



Murrindindi
Shire Council

MINUTES
of the
ORDINARY MEETING OF COUNCIL
held on
WEDNESDAY 26 JULY 2017
in the
YEA COUNCIL CHAMBER
commencing at
6.00 pm

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1. PLEDGE AND RECONCILIATION STATEMENT

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

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

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

REF: SF/306

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

Present:

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

In attendance:

Chief Executive Officer: Margaret Abbey

General Manager Corporate and Community Services: Michael Chesworth

General Manager Infrastructure and Development Services: Stuart McConnell

Manager Business Services: Andrew Bond

Manager Communications Library & Customer Services: Jacqui Rabel

Manager Development Services: Shivaun Brown

Coordinator Statutory Planning: Karen Girvan

Governance Officer: Hana Duldig

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held on 28 June 2017.

Officer Recommendation:

That the Minutes of the Ordinary Meeting of Council held on 28 June 2017 be confirmed.

RESOLUTION:

Cr L Dunscombe / Cr M Rae

That the Minutes of the Ordinary Meeting of Council held on 28 June 2017 be confirmed.

CARRIED

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

REF: SF/783

Nil

5. PUBLIC PARTICIPATION TIME

5.1 **QUESTIONS OF COUNCIL**

Two questions were received from Jack Russell :

Question 1 What was the total costs to Council for the running of the recent "Have your Say" public survey?

The Chief Executive Officer responded to Question 1:

Mr Russell was provided with a summary of expenses on July 18 2017 in response to his Freedom of Information Request.

Question 2 Why have I been refused access to Council's community services for the elderly? (Note that I refer to my written request dated June 2017 and to Ms Abbey's written response date the 25th June 2017 and request that you read the 2 pieces of correspondence in support of this question).

The Chief Executive Officer responded to Question 2:

Mr Russell has previously written to Council requesting information regarding available aged care services. On 20 June 2017 Margaret Abbey CEO wrote to Mr Russell advising him to contact "My Aged Care" which is the Australian Government service providing advice and assistance with applying for aged care services and the required first step for any senior citizen to take requesting aged care assistance in the community.

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

Question 1 Does Council through the auspices of the current CEO, Ms Abbey and the Acting CEO, Mr Chesworth, have a mandate to lie through manipulation of facts and by omissions meant to hoodwink the general public?

My comprehensive written submission was not read on the day and was not recorded in the minutes of the 28/6/2017 nor as an attachment.

What was the reason for the deliberate attempt to conceal any submission and therefore an abuse of proper process?

The Chief Executive Officer responded to Question 1:

On 7 June 2017 Council received 2 questions of Council for the 28 June 2017 Ordinary Meeting from Mr Jack Russell, purporting to represent a body known as the Yea and District Progress Association. These questions were read in full and responses provided to both. The questions and responses were recorded in the minutes of the meeting. Mr Russell was further provided with a written response to his Questions in a letter dated 3 July 2017.

The Murrindindi Shire Council Governance Local Law outlines the Council Meeting Public Participation process and requirements. Section 104 outlines the guidelines for Open Forum and Questions of Council including the right of the CEO to use their discretion in denying any Questions of Council, in this case however the questions were read as they were received.

Any suggestion of concealing information or abuse of proper process is categorically refuted.

Question 2 Why is Council requiring a Panel of Consultants for a range of Engineering Services and support and to source engineering as planned processes, whilst Council has itself failed to identify the accreditation of employed engineers in line with my previous question of Council?

The Chief Executive Officer responded to Question 2:

Engineering consultants are required on an occasional basis as they provide expertise across a variety of engineering disciplines that are not available within Council. In addition external consultants provide an independent assessment or peer review of engineering design.

Council's panel arrangements are established through open and competitive tender processes that demonstrate value for money. Panels offer good value for money and reduce procurement risks for Council as contract terms, insurance levels and occupational health and safety processes are established through the panel agreement. Panels also enable Council to work more efficiently by reducing procurement and project lead-times.

2 OPEN FORUM

REF: SF/130

Mary McBurnie spoke against the 2017/39 – Manufacturing Alcoholic Spirits, Cellar Door, Café/Restaurant, Kinglake Central (item 6.1 on the Agenda).

Chantal Daniels spoke in support of the 2017/39 – Manufacturing Alcoholic Spirits, Cellar Door, Café/Restaurant, Kinglake Central (item 6.1 on the Agenda).

Ritchie Frew spoke about water supply issues at Rubicon.

5.3 PETITIONERS SPEAKING TO PETITIONS

REF: SF/132

Nil

6. OFFICER REPORTS

6.1 2017/39 – MANUFACTURING ALCOHOLIC SPIRITS, CELLAR DOOR, CAFÉ/RESTAURANT, KINGLAKE CENTRAL

REF: 2017/39 (17/50583)

Land: 410 O'Gradys Road KINGLAKE CENTRAL 3757

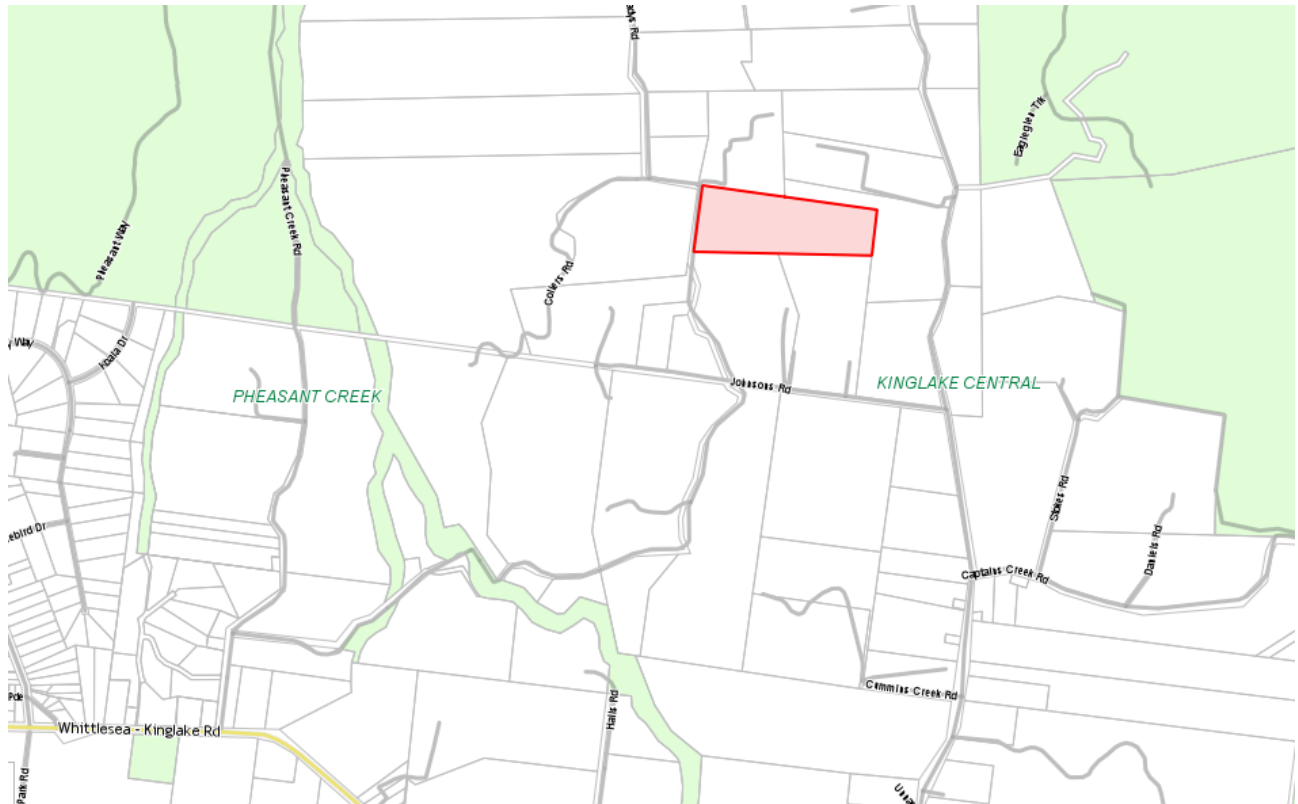
Proposal: Use of land for the manufacturing of alcoholic spirits with a spirit cellar door and cafe/restaurant in and around the existing shed and signage

Applicant: C R Daniels

Zoning: Farming

Overlays: Environmental Significance – Schedule 1

Attachments: Application Details (refer *Attachment 6.1* – TRIM 17/50594)
(aerial photograph and submissions distributed separately)

Locality Plan:**Purpose:**

This report recommends that a notice of decision to grant a permit be issued for manufacturing of alcoholic spirits with a spirit cellar door and cafe/restaurant in and around the existing shed at 410 O'Gradys Road, Kinglake Central.

Officer Recommendation:

That Council issue a notice of decision to grant a permit for the use of land for the manufacturing of alcoholic spirits with a spirit cellar door and cafe/restaurant in and around the existing shed at 410 O'Gradys Road, Kinglake Central (LOT: 3 LP: 94810, Parish of Flowerdale), subject to the following conditions:

1. Prior to the commencement of the use hereby permitted a waste management plan shall be submitted to and approved by the Responsible Authority. This plan must detail how the by-products from the manufacturing process will be managed to the satisfaction of the Responsible Authority. When approved this plan shall be endorsed and form part of this permit.
2. This permit shall expire if the use hereby permitted has not commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before six months after such expiry.
3. The use hereby permitted must only occur within the red line area shown on the plan endorsed as part of this permit.
4. The permitted hours open to the public are between 12pm and 7pm Monday to Sunday, except with the prior written consent of the Responsible Authority for four (4) events each calendar year. Application for such consent must be made in writing at least 2 weeks prior to the event.
5. The maximum number of patrons permitted on site at any one time is twenty (20) persons.

6. The use 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, waste water, waste products, grit, oil or the presence of vermin or otherwise.
7. 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.
8. All onsite wastewater and stormwater management shall be in accordance with the recommendations outlined within the Land Capability Assessment prepared by Ground Science (Report Reference: E2562.1 AA, dated 15 June 2017).
9. Prior to the commencement of the use hereby permitted, the applicant shall obtain a septic tank permit from Council.
10. Prior to the commencement of the use hereby permitted the existing wastewater system shall be decommissioned.
11. Prior to the commencement of the use hereby permitted, a sign or 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.
12. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
13. The sign hereby permitted shall be located wholly within the boundary of the subject land and shall be kept in good order and maintained to the satisfaction of the Responsible Authority.

Proposal:

The proposal is to use the land for the manufacturing of alcoholic spirits with a spirit cellar door and café/restaurant to be located in and around the existing shed. The proposed hours of operation are: 12pm to 7pm on weekends and public holidays, 12pm to 7pm, by appointment on weekdays (with a maximum visit duration of 2 hours), and 12pm to 10.30pm for special events. The café/restaurant is proposed to be limited to 20 patrons.

The Land and Surroundings:

The subject land is 19.59 hectares in size, bounded by O'Gradys Road to the west and private properties on all other sides. The land in all directions is used for farming purposes, with single dwellings and associated shedding to the north, south, and west. None of the dwellings are visible from the site. There is a current planning permit for the construction and use of a dwelling and tree removal on the subject land.

Referrals:

The application was referred to Council's Environmental Health Unit, Economic Development Unit, and Development Engineer. No objections were received subject to a range of conditions.

The application was not referred to the Country Fire Authority as the land is currently not in a Bushfire Management Overlay (BMO). Under the BMO, there is no requirement for a planning permit for the proposed use and associated minor buildings and works.

Consultation:

Nearby and adjoining owners were notified by way of a letter. A notice was also erected on-site. Three submissions were received, raising a range of issues with the proposal, as follows:

- Road access on Johnsons Road and O'Gradys Road is unsuitable to carry proposed traffic numbers
- Access to and from property on Johnsons Road will be more dangerous

- Johnsons Road is currently single lane; slippery in wet conditions and a dust hazard when dry; surface is rutted with potholes
- Alcohol-affected drivers will increase risk
- Increased traffic will cause disruption to local residents and wear and tear on gravel road
- Proposed increase in heavy traffic (trucks delivering grain, gas and food)
- Potential fire risk from production and storage of alcohol based products in close proximity to natural bushland
- Insufficient application detail – e.g. type, capacity and location of water treatment plant; details about spent water for crops (testing, preventing soil contamination); handling hazardous materials (stored, transferred, disposed of); no hazard risk assessment; environmental impacts; and use of grain by-product (e.g. indicates it will be used for animal feed, but no animals on property)

The applicant responded to the concerns raised by the objections and advised the following:

- Cellar door open weekends and public holidays and the applicant does not believe traffic will have significant effect on quality or congestion of O'Gradys Road
- Other local attractions (e.g. Wombelano Falls with estimated 20,000 visitors a year) found on unsealed roads and do not experience significant problems with visitors, and have more traffic than anticipated at distillery
- Road allows users to easily pass other vehicles without pulling off the road
- Distillery to be built in line with all safety guidelines and criteria; services to be installed by certified electricians and gas technicians and checked regularly
- Whisky itself is not a volatile product and represents little fire risk. Fire fighting provisions to be installed
- Distilling is not a high fire-risk enterprise and there is no record of a fire at a distillery in Australia for over 50 years
- Unsealed roads are a part of rural Australia and Kinglake and should be worked with in the condition found
- Impact of distillery deliveries will be minimal with one grain delivery and one gas delivery every 2 to 4 weeks.
- Outsourced catering would be from local Kinglake businesses already using local roads. The applicant generally plans to pick up catering supplies
- A land capability assessment has been provided to determine wastewater management requirements
- Excess water will be used for in irrigation on property
- Numerous local properties in close proximity, with livestock, have indicated they would be happy to receive free animal feed, but exact details yet to be decided
- Proposed normal operating hours for the distillery are during daylight

Upon receipt of the applicant's response, one objector reiterated their concerns, highlighting:

- The applicant indicates gas and grain deliveries every 2-4 weeks in their response; not every 3 months, as stated in original application.
- Concerns with how by-product will be managed.

Newspaper / Other	Publishing/Consultation Date(s)
<i>Mail out: Nearby and adjoining owners</i>	20 April 2017

Planning Considerations:

The proposed distillery, cellar door, and café/restaurant will use existing buildings and will not result in the loss of agricultural land. The land is well buffered by existing vegetation from adjoining properties and the proposed use will not affect the ability to farm the land.

The proposal is based on 20 patrons. Although the supporting documentation mentions large events, it did not form part of the proposal and the Land Capability Assessment does not support more than 20 patrons. The access has been assessed on the basis of limited vehicle numbers.

The submissions to the application raised concerns about the road access and environmental impacts of the proposed use. Johnsons Road, between Extons Road and O'Gradys Road, is classified as an Access Track, which is not suited to high numbers of vehicles. However, the property can be accessed via O'Gradys Road from Pheasant Creek Road. O'Gradys Road is an unsealed Access Road that has been recently graded. It has a narrow section of about 1.2km with sharp bends and guide posts have been installed throughout the whole road length.

The application has been assessed by Council's Development Engineer who determined that O'Gradys Road is acceptable for this type of low impact use. The maximum number of people that would be permitted on site at any one time is 20 which will limit the additional vehicle traffic generated by this proposal.

The application has been assessed by Council's Environmental Health Unit, and it is satisfied that the proposal can be developed in a way that will have no detrimental impact on the broader environment. Wastewater management will be in accordance with the Land Capability Assessment submitted as part of the application. A plan addressing how waste from the manufacturing process will be managed must be submitted to and approved prior to the commencement of the use.

Agriculture and tourism are both key sectors in the municipality and the proposal meets the objectives of the Local Planning Policy Framework to create a strong economy and support diverse and entrepreneurial business, by encouraging growth of small businesses and niche industries, as well as facilitating diversification of agricultural industries.

The proposed distillery encourages the retention of productive agricultural land, will promote jobs in the area, and will not limit the operation and expansion of adjoining and nearby agricultural uses. The use of existing buildings will ensure no change to existing agricultural use of land or affect neighbouring properties, which is in line with state and local planning policies for agriculture, as well as the Farming Zone and Environmental Significance Overlay.

Conclusion:

The proposed distillery, cellar door, and café/restaurant accords with the relevant planning provisions as it encourages the retention of productive agricultural land and the retention of employment, and will not limit the operation and expansion of adjoining and nearby agricultural uses, which is supported by the Murrindindi Planning Scheme. The addition of a cellar door of this type and the café/restaurant would be positive for the local economy, by giving visitors more options and potentially improving the likelihood of overnight stays.

Council Plan/Strategies:

The application is being assessed in accordance with the following goals and strategies in the Murrindindi Shire Council Plan 2017-2021:

- Our Prosperity: Work with our businesses, regional partners and communities to support a diverse visitor experience that promotes our natural assets, and a vibrant range of events
- Our Place: Through good land use planning enhance the liveability, prosperity and rural character of our Shire

Legal/Policy Issues:**State Planning Policy Framework**11.12-1 *Hume – A diversified economy*

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

Strategies:

- Plan for a more diverse regional economy while managing and enhancing key regional economic assets and encouraging appropriate new forms of tourism
- Support tourism activities that take advantage of the rural environment without compromising their future
- Facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations

14.01-1 *Protection of agricultural land*

Objective: To protect productive farmland which is of strategic significance in the local or regional context.

Strategies:

- Planning for rural land use should consider:
 - Land capability

17.03-1 *Facilitating tourism*

Objective: To encourage tourism development to maximise the employment and long-term economic social and cultural benefits of developing the State as a competitive and international tourist destination.

Strategies:

- Encourage the development of a range of well designed and sited tourist facilities

Local Planning Policy Framework21.02 *The Planning Vision*

Murrindindi Shire will facilitate sustainable economic growth. The municipal rate base will be actively grown through sound planning, support for continued economic development and protection of the natural and built environment.

A strong economy will attract people to the municipality and increased economic growth will enhance population growth and employment for the municipality.

How we will achieve our vision:

- Growth in economic activities to create long term economic sustainability for the municipality
- Facilitation of new economic development and employment opportunities
- Expansion and promotion of the tourism industry for a range of existing and emerging activities
- Continued growth in the agricultural sector, including emerging niche areas

21.03-1 *Business and Industry*

Objective 1: Create a strong economy to promote business investment and expansion, population growth and social and cultural benefits to the community.

Strategies:

- Encourage the growth of small businesses and niche industries
- Revitalise economies and employment in communities affected by the 2009 bushfires

21.03-2 *Agriculture*

Objective 1: Support and grow agriculture as one of the Shire's principal economic activities.

Strategies:

- Encourage the production of agricultural product for niche markets

Objective 2: Protect rural land for productive agricultural uses and compatible rural uses.

Strategies:

- Ensure that the use of rural land protects and enhances agricultural potential and the productive capacity of the land
- Ensure that the use of rural land is compatible with surrounding agricultural activities
- Identify and protect high quality agricultural land, ensuring that it is available for ongoing agricultural use

Zoning

35.07 *Farming Zone*

Purpose:

- To encourage the retention of productive agricultural land
- To ensure that non-agricultural uses do not adversely affect the use of land for agriculture
- To encourage the retention of employment and population to support rural communities

Decision Guidelines:

- The capability of the land to accommodate the proposed use
- How the use relates to sustainable land management
- Whether the site is suitable for the use and whether the proposal is compatible with adjoining and nearby land uses
- How the use makes use of existing infrastructure and services
- Whether the use will support and enhance agricultural production
- Whether the use will adversely affect soil quality or permanently remove land from agricultural production
- The potential for the use to limit the operation and expansion of adjoining and nearby agricultural uses

A planning permit is required to use the land for manufacturing sales and restaurant in the Farming Zone.

Overlays42.01 *Environmental Significance Overlay – Schedule 1*

Purpose:

- To identify areas where the development of land may be affected by environmental constraints

Environmental objective to be achieved:

- Recognise the finite nature of high quality agricultural land
- Protect high quality agricultural land
- Prevent the conversion of high quality agricultural land to non soil based development

There are no permit triggers under this overlay.

Particular Provisions52.06 *Car Parking*

Purpose:

- To ensure provision of an appropriate number of car parking spaces having regard to the demand likely to be generated

This provision applies to the new use.

0.4 car spaces are required for each patron permitted.

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

That Council issue a notice of decision to grant a permit for the use of land for the manufacturing of alcoholic spirits with a spirit cellar door and cafe/restaurant in and around the existing shed at 410 O'Gradys Road, Kinglake Central (LOT: 3 LP: 94810, Parish of Flowerdale), subject to the following conditions:

- 1. Prior to the commencement of the use hereby permitted a waste management plan shall be submitted to and approved by the Responsible Authority. This plan must detail how the by-products from the manufacturing process will be managed to the satisfaction of the Responsible Authority. When approved this plan shall be endorsed and form part of this permit.**
- 2. This permit shall expire if the use hereby permitted has not commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before six months after such expiry.**
- 3. The use hereby permitted must only occur within the red line area shown on the plan endorsed as part of this permit.**
- 4. The permitted hours open to the public are between 12pm and 7pm Monday to Sunday, except with the prior written consent of the Responsible Authority for four (4) events each calendar year. Application for such consent must be made in writing at least 2 weeks prior to the event.**
- 5. The maximum number of patrons permitted on site at any one time is twenty (20) persons.**
- 6. The use 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, waste water, waste products, grit, oil or the presence of vermin or otherwise.**

7. 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.
8. All onsite wastewater and stormwater management shall be in accordance with the recommendations outlined within the Land Capability Assessment prepared by Ground Science (Report Reference: E2562.1 AA, dated 15 June 2017).
9. Prior to the commencement of the use hereby permitted, the applicant shall obtain a septic tank permit from Council.
10. Prior to the commencement of the use hereby permitted the existing wastewater system shall be decommissioned.
11. Prior to the commencement of the use hereby permitted, a sign or 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.
12. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
13. The sign hereby permitted shall be located wholly within the boundary of the subject land and shall be kept in good order and maintained to the satisfaction of the Responsible Authority.
14. When marketing the use hereby permitted the operator shall encourage patrons to use O'Grady's Rd for access.

CARRIED

6.2 SUPPLEMENTARY VALUATIONS

Ref: CY176/21 (17/49706)

Purpose:

This report seeks to advise and update Council on the supplementary valuations for the 2016-2017 financial year.

Officer Recommendation:

That the supplementary valuations of the Murrindindi Shire Council for the period 1 July 2016 to 30 June 2017 as contained within this report be noted by Council.

Background:

This report provides a summary of supplementary valuations processed throughout the financial year, provided by rate category.

Whilst all properties within the municipality are revalued every two years, in line with State Government requirements, in certain circumstances valuations must be determined between general revaluations. These are known as supplementary valuations and are required when the circumstances of a property changes which affects the property's value.

Council Plan/Strategies:

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

Legal/Policy Issues:

Supplementary valuations are made under Section 13DF of the *Valuation of Land Act 1960*. All supplementary valuations returned are certified by the Valuer General.

Financial/Resources/Risk:

In 2016-2017 Council budgeted for 1% growth or \$154,769 from supplementary valuations, Council has achieved \$79,921 (0.52%) pro-rata in rate revenue from supplementary valuations, which is \$74,848 below budget.

The shortfall in revenue for 2016-2017 is offset by gains made in interest on investment income, which has exceeded the revised budget by \$100,462.

Discussion:

A table of the valuation movement for rate adjustment is outlined below:

	Budget 2016-2017	Revaluation CIV 01/07/2016	Rateable CIV 30/06/2017	Capital Improved Valuation movement	Rate Revenue \$
Residential	1,651,456,000	1,670,518,800	1,692,523,800	22,005,000	91,380
Commercial and Industrial	191,677,000	189,091,000	190,354,000	1,263,000	5,548
Rural 1	1,279,250,000	1,273,955,000	1,262,228,000	-11,727,000	-24,792
Rural 2	813,313,000	819,159,000	821,952,000	2,793,000	9,717
Vacant Land	126,608,200	108,448,000	104,380,000	-4,068,000	-21,442
Municipal Charge					19,510
Totals	4,062,304,200	4,061,171,800	4,071,437,800	10,266,000	79,921

Supplementary rates growth has not achieved the target of 1.0% in 2016-2017. Growth has been hampered by a decrease in applications for rebuilding on land affected by the 2009 Bushfires, which has been the predominant driver of supplementary rates growth over the past 7 years. The amount of properties that have received building approvals that were affected by the Bushfires slowed substantially in 2015-2016 and again with little movement in 2016-2017, increasing from 51% in 2014-2015, 54% in 2015-2016 and is now only 56% in 2015-2016. This means that nearly half of all properties damaged during the 2009 fires remain undeveloped or developed to a lesser standard of Capital Improved Value (CIV).

The temporary planning provisions for properties impacted by the 2009 Bushfires (planning consent) will expire on the 30 September 2017. Information sessions have been arranged for late July 2017 designed to ensure the best take up of the simple planning process that can be assessed up until that time.

Council is focused on facilitating opportunities for appropriate new development in the Shire and a number of new initiatives will be implemented under the life of the new Council Plan 2017-2021 in this regard.

Although the target of 1% growth in supplementary valuations was not achieved in 2016-2017, the table below indicates that there has been a positive trend in development activity over the last 3 years, with the value of recent building permit approvals likely to result in increased supplementary valuations in future years as these developments are completed.

Year	Value	% change from previous year
Value of building permits issued by Council		
2014/15	\$19.08 million	10.5% increase
2015/16	\$19.77 million	3.6% increase
2016/17	\$26.24 million	32.0% increase
No. of new developable lots created (rateable assessments)		
2014/15	29	0.3% increase
2015/16	102	1.1% increase
2016/17	28	0.2% increase

Conclusion:

It is appropriate at the conclusion of a financial year to recognise the supplementary valuations processed throughout the 2016-2017 financial year and bring them to account.

RESOLUTION:

Cr M Rae / Cr L Dunscombe

That the supplementary valuations of the Murrindindi Shire Council for the period 1 July 2016 to 30 June 2017 as contained within this report be noted by Council.

CARRIED

6.3 AUDIT ADVISORY COMMITTEE ANNUAL REPORT 2016-2017

REF: SF/290 (15/51898)

Attachment: Audit Advisory Committee Annual Report 2016-2017 (refer *Attachment 6.3 - TRIM 17/51870*)

Purpose:

The purpose of this report is to provide Council with the Annual Report of the Audit Advisory Committee activities for 2016-2017, as received from the Chair of the Committee, Ms. Michele Sheward.

Officer Recommendation:

That the Audit Advisory Committee Annual Report 2016-2017 prepared by the Audit Committee Chair (Ms Michele Sheward), as enclosed, be received.

Background:

The Audit Advisory Committee is responsible to Council for the provision of advice and recommendations on matters relevant to its Charter in order to assist Council with meeting its financial and fiduciary responsibilities.

As the annual term of the Chair of the Committee was recently changed from a calendar year to a financial year, the attached report also includes reference to the period January 2016 to June 2016, as this was not covered in the most recent Annual Report provided received by Council in December 2015.

Council Plan/Strategies:

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

Legal/Policy Issues:

An Annual Report to Council is one of the requirements per *Section 2(o) of the Charter of the Audit Committee*.

Financial/Resources/Risk:

There are no financial or risk implications with the presentation of the Audit Advisory Committee Annual Report 2016-2017.

Discussion:

The report, as detailed in *Attachment 6.3*, provides a summary of activities of the Audit Advisory Committee during the 2016-2017 financial year.

Consultation:

The preparation or receipt of the Committee's Annual Report did not require community consultation.

Conclusion:

The Annual Report on the activities conducted by the Audit Advisory Committee provides Council with assurance that the Committee is fulfilling its prime objective to assist Council with meeting its financial and fiduciary responsibilities.

RESOLUTION:

Cr R Bowles / Cr E Lording

That the Audit Advisory Committee Annual Report 2016-2017 prepared by the Audit Committee Chair (Ms Michele Sheward), as enclosed, be received.

CARRIED

7. SEALING REGISTER

REF: 13/6325

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/2390	5 July 2017	Lease Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Lara Mandeno	Michael Chesworth Cr Jackie Ashe
SF/123	17 July 2017	S5. Instrument of Delegation to the Chief Executive Officer	Cr C Bisset Cr M Rae
SF/123	17 July 2017	S6. Instrument of Delegation - Members of Staff	Margaret Abbey Cr M Rae
SF/123	17 July 2017	S11. Instrument of Appointment and Authorisation - Murrindindi Shire Council	Margaret Abbey Cr M Rae
SF/123	17 July 2017	S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987) - Murrindindi Shire Council	Margaret Abbey Cr M Rae
SF/2724	19 July 2017	Lease Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Murray Leadbetter trading as ML Accounting Solutions	Margaret Abbey Cr Margaret Rae

Officer Recommendation:

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

RESOLUTION:**Cr J Ashe / Cr M Rae****That the list of items to which the Council seal has been affixed be noted.****CARRIED****8. COUNCILLOR PORTFOLIO REPORTS****8.1 LAND USE PLANNING PORTFOLIO**

Cr M Rae:

With the impending cessation of the Temporary Planning Provisions – a very simplified and streamlined process introduced following the 2009 bushfires – that will occur on 30 September this year, the Planning Unit has been undertaking much work to ensure that our community remains informed about the options available to them. The Temporary Accommodation Provisions introduced at the same time will cease next year on 30 September 2018.

Following a detailed review of properties lost in the 2009 fires an analysis of those that have already rebuilt, those who have applied for planning consent and those who have not yet made a decision on whether to rebuild or not was carried out. It is the latter group for whom the cessation of the consent process has the greatest implications as, if an application to rebuild is not submitted by September this year but is done so subsequently, it will then be subject to the formal full planning requirements.

Officers have written to the owners of those properties, provided them with up to date information on their options and offered assistance throughout the process. In addition, a number of public drop in sessions have taken place across the shire. These sessions provided a very real opportunity for people to discuss their specific concerns not only with council officers but also with other relevant agencies including the Country Fire Authority (CFA) and the Department of Health and Human Services (DHHS). The emphasis by Council is very much on providing an integrated service for our community to support them as they make what are often complex and stressful decisions.

A very useful one page summary fact sheet has been produced. This is available on our webpage at <http://www.murrindindi.vic.gov.au/Your-Property/Planning-and-Building/Temporary-Planning-Provisions>

An issue which may make matters more complex going forward is the State Government's intention to introduce revisions to bushfire hazard mapping that will update the Bushfire Management Overlay (BMO); once introduced this will impact on many more properties in our shire than currently. Advice on this is also being given to potentially affected owners.

As a member of the Municipal Association of Victoria (MAV) Planning Committee, I have recently participated in a survey – the outcome of which will set priorities for those issues which the committee identified in a recent forum for further detailed work. Whilst there are many areas of shared interest and concern across the state, there is no doubt that small rural shires also have specific concerns. The opportunity to provide input into the process is therefore valuable.

In addition, I have attended a number of activities at which I have represented Council, including:

- NAIDOC celebration held at Alexandra District Health at which there was a special commemoration to the contribution made over a long period by Uncle Roy;
- Rosebank Aged Care Auxiliary Annual General Meeting;
- A community Health and Wellbeing workshop;
- the Eildon Resource Centre Annual General Meeting;

- the Murrindindi Beanie Festival, now very successfully in its third year and set to prosper further, and
- the Murrindindi Business Awards Gala event held in the Yea Shire Hall last night – an extremely successful night that showcased the great business talent in our shire.

8.2 ECONOMIC DEVELOPMENT PORTFOLIO

Cr J Ashe:

The Murrindindi Business Awards – last night went really well.

I would like to recognise the event and all the work that Murrindindi Inc & their partner organisations groups & sponsors that have put in to this event. I'd like to congratulate all of the great businesses across the Murrindindi shire who were nominated, acknowledge and congratulate them for the business and services they provide every day.

The winners from the Murrindindi Business Awards were:

- Helico Australia – Alexandra
- Koala Cherries - Yarck
- Sedona Estate – Yea/Murrindindi
- William Verhagen (Integrity Real Estate) - Kinglake
- Roaming Poppy – around Alexandra
- Kinglake Pub - Kinglake
- Polished Perfection Windows - Yea

It was also great to see the number of people in Yea Shire Hall (165) from across the business community (not just the nominees). Hon Cindy McLeish and Hon Peter Walsh, Leader of the Nationals attended.

The Victorian Tourism Industry Council conference was also held this week and it was great that a number of local businesses got along and the reports have been that it was a really useful conference.

An announcement in relation to Doing Business Better Stage 2 is expected very shortly. The Murrindindi Business Awards, along with a range of other programs, were part of Doing Business Better Stage 1.

8.3 INFRASTRUCTURE AND WASTE PORTFOLIO

Cr E Lording:

It is traditionally a quiet period in the infrastructure area however we are never still.

Infrastructure

- No specific issues at present
- A key focus at present is the planning and procurement for new works as part of the 2017/18 capital works approved by Council last month

Bridge Works:

Acheron Bridge is closed until Sunday 30 July for structural repairs

- The retaining wall on the eastern side of the bridge will be replaced to protect against road and riverbank erosion

- Depending on where you're going, your detour may mean travelling back through Alexandra
- Best to factor the extra time in when you're planning your trips during this time

Dairy Creek Road Bridge is being replaced with work starting this week

- The work is expected to last for at least three weeks
- There will be a detour via Homewood Road while the bridge is out of action

Drayton's Bridge on Fairview Road at Kerrisdale is also needing work

- In order to minimise community and road user disturbance, we're avoiding closing the bridge by building a new one next to the existing bridge
- Please be aware there may be some slight delays during this time due to ongoing works for about 4 weeks

Did you know – about our roads and bridges

- Murrindindi Shire Council's infrastructure teams carry out an annual program of work on our roads, footpaths, kerbs, bridges and storm water drains to ensure the community can get about easily and safely.
- Council maintains
 - 532 public roads and 82 non-public roads to maintain - 1200km in total
 - Around 180km of footpath in our Shire
 - 400km of kerbing
 - 304 bridges
 - 1,129 pits and 75,000m of pipes to manage our storm water
- Over the last year our team resealed 355,895 square metres (equivalent to around 18 Melbourne Cricket Grounds) of our Shire's sealed roads.
- Our team also reconstructed 10,905 square metres (equivalent to 179 Cricket pitches) of road and re-sheeted 204,450 square metres (or 10 MCGs) of our gravel roads.
- In the last 12 months, the team also replaced two bridges, refurbished four bridges and carried out 2016 square metres (equivalent to 33 Cricket pitches) of footpath works and 2,093 metres of kerb and channel works.

Waste

- There is a draft report on Resource Recovery Centres (RRCs) being finalised by the Goulburn Valley Waste and Resource Recovery Group (GVWRRG) – the report is proposing a hub and spokes model and the report will shape the future funding programs from the region/state government.
- The GVWRRG has been conducting surveys of all the old tip sites in surrounding municipalities. Murrindindi has a number of these sites, with only some being identified. In order to protect the environment for the future we need to know where all of these sites lie. We welcome any input from locals that will assist us in finding all the old dump sites. This will allow us to review them, take samples, and ensure that they do not cause health and safety issues into the future.
- As our area had gold mining activities, it would be great to know of any processed material dumps as these can contain undesirable materials.
- In the Goulburn Valley (GV) there are tyre dumps of many hundreds of thousands of used tyres left by recycling companies. Such illegal tyre dumps are fire hazards and

are breeding sites for mosquito born diseases. We are attempting to clean these up. The formation of waste groups around our state will watch recycling operators closely to ensure this sort of thing does not happen in the future.

- The recent fires in a recycling plant have shown how fragile our waste disposal and sorting systems currently are. Problems with these recyclers being few in number, and with suburbia encroaching on recycling plants and landfills, is a situation that we are addressing at the moment.



Wasps

- We had an initial meeting with local stakeholders at the Y Water Centre last week which Cr Bowles attended and will be included in her portfolio report.
- Agreed on a first step being focussed on Council, the Upper Goulburn Landcare Network (UGLN) and other groups, working with the community to encourage trapping of queen wasps as they emerge during August (there are reports of the queens already emerging). Managing wasps is something that we are all going to need to contribute to.
- Please look out for more information about workshops to help members of the community understand what they can do to help control wasps.
- Council and locals alike need to maintain a committed approach to the eradication problem.
- Other areas such as putting 'sealed' lid rubbish bins outside food outlets, appropriately worded for food scraps, and to please ensure they are reclosed after use, is currently being investigated.
- The engagement of experts in this field is currently being considered.

8.4 CORPORATE AND CUSTOMER SERVICES PORTFOLIO

Cr L Dunscombe:
No report this month.

8.5 NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO

Cr R Bowles:

- There are three properties that are a step towards addressing Council's historical offset responsibilities.
- Council has written to the Premier to provide a copy of Council's statement in relation to the Central Highlands.
- Media release on war on waste has been a huge hit and people are using parts of it other community newsletters and furthering "Boomerang Bag" initiatives.
- I now sit on the Municipal Association of Victoria's Environment Committee.
- The final session of the Healthy Hectares program for small landholders to manage pest species of animals and plants has been held. This was in partnership with Euroa Arboretum and Landcare.
- The Green Army have been undertaking tree planting, weed removal, mulching and fauna surveys on Council and Crown land. Sites include UT Creek in Alexandra, Andrews Creek in Taggerty, Stony Creek Reserve in Kinglake the Goldfields site in Gobur and locations identified in the Ribbons of Remnant Roadside program. This is the final Green Army project in the Council, and will finish in August 2017.
- National Tree Day is this Sunday. The planting program this year will augment the Ribbons of Remnant Roadside programs. Planet Ark website lists all planting locations on their website treeday.planetark.org.
- Council staff, myself, Upper Goulburn Landcare Network (UGLN), Yea Wetlands president had a roundtable discussion on controlling European wasps starting with the Queen Wasps.
- Attended Murrindindi Environment Advisory Committee (MEAC) Meeting, no quorum so no decisions made, but I have iterated that the new Councillors have really no idea whom MEAC is and a briefing would be desirable.
- We had a very successful community Renewable Energy Meeting at the Y Water Centre, hopefully that next one will be in Kinglake. At the moment we are just gathering resources, knowledge and communities desire to set up such a scheme.

8.6 COMMUNITY SERVICES PORTFOLIO

Cr S McAulay:

Mobile Library

- We announced during the month that the much loved Mobile Library Service, delivered by the large van, will be back on the road by the end of 2017
- This follows a review of the service and a community engagement project where we heard loud and clear that the community wanted the full service resumed
- We have rejigged the timetable to enable us to extend the service to 3 communities – Glenburn, Toolangi and Highlands – which haven't had the service before but are also distant from a physical branch

- We will also for the first time be offering Council's customer service on the Mobile to ensure we are getting the best possible value for the community from the Mobile service

Naidoc Week

- We celebrated NAIDOC week across the Shire with Aunty Lee Healey at Kinglake, Yea and Alexandra Libraries, where she presented stories around the 2017 NAIDOC theme 'Our Languages Matter' theme

Aged and Disability Services

- Seniors week events are being planned and will include a community concert event for seniors in September as well as four community meals across the Shire in October. More information will be coming out shortly

Health and Wellbeing Planning

- The Recreation and Open Space consultations and Health and Wellbeing consultations have all been conducted over the last three weeks
- The workshops focused on identifying key sport and recreation and health and wellbeing priorities for our community and service partners
- The priorities identified have mapped well to the current Council plan framework which provides the opportunity to achieve a strong synergy across the Council Plan and Health and Wellbeing Plan and other strategic plans of our partners
- We are well on track to producing an initial draft of the Health and Wellbeing Plan later in August

Early Years

- Murrindindi Shire Council Home Based Child Care services have been nominated for 2017 Service Excellence Awards through Family Day Australia
- Awards are announced around October this year

Marysville Tourism and Arts Centre

- Applications are being prepared to be submitted this week for funding through the following avenues:
 - Victorian Bushfire Appeals Fund
 - Bendigo Bank
 - Regional Development Victoria

The project is progressing in line with proposed timelines.

8.7 MAYOR AND DELEGATED COMMITTEE REPORTS

Cr C Bisset:

Upon returning from two weeks personal leave it was great to attend the Murrindindi Beanie Festival and the Foodworks 2017 Murrindindi Business Awards night. Both were great examples of celebrating achievements in our shire.

9. GENERAL BUSINESS

Nil

CARRIED**10. MATTERS DEFERRED FROM PREVIOUS MEETING**

Nil

11. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil

12. ASSEMBLIES OF COUNCILLORS

REF: CY17/114 (17/51276)

Purpose:

This report presents the records of assemblies of Councillors for 21 June 2017 to 12 July 2017, for Council to note in accordance with Section 80A of the *Local Government Act 1989 (Act)*.

Officer Recommendation:

That Council receives and notes the record of assemblies of Councillors for 21 June 2017 to 12 July 2017.

Background:

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

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

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

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

Summary:

Meeting Name/Type:	Councillor Briefing
Meeting Date:	21 June 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Mobile Library – follow up 2. Conflict of Interest Policy Review 3. Rates and Charges Abandoned 2016-17 4. Community Grants – June Round 5. Marysville Tourism and Arts Centre 6. Draft council Plan and Budget
Councillor Attendees: Cr Bisset, Cr McAulay, Cr Bowles, Cr Dunscombe, Cr Lording, Cr Rae	Council Officers: M Abbey, M Chesworth, J Rabel, L Kotschet, S McConnell, T Carter, A Bond, N McNamara
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Council Pre-Meet
Meeting Date:	28 June 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning Application - Marysville 2. Community Grants Round March-May 2017 3. Rates and Charges Abandoned 4. Tender – Sealed Road Maintenance Truck 5. Tender – Council Facilities Cleaning Services
Councillor Attendees: Cr Lording, Cr Rae, Cr Bowles, Cr McAulay, Cr Dunscombe, Cr Ashe	Council Officers: M Chesworth, S McConnell, A Bond, M Crane, S Brown, J Canny
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Councillor Briefing
Meeting Date:	12 July 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Peri Urban Group of Councils Update 2. Gaming Policy Review 3. Domestic Animal Management Plan 4. Corporate Resource Consumption Report 5. Position Statement on Plastic Bags 6. Update on Works in Chambers
Councillor Attendees: Cr Ashe, Cr Lording, Cr Bowles, Cr McAulay, Cr Dunscombe, Cr Rae	Council Officers: S McConnell, M Chesworth, C Price, M Leitinger, J Canny, S Brown, K Girvan, N McNamara
Conflict of Interest Disclosures: Nil	

RESOLUTION:**Cr E Lording / Cr J Ashe****That Council receives and notes the record of assemblies of Councillors for 21 June 2017 to 12 July 2017.****CARRIED****13. URGENT BUSINESS**

Nil

CARRIED

14. CONFIDENTIAL ITEMS

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

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public

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

The report on the "Contract Award – Training Services Panel" is being considered in the closed part of this meeting because it is considered under S89(2)(d) that it may prejudice Council or a member of the public.

Recommendation:

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

- Contract Award – Training Services Panel

RESOLUTION:

Cr R Bowles / Cr E Lording

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

CARRIED

The meeting closed to the public at 7.00pm

RESOLUTION:

Cr M Rae / Cr L Dunscombe

That the meeting re-opens to the public.

The meeting re-opened to the public at 7.03 pm.

14.3 CONTRACT AWARD – TRAINING SERVICES PANEL

REF: CONT 17/6 (17/46220)

RESOLUTION:

Cr E Lording / Cr M Rae

That Council:

1. **Notes that total expenditure on staff training and development services is estimated to be \$300k over the next three years;**
2. **Agrees to establish a panel of the following suppliers of on-site staff training and development services in accordance with each of the training and development categories listed below:**
 - a) **Communications and Personal Development**
 - Logan Consulting Group
 - Peak Regional Training
 - Sarden Group
 - Steedan
 - Victorian Chamber of Commerce and Industry
 - b) **Leadership Development**
 - ITFE
 - Logan Consulting Group
 - Peak Regional Training
 - Time2Talk Leadership
 - Victorian Chamber of Commerce and Industry
 - c) **Governance & Compliance**
 - Blue Visions Management
 - Consulting Co-ordination Australia / Playsafe
 - Horner
 - ITFE
 - LGPro
 - Peak Regional Training
 - d) **Business Skills**
 - LGPro
 - Peak Regional Training
 - Steedan
 - Time2Talk Leadership
 - Victorian Chamber of Commerce and Industry
 - e) **OH&S**
 - Backwoods Training Pty Ltd (T/A NSCA)
 - ITFE
 - LifeAid
 - Recovre
 - St John Ambulance
3. **Authorise the signing and sealing of contracts for a three year period, with an additional optional two year term subject to satisfactory performance, with each of the above suppliers, under Contract folder 17/6 Council Training Services Panel.**

There being no further items of Business, the Chairperson declared the meeting closed at 7.03pm.

CONFIRMED THIS

Wednesday 23rd August 2017

CHAIRPERSON

