge	(\$87,000)	Pendlebury and Snodgrass Street special charge schemes did not proceed in 2018/19
Grants - Capital	\$595,176	Favourable variance due to capital grants received under the Fixing Country Roads Program (\$604,720). The projects attached to this funding will commence in 2019/20.
Contributions – non cash	\$844,478	Council receives contributions in the form of infrastructure as a result of subdivisions and developer contributions. The timing and amount of such contributions is largely outside Council's control. The following is a breakdown of the \$1,649,478 worth of assets gifted to Council by asset classification: <ul style="list-style-type: none"> • Roads (\$1,294,778) • Drainage (\$265,446) • Paths (\$69,946) • Land under roads (\$19,308)
Reimbursements	(\$119,397)	Unfavourable variance due to lower than budgeted rates legal cost recovered from outstanding rate debtors. Council undertook an alternative approach to debt recovery in 2018/19 and did not pursue recoverable legal action. This variance is offset by the underspend on legal expenses (see Materials & Services below).
Employee Benefits	\$217,265	Favourable variance mainly due to lower than budgeted payments to employees as a result of vacancies and the timing of appointments.
Materials & Services	\$1,249,188	Favourable variance due to lower than anticipated year to date expenditure on: <ul style="list-style-type: none"> • Utilities (\$1,303) • Contractors (\$432,393) • Legal expenses (\$112,115) • Materials (\$48,255) • Contributions (\$538,991) • Consultants (\$160,817) Offset by higher than budgeted expenditure on: <ul style="list-style-type: none"> • Insurance (\$44,686)
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(\$1,079,172)	Several major plant, fleet and machinery purchases/replacements originally budgeted were not procured in 2018/19. As a result, the proceeds from the sale of assets is below the budget estimate. This line also includes the end of financial year adjustments to the carrying value of assets disposed.
(Increase)/Decrease Landfill Provision	\$652,685	Landfill provision has decreased following the annual review of provision accounts.

Balance Sheet (Statement B)

The Balance Sheet, Statement B as at 30 June 2019, shows a Cash and Cash Equivalents unfavourable variance of \$28,596,458. This is due to the requirement to recognise cash investments with a maturity date greater than 90 days from 30 June as 'other financial assets'.

The 30 June 2019 balance of other financial assets is \$34,119,500. When reading these two current asset lines together, the total cash position is favourable by \$5,523,042.

Trade and other receivables has a favourable variance of \$1.1 million above budget. This is due to invoices raised in late June for Government grants (including Fixing Country Roads \$945,527) that will be received in the 2019/20 financial year.

Cash Flow Statement (Statement C)

This statement provides a more holistic picture and reports the important information on Council's cash inflows and outflows. Overall, Council's cash position increased by \$5,523,042. This largely reflects the under expenditure on capital works which is reflected in the cash flow from investing activities.

Statement of Capital Works (Statement D)

A full reconciliation of expenditure on the capital works program is provided in a separate report to this meeting. Overall, Statement D shows a favourable variance of \$4.7 million across the capital expenditure budget, which predominantly represents projects either partially completed or deferred during the 2018/19 year and intended for carry forward into the 2019/20 year.

Non-Discretionary Cash and Council Reserves (Statement E)

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

Councillor Expenses (GST Exclusive):

The Local Government (Planning and Reporting) Regulations 2014 Part 4 - Annual Report, Division 1 requires Council to report annually regarding Councillor expenses under prescribed categories.

As agreed in the Councillor Reimbursement Policy that was adopted by Council at its February 2017 Ordinary Meeting, Council also reports quarterly on the Councillor related expenses. The following table details Councillor expenses for the year ending 30 June 2019. This information will also be included in the 2018/19 Annual Report

Councillor Expenses for 12 months ending 30 June 2019:

	Allowances	Travel Expenses	Mileage	Childcare Expenses	Information & Communications Expenses	Conference & Training Expenses	Cr Specific Other Expenses
Cr Ashe	\$22,411.68	\$0.00	\$0.00	\$0.00	\$2,336.57	\$2,459.92	\$578.33
Cr Bisset	\$37,088.68	\$159.20	\$2,606.10	\$0.00	\$2,486.54	\$3,175.02	\$654.09
Cr Bowles	\$22,563.56	\$0.00	\$0.00	\$0.00	\$2,339.19	\$2,186.31	\$578.33
Cr Dunscombe	\$22,411.68	\$274.75	\$8,146.11	\$0.00	\$2,402.84	\$2,730.28	\$717.55
Cr Lording	\$22,411.68	\$120.00	\$4,893.74	\$0.00	\$2,511.83	\$1,841.76	\$628.33
Cr McAulay	\$52,279.21	\$268.73	\$3,530.60	\$0.00	\$2,333.07	\$12,780.38	\$1,035.10
Cr Rae	\$22,411.68	\$0.00	\$0.00	\$0.00	\$2,639.44	\$1,769.01	\$691.48

Council Plan/Strategies/Policies

This report, in relation to the Annual Budget and quarterly financial reporting, is consistent with the Council Plan 2017-2021 Our Promise strategy 'to maintain Council's financial sustainability through sound financial and asset management practices'.

Relevant Legislation

The *Local Government Act 1989* (the *Act*) requires, under Section 127 that the Council must prepare a budget for each financial year. Then, in Section 138, the *Act* requires that quarterly financial reports must be presented to Council.

Financial Implications and Risk

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

Conflict of Interest

There are no declared conflicts of interest by Council officers in the preparation of this report.

Community and Stakeholder Consultation

There was no community consultation required for the preparation of this quarterly budget report.

RESOLUTION

Cr L Dunscombe / Cr M Rae

That Council receives the Quarterly Financial Report to 30 June 2019.

CARRIED UNANIMOUSLY

11.3 ANNUAL REVIEW OF CHIEF EXECUTIVE OFFICER REMUNERATION PACKAGE**Purpose**

The purpose of this report is for Council to resolve the annual increase to the remuneration package of the Chief Executive Officer (CEO) in accordance with the Contract of Employment.

Motion

That Council:

1. approve an increase to the remuneration package of the Chief Executive Officer (CEO) of 1.85% to \$249,533
2. approve the back-dating of the increase to 1 January 2019 in accordance with the terms of the Contract of Employment
3. notes that under the employment contract any future annual increase to the CEO's remuneration package will apply from 1 July of each year.

Background

The CEO is currently entitled to a remuneration package totalling \$245,000.

In accordance with the original terms of the CEO's Contract of Employment, which commenced on 1 July 2018, the Council is required to review the CEO's performance and remuneration package six months from the commencement of the contract (1 January 2019) and then annually thereafter, having regard to:

- the officer's achievement of the Performance Criteria
- the extent of any increase over the preceding 12 months in the Consumer Price Index (CPI All Groups, Melbourne) as issued by the Australian Statistician
- market rates for comparable positions

- the acquisition and satisfactory utilisation of new or enhanced skills by the officer if beneficial to, or required by the Council.

The Council has subsequently revised the terms of the CEO's Contract of Employment such that the performance and remuneration review is to occur 12 months (not six months) from the commencement of the contract (1 July 2019) and annually thereafter. The contract revision recognises that any adjustment to the remuneration package following the first review would apply from (and therefore be backdated to) the original six month review date of 1 January 2019.

Discussion

The Council has recently completed the first review of the CEO's performance under the contract and determined that the CEO's performance criteria have been achieved.

In reviewing the CEO's remuneration package the Council notes that the increase in CPI (All Groups, Melbourne) for the 12 months to June 2019 was 1.3%. This is the minimum amount by which the Council must increase the CEO's remuneration package under the contract of employment when the performance criteria have been achieved.

The Council has assessed the performance of the CEO as achieving a highly satisfactory standard. The Council also notes that Council's current Enterprise Agreement, which applies to all employees with the exception of the CEO and Directors, provides for an annual salary increase of 1.85%. The Council therefore considers it fair and reasonable that the CEO receive the same level of annual increase as applicable to all employees. The Council thus proposes to increase the CEO's remuneration package by 1.85% to \$249,533, back-dated to 1 January 2019.

Council Plan/Strategies/Policies

The CEO is tasked with the responsibility to ensure the Council Plan 2017-2021 is implemented in accordance with the direction of Council.

Relevant Legislation

Under the *Local Government Act 1989*, the Council is responsible for the employment of the CEO.

Financial Implications and Risk

There are no significant risks or financial implications associated with this report.

Conflict of Interest

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

Community and Stakeholder Consultation

Community consultation was not required for the matter in this report, as it relates to contractual issues.

RESOLUTION

Cr C Bisset / Cr E Lording

That Council:

1. **approve an increase to the remuneration package of the Chief Executive Officer (CEO) of 1.85% to \$249,533**
2. **approve the back-dating of the increase to 1 January 2019 in accordance with the terms of the Contract of Employment**
3. **notes that under the employment contract any future annual increase to the CEO's remuneration package will apply from 1 July of each year.**

CARRIED UNANIMOUSLY

12. NOTICES OF MOTIONS

Nil.

13. MATTERS DEFERRED FROM PREVIOUS MEETING

Nil.

14. URGENT BUSINESS

Nil.

15. COUNCILLOR REPORTS**15.1 CR MARGARET RAE**

No report this month.

15.2 CR JACKIE ASHE

The Discover Dindi Official Visitors Guide was launched last week. Pick up your guide at any of our Visitor Information Centres.

I, along with Council officers, attended the Regional Tourism Review session this month in Seymour. Many good conversations were had and I look forward to hearing the outcome of this review.

There has been productive conversations around the Eildon Recreation and Open Space Strategy.

Congratulations to all involved with the Victoria Tourism Industry Council (VTIC) Visitor Summit at Holmesglen last week. Around 100 delegates from the tourism industry visited our area over three days. I personally had the pleasure to meet some of my heroes. Thank you to Council officers and the Holmesglen at Eildon crew for all the effort they have put into this event.

Discover Dindi social media update:

- Facebook – 17,297 likes (increase of 5.5%)
- Instagram – 2,368 followers (increase of 4.6%).

15.3 CR ERIC LORDING

For detailed information regarding infrastructure, please refer to the end of year capital report as presented at this Council meeting.

The Kinglake Neighbourhood House kitchen renovation has been completed, with this now being used regularly in their winter warmer gatherings program. This program provides meals for locals and provides an opportunity for them to meet other community members.

Swimming Pool works for this season are underway. An auto vac has been purchased for the Yea Swimming Pool. Replacement of pool mats at Yea Swimming Pool and an automated mat roller for Eildon Swimming Pool have been ordered.

The final design incorporating community comments for the High Street Yea Safety project have been received and the updated design is nearly finalised.

The installation of cycling road safety signage has now been completed.

There have been a number of complaints from the new road surface at the intersection of Pheasant Creek Road and the Kinglake-Whittlesea Road. Complainants have been notified that this is a Regional Roads Victoria (RRV) construction. On talking with RRV they have also received complaints especially from truck drivers. RRV are planning to inspect the badly waved surface and if needed may force remedial work by the contractor.

My time has been tight of late due to the continuing meetings regarding recycled waste at various venues throughout the state. Tomorrow I will be attending the Littering and Illegal Dumping Workshop in Shepparton. There are quite a number of similar meetings scheduled in September and October.

I will be away from 23 September to 4 October however; I will be attending the Ordinary Meeting of Council on 25 September. I will be available on email during this period.

From time to time we discover illegal dumping sites within our Shire. These will be referred to the appropriate Government agency for prosecution and remedial action.

15.4 CR CHARLOTTE BISSET

Youth

The co-lead youth camp is being held on the 1 and 2 October at the Kinglake West Camp for anyone who resides in the Murrindindi shire and who is enrolled in any secondary school. The purpose of this camp is to co-design with the youth, the youth leadership program that will commence in 2020.

Recreation

It's a little funny to be talking about pools with weather like today, but there has been a great uptake to the advertising for lifeguards for the upcoming 2019/2020 season. Appointments have been made for training and induction is currently occurring.

Great to see the youth precinct design at Alexandra's Rotary Park has been endorsed tonight. This will be a great asset to Alexandra. Council will apply for a grant through the Community Infrastructure Fund when the grants are open. Council will also make a contribution as per the budget.

Eildon play space consultation has begun with initial talks with key community stakeholders. This consultation will continue until the end of the year. This consultation is focused on rationalising the play spaces within the Eildon township.

Community Planning

Community planning continues in the Marysville, Yea and Toolangi communities with the initial community dinners being a success and several meetings have been held to work on the ideas that were generated out of these meetings.

Yea Saleyards

As the Councillor sitting on the Yea Saleyards Committee of Management, I would like to congratulate them for winning the Shane Knight Memorial Award at the Livestock and Rural Transporters Association of Victoria (LRTAV) 2019 Conference for building and installing the fixed two deck loading ramp and loading facility.

Rubicon Outdoor Centre

Lastly, this month I have represented Council on the Rubicon Outdoor Centre School Council and it was terrific to learn more about our Shires third official state secondary school. This school has been in operation for over 40 years and is a residential school that focuses on educating students using the outdoors as the classroom.

15.5 CR REBECCA BOWLES

A number of Landcare projects have occurred over the last month. Kinglake Landcare in partnership with the Country Fire Authority (CFA) and Council continue to remove holly along Watson's Road. This will be a long-standing project after the successful removal of English broom and blackberry along the same stretch of road.

Nest boxes were constructed with Kinglake Primary and will be installed next month. The school intends to purchase a motion camera to compliment the program.

A new project to establish a Greater Glider corridor linking remnant bush after will be created after VicForests has logged areas of the glider's habitat.

The lyrebird populations are flourishing in the Kinglake ranges.

Strath Creek Landcare has also had a busy month and fencing on two properties along King Parrot Creek is now ready to begin. A working bee at Murchison's Gap lookout was well attended and three co-operating Landcare groups got together at the Hamilton's property. Planting occurred to celebrate the late John Hamilton and to link wildlife corridors on the property.

Strath Creek Landcare Annual General Meeting (AGM) will be held on 8 September at the Strath Creek Hall.

The Yea River Catchment will be holding a film and soup night this coming Friday 30 August, all are welcome.

Kids Teaching Kids planning is well underway. All are invited to the Yea Wetlands on 10 September for this fantastic event.

Judy Gill, our Intrepid Landcare facilitator, has decided to pursue other avenues of work after seven years at the helm. Cat Thomas will be stepping into the role and will begin on the 23 September. Good luck to both.

Work will continue in coming months on energy efficiency upgrades across selected Council buildings, thanks to the Sustainability Victoria's Local Government Energy Savers Program.

There have been a number of compliance issues of late of illegal clearing of native vegetation. State and Local Government laws are very robust in this space, so if people are in need of guidance on native vegetation removal please don't hesitate to contact Council before proceeding. Rectification works are required for the above-mentioned illegal clearing.

Council roads (523 kilometres) have been treated for noxious weeds last financial year. This was co-funded by Council and Victoria's Roadside Weed and Pest Management Program.

15.6 CR LEIGH DUNSCOMBE

My month has had a bit of a community group focus to it this month, and I would like to take this opportunity to give a shout out to all the amazing community groups, clubs and organisations throughout the Shire and the amazing volunteers that make them operate. I attended the Rotary Club of Kinglake hand over dinner late last month, along with Councillor Bowles, to welcome their

incoming President Neil Bowles and acknowledge the great work of outgoing President Andrew Walsh. It was a fantastic night attended by Rotarians from near and far and the Honourable Danielle Green Member of Parliament (MP) and several new volunteer inductees to the Kinglake fold. Rotary is just one of the many groups that help our communities function and once again, thank you for a fantastic night.

Another group to which I think everyone owes a debt of gratitude to, weather you realise it or not is the State Emergency Service (SES). Another group of dedicated volunteers who work tirelessly to help keep our communities safe and clean up the mess when things go wrong. I note that the Kinglake SES are currently seeking new community minded volunteers over the age of 15 to join them. No previous experience is required and all training, uniforms and equipment is supplied. So if you think that the SES might be for you, you can email them at kinglake@ses.vic.gov.au and request more information.

A big shout out also goes to the Kinglake Ranges Neighbourhood House and Ellimatta Youth Inc. who have recently taken out the top gong for their Employment and Enterprise Program at the Victorian Learn Local Collaboration Awards. A fantastic achievement and a great example of what proactive collaboration between community organisations can achieve. Congratulations to all involved.

In the spirit of volunteerism, I would also like to acknowledge a legend of the Kinglake community in Ray (Wrinkles) Bartlam. After clocking up 30 long seasons and over 1000 games of football/netball as head trainer with the Kinglake Football/Netball Club, not to mention his many years of service to the Kinglake Scouts, Ray has decided to hang up his boots at the end of this season. There are still some finals games to be played and the Lakers are still in it with a shot. There will be very big boots to fill, so come on Lakers do it for Ray.

There are literally hundreds of community groups, organisations and clubs throughout the Shire and I would encourage everyone to get involved.

In other news it was my pleasure to address the 2019 cohort of the Rivers and Ranges Leadership Program and offer a bit of an insight into the role of a Councillor for their 'Understanding Local Government' day and to meet with Honourable Danielle Green MP with our local neighbourhood houses, Firefoxes and Ellimatta Youth Inc. representatives to hear about the extension to relaxed catchment boundaries for mental health services for the Kinglake Ranges. The extension is until April 2021 to be reviewed following the final report from the Royal Commission.

15.7 CR SANDICE MCAULAY – MAYORAL REPORT

I was proud to be asked to represent the Yea Saleyards in order to accept the Shane Knight Memorial Award in Bendigo a couple of weeks ago. The Shane Knight Memorial Award has been set up as an acknowledgement of the late Shane's commitment to safety in the Livestock and Rural Transport Association of Victoria (LRTAV).

The Yea Saleyards have installed a fixed two deck loading ramp and loading facility with infill and forcing pen that makes handling safer by separating cattle from people. The Yea Saleyards Committee of Management was also instrumental in developing a truck parking area with capacity for dozens of heavy vehicles.

John Beer (President of the LRTAV) nominated the Yea Saleyards for this award and on the night expressed his hope that other saleyards and processor sites might follow the example set at Yea, in terms of driver safety as well as animal welfare. A loud congratulations to the outstanding collaborative efforts of the Yea Saleyards Committee of Management with Council.

I was also very pleased to welcome participants to the 2019 Victorian Tourism Industry Council Visitor Information Services Summit at the beautiful award winning Holmesglen at Eildon. The tourism industry is very important to Murrindindi shire. The visitor economy contributes \$11.3 million and over 500 jobs. During the welcome I was excited to launch our Official Visitor Guide (OVG), our first OVG in five years. It is packed full of stunning imagery, many of which has been sourced from our Discover Dindi social media pages. I encourage you to pick up a copy from one of our Visitor Information Centres. It was a pleasure to introduce the participants to one of the newly developed Discover Dindi videos. So many participants came up in the break to talk about the breathtaking scenery depicted in the video. Congratulations to all that have been involved in the development of the OVG and videos – well done!!!!

The Mayor acknowledged the service to Council of Stuart McConnell and wishes him the best for his future employment.

16. CHIEF EXECUTIVE OFFICER REPORT

The Acting Chief Executive Officer, Michael Chesworth, acknowledged Stuart McConnell's service to Murrindindi Shire Council as its Director Assets and Development. Stuart's leaves Council on Friday 30 August.

17. ASSEMBLIES OF COUNCILLORS

Purpose

This report presents the records of assemblies of Councillors for 24 July 2019 to 21 August 2019, 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 24 July 2019 to 21 August 2019.

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 an assembly 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 24 July 2019 to 21 August 2019:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	24 July 2019
Matters Discussed:	<ol style="list-style-type: none"> 1. Proposed Service Station - 1294 Goulburn Valley Highway Thornton 2. 2011/313 – Amendment of Planning Permit to Extend Liquor Licence Hours – 6 Murchison Street Marysville 3. Planning Permit Amendment to Allow Temporary Dwelling – 38 Elliot Court Buxton 4. Proposed Dwelling - 388 Goulburn Valley Highway Eildon

	5. Alexandra Youth Precinct Masterplan 6. Local Government Power Purchasing Agreement 7. Grants and Contributions 8. Adoption of the Priority Action Plan 2019/20
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S McConnell, S Brown, T Carter, D Jackson, N Grey, A Priest, N Stewart
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Briefing
Meeting Date:	7 August 2019
Matters Discussed:	1. Kinglake Village Update 2. 707 Murrindindi Road 3. End of Year Report – Capital Works Program 2018/19
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr M Rae, Cr E Lording
Council Officer Attendees	Craig Lloyd, M Chesworth, S McConnell, S Brown, D Jackson, C Lintott, B Scott
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Briefing
Meeting Date:	14 August 2019
Matters Discussed:	1. Proposed Tourist Accommodation – 182 Shannons Road Murrindindi 2. Scouts Development - 174 Grant Street Alexandra 3. Yoga and Wellness Retreat – 5393 Goulburn Valley Highway Yea 4. Council Youth Leadership Development Pilot Program 5. General Discussion on Advocacy Priorities
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	M Chesworth, S McConnell, S Brown, N Grey, D Jackson, C Gartland, N McNamara, S Collier, I Ellis
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Workshop
Meeting Date:	21 August 2019
Matters Discussed:	1. Health Check Report 2. Grants and Contributions – July 2019 3. Alexandra Youth Precinct Masterplan 4. Capital Works Monthly Reporting - July 5. Waste Strategy Workshop
Councillor Attendees:	Cr S McAulay, Cr R Bowles, Cr M Rae, Cr E Lording
Council Officer Attendees	M Chesworth, S McConnell, N McNamara, S Collar, C Lintott, B Scott, J Russell
Conflict of Interest Disclosures: Nil	

Council Plan/Strategies/Policies

This matter is consistent with the Council Plan 2017-2021 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 assembly of Councillors tables listed above.

RESOLUTION

Cr J Ashe / Cr R Bowles

That Council receives and notes the record of assemblies of Councillors for 24 July 2019 to 21 August 2019.

CARRIED UNANIMOUSLY

18. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
D19/7160	24 July 2019	Sub-Licence Agreement between Murrindindi Shire Council and Marysville and District Kindergarten Association Inc. for use of the preschool area.	Craig Lloyd Cr Margaret Rae
SF/981	2 August 2019	Section 17D <i>Crown Land (Reserves) Act 1978</i> Lease (Non Retail) between Murrindindi Shire Council and Marysville Triangle Business and Tourism Inc. for the Marysville Information and Regional Artspace	Craig Lloyd Cr Rebecca Bowles
SF/1932	21 August 2019	Section 17D <i>Crown Land (Reserves) Act 1978</i> Lease (Non Retail) between Murrindindi Shire Council and Upper Goulburn Community Radio Inc. for Marysville Information and Regional Artspace	Michael Chesworth Cr Sandice McAulay

Officer Recommendation

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

RESOLUTION

Cr M Rae / Cr R Bowles

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

CARRIED UNANIMOUSLY

There being no further items of Business, the Chairperson declared the meeting closed at 7.26pm.

CONFIRMED THIS

25th SEPTEMBER 2019

CHAIRPERSON

[Signature]