



Murrindindi
Shire Council

AGENDA
of the
ORDINARY MEETING OF COUNCIL
to be held on
WEDNESDAY 23 AUGUST 2017
in the
ALEXANDRA COUNCIL CHAMBER
commencing at
6.00 pm

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

REF: SF/306

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held on 26 July 2017.

Officer Recommendation:**That the Minutes of the Ordinary Meeting of Council held on 26 July 2017 be confirmed.****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**

REF: SF/783

5. PUBLIC PARTICIPATION TIME**5.1 QUESTIONS OF COUNCIL****5.2 OPEN FORUM**

REF: SF/130

5.3 PETITIONERS SPEAKING TO PETITIONS

REF: SF/132

6. OFFICER REPORTS**6.1 1/2017/41/1 – BONFIRE STATION PLACE OF ASSEMBLY, ACHERON**

REF: 2017/41 (17/56598)

Land: 3625 Maroondah Highway Acheron

Proposal: Change of use of the existing golf club building and land to a place of assembly for the purposes of weddings, functions and general events; to allow the land to be used as temporary accommodation with a maximum of 5 tents accommodating a maximum of 12 guests (caravan and camping park) and for the erection of advertising signage.

Applicant: R Christopher

Zoning: Farming

Overlays: None

Attachments: Application Documents (refer *Attachment 6.1* – TRIM 17/55792)
(aerial photograph and submissions distributed separately)

Locality Plan:**Purpose:**

This report recommends that a notice of refusal to grant a permit be issued:

- for the change of use of the existing golf club building and land to a place of assembly for the purposes of weddings, functions and general events;
- for use of the land as temporary accommodation with a maximum of 5 tents accommodating a maximum of 12 guests (caravan and camping park);
- for the erection of advertising signage at 3625 Maroondah Highway, Acheron.

Officer Recommendation:

That Council issue a notice of refusal to grant a permit for the change of use of the existing golf club building and land to a place of assembly for the purposes of weddings, functions and general events; to allow the land to be used as temporary accommodation with a maximum of 5 tents accommodating a maximum of 12 guests (caravan and camping park) and for the erection of advertising signage at 3625 Maroondah Highway, Acheron (Lot: 1 PS: 445373, Parish of Taggerty), on the following grounds:

1. The proposal does not comply with Clause 13.04-1 *Noise Abatement* as there is not sufficient separation from the subject site to nearby sensitive uses to ensure that community amenity is not detrimentally impacted.
2. The proposal does not comply with Clause 14.01-1 *Protection of agricultural land* as the proposal is not compatible with existing uses on the surrounding land.
3. The proposal is not in accordance with Clause 21.03-2 *Agriculture* as it is not compatible with surrounding agricultural activities.
4. The proposal is not in accordance with Clause 35.07 *Farming Zone* as it is not compatible with adjoining and nearby land uses.

5. **The proposal is not in accordance with Clause 35.07 *Farming Zone* as it does not support and enhance agricultural production as it has the potential to limit intensive or extensive farming activities close to the proposal area.**
6. **The proposal is not in accordance with Clause 65.01 *Approval of an application or plan* as it will have a detrimental impact on the amenity of the area.**

Proposal:

The subject land currently has a planning permit to be used for accommodation for up to 48 people (with alcohol allowed to be served to accommodation guests).

This application proposes to also allow:

- use of the property as a place of assembly (events)
- for up to 12 weekends per year
- with up to 200 people on site on Saturday between 11am and 11pm
- with alcohol being served (to event patrons only) from 6pm – 11pm Fridays and 2pm - 11pm Saturdays

Events could be functions or the premises may be operated as a public bar during the allowed “event” times.

The application also proposes to use the property as a caravan and camping park (glamping), with the following parameters:

- Maximum of 5 tents, 5m in diameter
- Accommodation for up to 12 people
- Tents to be erected when site being used for an event

The proposal also includes the erection of advertising signage.

The Land and Surroundings:

The subject land is a 49.1 hectare parcel of land in the Farming Zone. The land contains two dwellings, a group accommodation building, a common building which contains the bar area (known as the mess hall), and other shedding. The property is bounded by the Maroondah Highway on the eastern boundary, by Yellow Creek Road on the southern boundary, and private property to the north and west. All the surrounding land is zoned farming, and contains scattered dwellings and associated shedding. There are three dwellings within 1 kilometres of the area to be used for the place of assembly.

Referrals:

The application was referred externally to the CFA and VicRoads. Both authorities had no objections subject to a range of conditions. VicRoads conditions required all access to the site to be from Yellow Creek Road, and the CFA required bushfire protection measures for the proposal.

Consultation:

Twelve nearby and adjoining owners were notified of the application directly. In addition a sign was erected on the site and a notice placed in the Alexandra and Eildon Standard. At the time of writing this report, 5 objections and 41 supporting submissions had been received. The objections can be summarised as follows:

- Alternate uses/previous use of the land:
(The premises have been previously advertised as available for hunting.)
 - Does not support other uses such as night hunting safaris and cider brewing classes (3 submitters)
 - Night hunting very dangerous (4 submitters)
 - Current permits are adequate and should not be extended (2 submitters)
 - Concerned with previous illegal use of the site (2 submitters)
- Place of assembly concerns:
 - Concerned with potential number of people (4 submitters)
 - Land is zoned Farming, and this use is not needed to support a farming enterprise (1 submitter)
 - Amenity will be negatively affected by noise (4 submitters)
 - Proposal will have a negative effect on other local businesses (1 submitter)
 - Security will be an issue (2 submitters)
 - Site located in natural amphitheatre, and sound travels easily in this area (1 submitter)
 - No information provided on expected noise levels (1 submitter)
 - Neighbouring residence has experienced several instances of functions with loud noise from the site, heard easily inside dwelling (1 submitter)
- Camping/Tent concerns:
 - Tents will create a fire risk (1 submitter)
 - Tents will have a negative visual impact (1 submitter)
- Fire issues:
 - High risk of fire with number of guests (2 submitters)
 - Evacuation of a large number of people in a fire will be dangerous (1 submitter)
- Traffic/Road Management:
 - Traffic report only considers the accommodation of 48 people, not larger events (1 submitter)
 - Increased traffic will create a lot of dust and damage on Yellow Creek Road (3 submitters)
 - Parking on Yellow Creek Road is dangerous (1 submitter)
- Other issues:
 - One objector felt that Council does not have the power to abrogate the common law rights of landowners including the right to quiet enjoyment of their land(1 submitter)
 - Not enough detail on the proposed signage (2 submitters)
 - Proposal is not in keeping with a rural area (1 submitter)

The applicant provided a response to the objections, which is summarised as follows:

- Clarification of the guest numbers and operating hours was provided to submitters
- Additional landscaping to address visual impact of tents will be completed

- Parking will be provided on site
- No car parking will be allowed in Yellow Creek Road
- No night hunting will be allowed
- Will not pursue beer or cider brewing classes
- Will only use their own sound systems to manage sound levels
- Will only have live bands outside and noise will be kept to a reasonable level
- Tents will not have heating and will only be used in warmer months
- Have a fire plan to address risk of fire

This was forwarded to all objectors, and no objections were withdrawn.

The supporting submissions can be summarised as follows:

- Applicant should be allowed to supplement their income
- Support submission with no additional information (just name and address)
- Good for Alexandra
- Proposal will support local business
- Proposal will bring visitors to the area
- Proposal will not affect the submitter

Newspaper / Other	Publishing/Consultation Date(s)
<i>Newspaper: Alexandra and Eildon Standard</i>	3 May 2017
<i>Consultation: Sign on Site</i>	3 May 2017
<i>Mail out: Nearby and adjoining owners</i>	20 April 2017

Planning Considerations:

The property has current planning permission to use the land for accommodation for up to 48 people, and a liquor licence that allows alcohol to be served to guests of the property. This application would allow the existing buildings to be used for events, including weddings, for up to 12 weekends a year. The application documents advise that this could be any combination of events or being open to the public, and run like a bar.

The property is in the Farming Zone, and the purpose of the zone is to provide for the use of the land for agricultural purposes. In the assessment of this application, the three parts of the proposal are considered separately as follows:

1. Place of assembly

The proposal will allow the site to be used for 12 weekends per year, for up to 200 people at one time – which is 4 times the amount of people allowed on the site currently. The size of the existing buildings on the site will necessitate that the bulk of these people will be outside the existing buildings, generally in the area delineated within the Red Line area on the liquor licence. The current permits allow people to be outside of the buildings, and current operations provide an indicator of the potential amenity impacts for nearby and surrounding properties under the proposal.

The submissions have raised serious concerns with amenity in relation to the noise and traffic impacts of the proposal. The current use allows up to 48 people to be on the premises and to utilise the existing bar. These submissions detail a range of times where noise has easily been heard within their dwellings. This is not consistent with reasonable amenity expectations in the Farming Zone.

Under the Building Regulations, a bar is allowed to have up to 1 person per square metre. In this case, the area is approximately 50 square metres (the verandas and kitchen are excluded) and therefore only able to accommodate approximately 50 people inside the building, which is reflective of the current number of people allowed. The proposed increase to 200 people would necessitate the predominant use of outdoor areas. Utilising the outdoor areas in turn creates a negative amenity impact on neighbouring properties, particularly when live bands support the event.

A number of objectors report instances of amenity impact that they regard as unacceptable (e.g. audible within indoor living spaces at nearby houses) with the current operations. The proposal is expected to give rise to greater amenity impacts than currently experienced because:

- Guest numbers increase from 48 to 200
- The guest numbers and size of buildings onsite means that the proposed events will be largely outside
- Live music will be played outside

When considering whether amenity impacts are acceptable, the decision guidelines under both the Farming Zone and Clause 65 *Decision Guidelines* must be considered. As the primary purpose of the zone is for agricultural purposes, the use of the land for an agricultural enterprise that may have amenity impacts could be supported, as long as it was demonstrated that there would be no environmental impact.

In this case, the use of the land for events will have an offsite amenity impact for a use that is not related to the primary purpose of the farming zone.

It is not reasonable to issue a permit for a use that would reduce an individual's amenity, where that use that is not the primary purpose of the zone (i.e. it is not associated with a farming use). The ability to apply for a permit to use farming zoned land for proposals such as this would normally only be supported if it could be reasonably demonstrated that the amenity impacts would be minimal. Often this is achieved with one-off events, limiting the use to small events or by locating the proposed use in an area that is not close to existing dwellings.

Further, the proposal has the potential to increase the risk that extensive or intensive farming activities on adjoining sites (consistent with the Farming Zone) result in amenity impacts on the subject site. Use of the site as a place of assembly would increase the risk of amenity complaints potentially impacting on farming use of the surrounding land.

A number of objectors also raised concerns about traffic, fire risk and waste water.

The application proposes that car parking would be provided on site, and generally conditions could ensure that car parking is constructed on site, and that the road reserve not utilised for parking. Yellow Creek Road is a formed gravel road which is of an appropriate standard to service the proposed activity. Dust caused by traffic would also be expected to settle before it had an impact on the nearby dwellings.

In terms of fire risk, the application was considered by the CFA, which had no objections subject to a range of conditions in relation to vegetation management, water supply and access to the site.

The site currently complies with the Septic Tank Code of Practice and would be expected to continue to do so. Provision of additional facilities (portable toilets) in this space could be addressed through conditions on the permit had the application been supported.

2. Glamping

The camping/glamping section of the proposal is very similar to the existing use of the land for group accommodation. This part of the proposal would have little increased amenity impact beyond the existing use on nearby properties. Any visual concerns could be addressed with some additional landscaping, and officers support the proposal for glamping in principle. Refusal of this permit would still allow the owner of the property to apply separately for the tent element of the proposal, to be used in conjunction with the existing accommodation use of the land.

3. Signage

When considering advertising signage, each zone has a category allocated for signs, with permit requirements for different categories detailed in Clause 52.05 *Advertising Signage*. Advertising signage in the Farming Zone is classified as Category 4, and Category 4 is considered a sensitive area and requires strong amenity control. As such any signage must be unobtrusive. A planning permit is required for a business identification sign, and the sign itself cannot exceed 3 square metres. Generally advertising signage to support a business would be supported, if the size complied with this requirement and it was located in a manner that did not affect the broader amenity of the area. Both of these matters could be addressed with permit conditions.

As the proposal is for all three elements, all elements have to be considered together. Refusal of this permit application in its current form will not stop a further application for elements of the proposal that could be otherwise supported. Further to this, the submissions have raised a number of concerns that are not planning matters, for example, how the land has been used in the past, proposals for night safaris and cider brewing classes. While these issues have caused concern for the neighbours, they are not issues that can be considered as part of assessing this application.

Council has also received supportive submissions, with the grounds of support listed above.

The value of economic benefit for the municipality is a valid consideration, however it must be considered alongside the amenity of nearby properties. While the planning scheme generally supports the development of tourism and economic development within the municipality, the planning scheme does require careful evaluation of each proposal, including consideration of the proposed sites.

A place of assembly is a good use of buildings in a farming area, when it can be established that the amenity impacts are not detrimental to nearby properties. In this case, it should be noted that the bulk of the supporting submissions are from people not located near the proposal, i.e. from people that will not experience any negative amenity impacts.

When considering the proposal in its entirety, the use of the land as proposed is expected to have a negative impact on the amenity of nearby properties, particularly noise impacts. As this proposal is not for a farming enterprise, it is not considered reasonable to reduce amenity in this way.

Conclusion:

The proposal for the use of the land for events, glamping and signage will potentially have a negative impact on the amenity of nearby properties, particularly in terms of noise impacts. As this proposal is not for a farming enterprise, and given the potential extent of amenity impact, on balance it is not considered reasonable to reduce amenity in this way, and therefore Council officer's recommend that the application not be supported.

Legal/Policy Issues:**State Planning Policy Framework**11.12.1 *A diversified economy*

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

Strategies:

- Support tourism activities that take advantage of environmental and cultural heritage assets and 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.

13.04-1 *Noise Abatement*

Objective: To assist the control of noise effects on sensitive land uses.

Strategies:

- Ensure that development is not prejudiced and community amenity if not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

13.05-1 *Bushfire Planning strategies and principles*

Objective: To assist to strengthen community resilience to bushfire.

Strategies:

- Prioritise the protection of human life over other policy considerations in planning and decision making in areas at risk from bushfire.

14.01-1 *Protection of agricultural land*

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

Strategies:

- Prevent inappropriately dispersed urban activities in rural areas.
- In considering a proposal to development agricultural land, the following must be considered:
 - The compatibility between the proposed or likely development and the existing uses on the surrounding land.

17.03-1 *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 domestic and international tourist destination.

Strategies:

- Encourage the development of a range of well designed and sited tourist activities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities.

Local Planning Policy Framework

21.02-1 *Vision*

Key elements to the vision are:

- Growth in the rate base, population and economic activities to create long term economic sustainability for the municipality.
- Facilitation of new and expanded economic development and employment activities.
- Expansion and promotion of the tourism industry for a range of existing and emerging activities.

21.03-2 *Agriculture*

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

Strategies:

- Ensure that use and development of rural land protects and enhances agricultural potential and the productive capacity of the land.
- Ensure that the use and development of rural land is compatible with surrounding agricultural activities.

21.03-3 *Tourism*

Objective 1: Enhance and promote tourism to increase the economic, social and cultural benefits to the municipality.

Strategies:

- Support and grow tourism that builds upon the strengths of and is linked to the natural environment.
- Facilitate recreational and tourism activities that attract tourists year round.
- Facilitate development of new tourism accommodation options and conference centres.

Zoning

35.07 *Farming Zone*

Purpose:

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

Decision Guidelines:

General Issues:

- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues and the impacts from non-agricultural uses:

- Whether the use or development will support and enhance agricultural production.
- The potential of for the use to limit the operation and expansion of adjoining and nearby agricultural uses.

Design and siting issues:

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- Whether the use or development will require traffic management measures.

A planning permit is required for a place of assembly and for a camping and caravan park in the Farming Zone.

Particular Provisions

52.05 *Advertising Signage*

Purpose:

- To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

A planning permit is required for a business identification sign on this property, and the sign cannot be more than 3 square metres.

52.06 *Car Parking*

Purpose:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated the activities on the land and the nature of the locality.

For a place of assembly for up to 200 people, 60 car spaces would need to be provided.

General Provisions

65.01 *Approval of an application or plan*

Before deciding on an application, the Responsible Authority must consider, as appropriate:

- The purpose of the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

6.2 DEVELOPMENT SERVICES ACTIVITY REPORT – END OF FINANCIAL YEAR

REF: FY64-05 (17/56894)

Purpose:

To provide Councillors with the financial year 2016-2017 Activity Report in relation to Development Services.

Officer Recommendation:

That Council note the Development Services 2016-2017 Activity Report.

Background:

The Development Services Department reports quarterly to provide information about development services provided by the department including activity levels, key measures aligned to the needs and expectations of the development industry, and indicators relevant to activity in selected industry sectors.

This report gives statistics for the 2016-2017 financial year, quarterly information where appropriate. The report aims to inform Council and the community of the work being carried out by the Development Services Department, and importantly, encourage customer feedback to inform improved performance.

Council Plan/Strategies:

This report demonstrates the Council Plan 2017-2021 objective “through good land use planning enhance the liveability, prosperity and the rural character of our Shire”.

Legal/Policy Issues:

There are no legal issues associated with the activity report.

Financial/Resources/Risk:

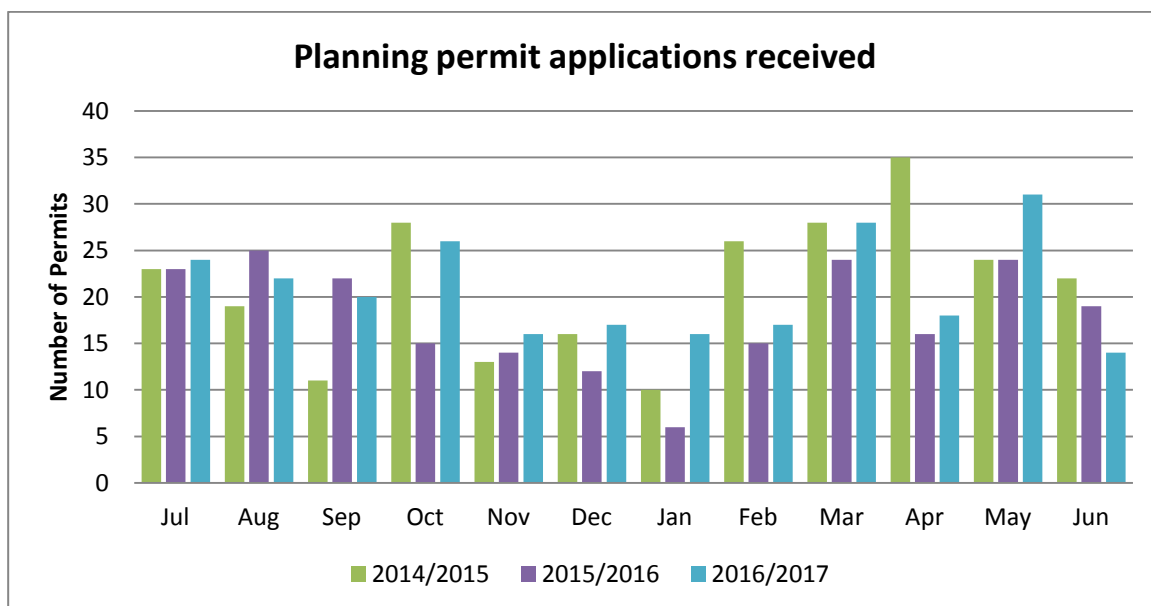
There are no financial costs relating to the preparation of this report.

Discussion:

The following information indicates activity levels and performance against industry benchmarks and previous years’ performance. The statistics indicate continued good performance against these performance benchmarks.

In addition, the statistics can provide an indication of local economic activity with the number of planning permits received tracking slightly higher than the equivalent period last year. Of particular note is the increase in dollar value of building works for Murrindindi Shire. While this increase can be explained by a few high cost projects, the flow on economic effects of this work is of benefit to the local economy.

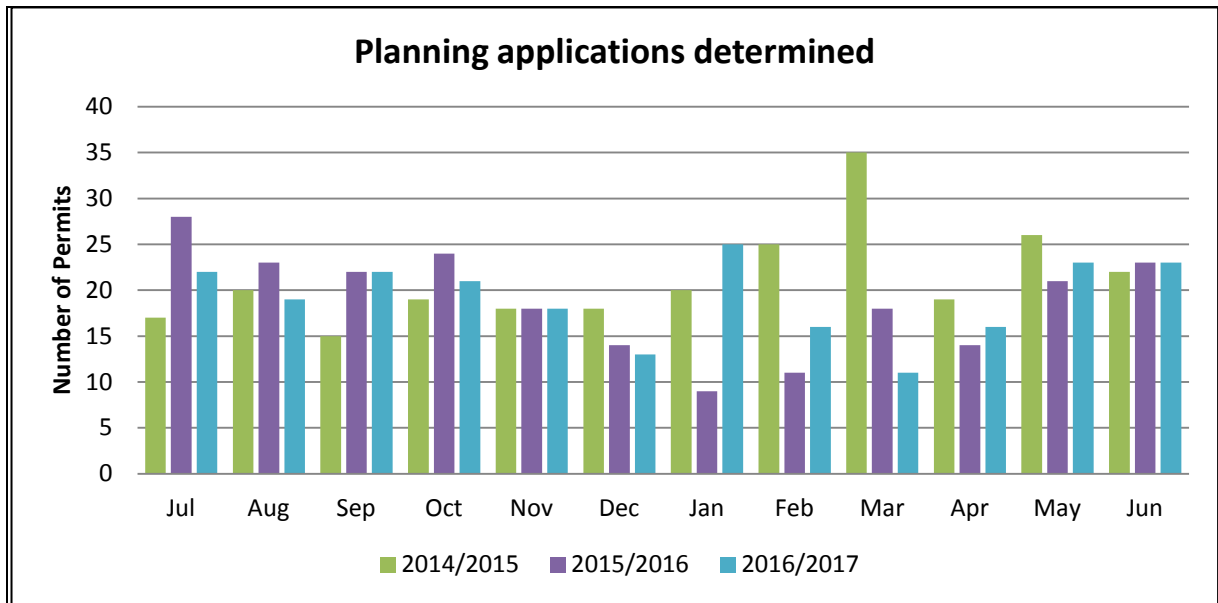
Planning Unit



The number of applications received includes new planning applications, requests to amend existing planning permits and planning consents.

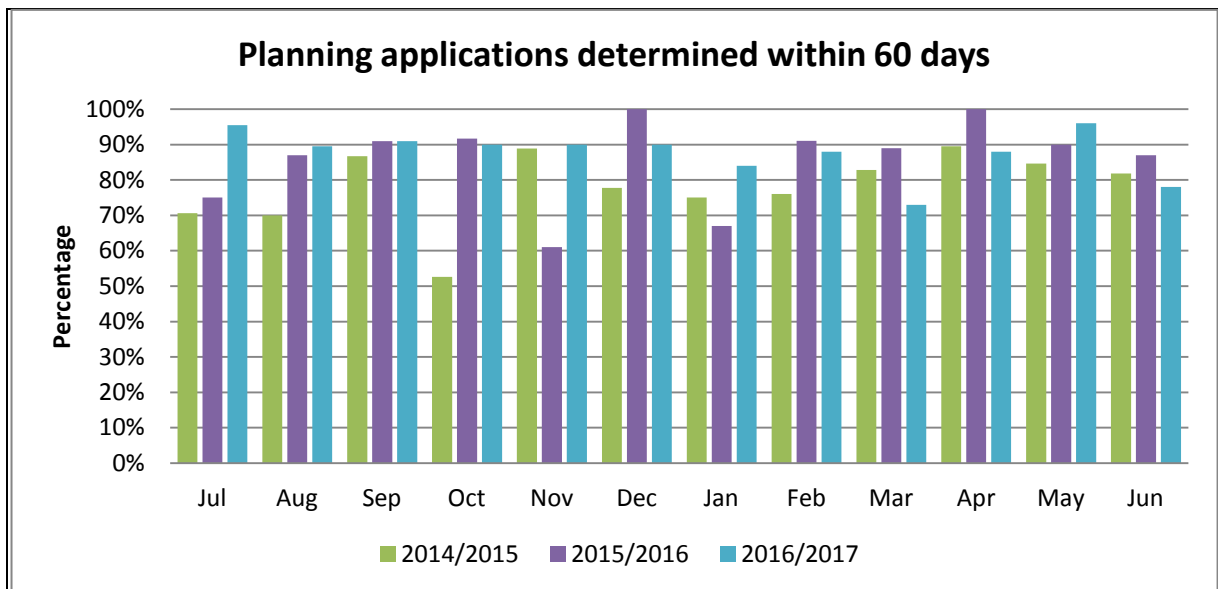
For the 2014-2015 financial year there were a total of 255 applications received, and for the 2015-2016, 217 applications were received.

In the 2016-2017 financial year, 249 applications were received which is an increase of 14.7% on the previous year.



The number of applications determined for 2014-2015 was 254, and for the 2015-2016 financial year there were 225 applications determined.

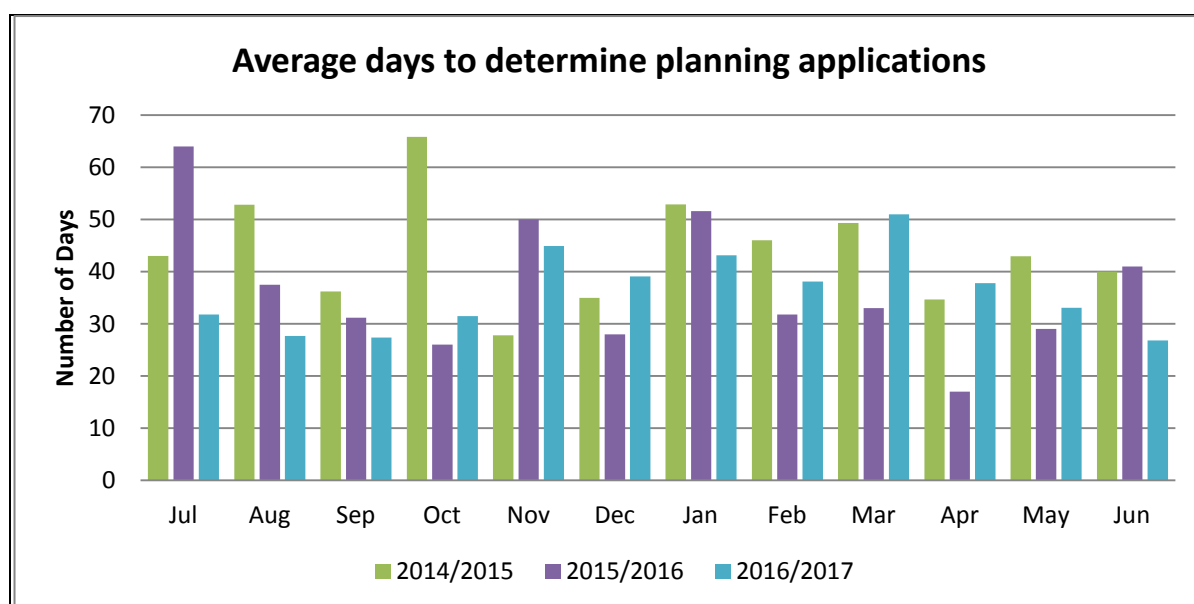
In the 2016-2017 financial year, 229 applications have been determined.



The statutory time frame to issue permits under the *Planning and Environment Act 1987* is 60 days.

In 2014-2015, 78% of permits were issued within the statutory time frame, with 86% of permits issued within the statutory time frame in 2015-2016.

In the 2016-2017 financial year, 87% of planning permit applications were issued within the statutory time frame.



The average days to determine planning applications includes officer delegated decisions and decisions of Council.

The average number of days to determine planning permits in 2014-2015 was 44 days, with the average number of days for 2015-2016 being 37.

For the 2016-2017 financial year to date, the average number of days to determine permits was 37 days.

Comparison with Other Municipalities – Planning Permits

Council is required to report planning permit activity on a monthly basis to the State Government, which is then compared against various regions and groups of councils within the whole of Victoria. The following table provides a brief outline of how Murrindindi performed in 2016-2017.

Benchmark	MSC	Peri Urban Region	Rural Municipalities	State Wide
Planning permits determined within 60 days (YTD)	87% ¹	70%	75%	62%
Average days to determination (YTD)	49 ¹	63	55	82

Note: 1. There is a significant discrepancy in what is registered on the State Government website compared with figures held by council. Officer error in recording requests for additional information resulted in inaccurate capture of 'Average days to determination' in the State Government system.

Review of planning decisions by VCAT for the 2016-2017 financial year

Applicants and objectors have the right to appeal decisions at VCAT – the following table shows all appeals and decisions for the 2016-2017 period.

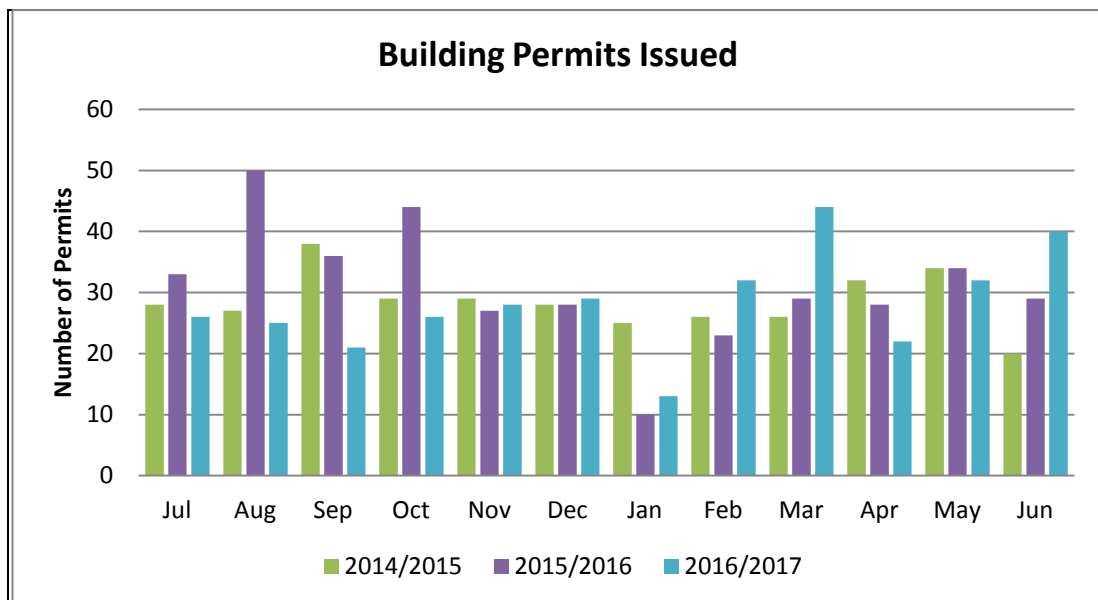
Outcomes of VCAT hearings 2016-2017		
Ghin Ghin Road, Ghin Ghin	Refusal	Against the recommendation of officers and resolution of Council.
1556 Goulburn Valley Highway, Thornton	Issued Permit	In accordance with both officer recommendation and resolution of Council.
140 High Street, Yea	Issued Permit	In accordance with both officer recommendation and resolution of Council.

Quarterly Strategic Studies and Projects

The studies and amendments progressed during the 4th quarter of 2016-2017 are listed below:

- C57 proposes to rezone land at 1274 Whittlesea-Yea Road, Kinglake West from Rural Living Zone to Township Zone and concurrently approve a planning permit application for a service station, convenience shop, postal agency, food and drink premises and associated car parking and signs. At its May Ordinary Meeting, Council sent the zoning amendment and associated planning permit to the Minister for Planning for his consideration.
- C59 proposes to rezone part of 265 Whittlesea-Kinglake Road, Kinglake from Public Use Zone 7 (PUZ7) – Other, to Public Use Zone 5 (PUZ5) – Cemetery and Crematorium, and to remove the Environmental Significance Overlay Schedule 1 (ESO1) – High Quality Agricultural Land, from the subject site. Council abandoned the amendment at its May 2017 Ordinary Meeting.
- Officers have worked with DELWP to prepare a communication program for the proposed State Government changes to the BMO.

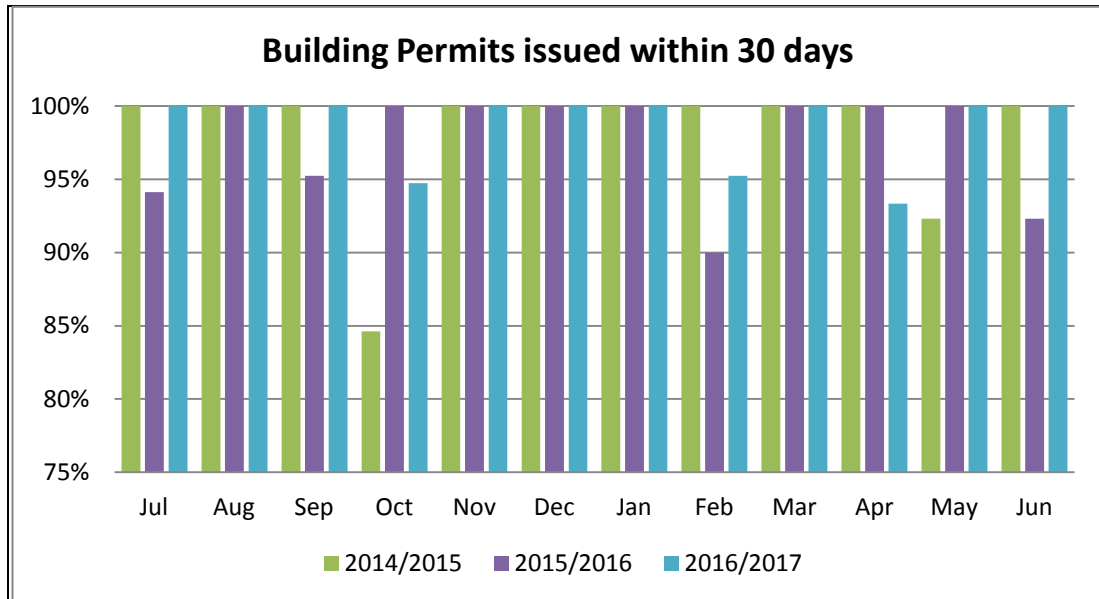
Building Unit



This chart details the number of building permits issued within Murrindindi Shire, including both municipal and private building surveyor permits.

The total for 2014-2015 was 342. For the 2015-2016 year, 371 permits were issued.

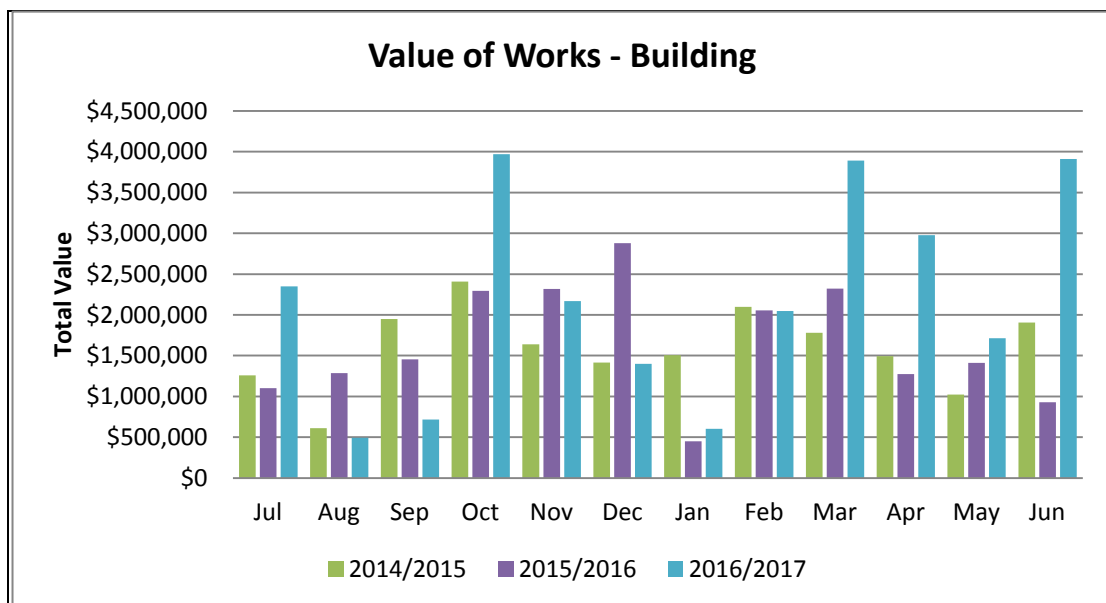
For 2016-2017 financial year, 338 permits have been issued.



This chart details the percentage of building permits issued by the municipal building surveyor within the unit's 30 day Key Performance Indicator (KPI).

The overall percentage of permits issued within 30 days for the 2014-2015 financial year was 98%. In the 2015-2016 year, 98% of permits were issued within 30 days.

For 2016-2017 financial year, 99% of permits have been issued within 30 days.



In the 2014-2015 financial year, the value of building works was \$19,087,456.

In the 2015-2016 financial year, the value of building works was \$19,776,432.

In the 2016-2017 financial year, the value of building works was \$26,240,186 which is a significant one year increase. This increase can be explained by a number of key developments within the Shire that are larger than normal supplemented by a wide range of smaller developments including industrial and manufacturing shedding, educational buildings and agribusiness infrastructure.

Conclusion

The department continues to perform well in the delivery of key Council services which support development within the Murrindindi Shire.

6.3 END OF YEAR REPORT – CAPITAL WORKS PROGRAM 2016-2017

REF: CY17/179 (17/56907)

Purpose:

To provide Council with the final update on the 2016-2017 Capital Works Program (CWP). The report will advise Council of the end of year financial status for the CWP compared to budget allocations.

Officer Recommendation:

That Council:

- 1. Note the End of the Year Report - Capital Works Program 2016-2017.**
- 2. Endorse the reallocation of funds as recommended in Table 1 within this report.**
- 3. Note that the projects in Table 2 within this report that were not completed are now complete or are being completed.**

Background:

This report is the final report of the 2016-2017 Capital Works Program (CWP). The period of reporting is from 1 July 2016 to 30 June 2017.

The 2016-2017 CWP is comprised of projects:

- endorsed by Council as part of the 2016-2017 capital works budget
- carried forward from the 2015-2016 program
- added to the program during the 2016-2017 year

Council Plan/Strategies:

This report demonstrates the Council Plan 2017-2021 strategic objective to “maintain Councils financial sustainability through sound financial and asset management”.

Legal/Policy Issues:

Council has a responsibility to prepare a budget annually. The preparation of a detailed CWP, and delivery of the program, informs and significantly impacts the end of the year financial position.

Financial/Resources/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.

Discussion:

The adopted budget for the 2016-2017 CWP was \$7.154m. Carry forwards and additional projects resulted in a revised CWP of \$12.143m. After delivering more than \$9.3m of the revised CWP, \$2.697m will be recommended for carry forward as detailed in this report.

Infrastructure Capital Works

The adopted budget for the infrastructure component of the CWP was \$5.944m

The following projects to the value of \$221,000 were postponed for delivery in the 2017-2018 program:

- Yea Shire Hall
- Alexandra Shire Offices

Excluding these works, 96% of the infrastructure projects from the adopted budget were delivered. The most significant scheduled project not delivered within the financial year was the bridge renewal project as explained below.

A number of infrastructure projects were added to the CWP throughout the year following receipt of grant funding.

The additional projects include:

- Marysville Tourism and Arts Centre
- Murchison Street Marysville Carpark (funded from land sale)
- Yea Regional Saleyards – Stage Two
- Yea Children’s Centre – Stage One
- Eildon Jamieson Road – Black Spot
- Additional Bus Shelters

These additional infrastructure projects along with carry forwards from the previous year resulted in an annual revised infrastructure budget of \$10.003m. The total value of infrastructure work delivered or committed for the year was \$8.519m representing 85% of the revised budget.

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

Yea Shire Hall

Majority of the repair work is located on the clock tower in close proximity to high voltage power lines (known as a “hot zone”). Due to the significant costs involved in making safe power lines during construction and the extensive scaffolding required, work was deferred to the next financial year to coincide with additional facade repair works. This allows for a more cost effective use of scaffolding and power diversion.

Alexandra Shire Offices

The external facade panels of this building have deteriorated significantly and require replacement. Due to the specialised nature of the works and the difficulty in obtaining suitably qualified contractors alternative cladding systems are being investigated.

Bridge Component Renewal

The bridge renewal and upgrades program was delayed following an engineering report which determined that two bridges (Dairy Creek Road Bridge and Drayton’s Bridge) needed replacement rather than repair. Works were then programmed through autumn to mid September to meet environmental requirements of the Macquarie Perch breeding season. This allocation is committed, with works currently underway.

Timber Tramway Museum

The remainder of the project has been postponed until lease arrangements are finalised. Funds will be required for renewal works.

Marysville Tourism and Arts Centre

This project is grant funded and the design was completed the 2016-2017 financial year with savings achieved.

Murchison Street Marysville Carpark

Funds allocated following the sale of land have allowed the design for the construction of the carpark to commence. This work and the construction of the carpark will continue in next financial year.

Library – Generators – Living Libraries Infrastructure Program

This project is grant funded and all works complete other than the mobile library generator installation. This will be undertaken when the prime mover is replaced later this year.

Vegetation Projects

Funds are provided to meet Council's pre-2006 native vegetation offsets liability. \$57,579 has been spent on specific offset projects in the last 12 months, with \$87,876 to be carried forward for future offset projects.

Drainage Upgrade Trouble spots

The contracts for drainage works have been awarded, however there have been delays due to weather. The allocation is committed and works are underway.

Footpath Renewal/Kerb and Channel/Road Safety

Footpath renewal, kerb and channel and road safety works have been combined as one package and most work has been completed. The allocation is committed and work will be completed in the first half of the year.

Yea Regional Saleyards – Stage Two

This project is grant funded. The allocation is committed and the works are nearing completion.

Bus Shelter

Funds are required to match the grant funding received for an additional bus shelter.

Special Charge Scheme

Survey plans have been completed with the design currently underway for Snodgrass Street, Yea upgrade. Once the design has been completed, consultation with adjoining owners will commence as the next stage of initiating the scheme.

Eildon-Jamieson Blackspot

Grant funding for this project was received midway through the financial year. Currently a design review is being undertaken to confirm the scope of works.

Plant and Fleet

Variance in the plant capital budget is due to the delay in the delivery of some vehicles and the finalisation of a number of major plant tenders. Two major items of plant awaiting delivery or finalisation of procurement are the road jet patcher and a tandem tip truck. Two fleet vehicles were not delivered until the first month of this financial year and one fleet vehicle replacement was postponed due to low usage.

Integrated Asset Management System

Funds allocated for the additional resource for the implementation of the Integrated Asset Management System will be fully spent in the first half of the 2017-2018 financial year.

Project Management System

Following the development of an organisation wide project management methodology, appropriate software is required. The project management methodology will be rolled out with the 2017-2018 business planning process.

Business Services

IT projects are planned which will support the upgrade and integration between Council's key corporate software and electronic document management systems, as well as an upgrade to more current Microsoft Office software which is scheduled to commence in late 2017.

Library Book Stock

This covers additional books not purchased in 2016-2017 but which are required to keep the bookstock current.

It is proposed that funds are reallocated from savings to undertake the following projects:

Seal Rock Road

Following the development of land to the rear of properties on Seal Rock Road in Buxton additional drainage works have been identified to manage water flows over residential properties. It is proposed that savings of \$56,971 from the drainage network expansion program be reallocated to undertake these works.

Leckie Park Toilet

Upgrade works to the Leckie Park Cricket Pavilion included the construction of new public toilets. Significant savings were realised from upgrade to the Bakers Lane toilets in Alexandra. It is proposed that \$20,000 of this saving be re allocated to allow for the decommissioning and removal or future alternate use of the old public toilet building.

Swimming Pools

Funds allocated for works associated with upgrades to shire pools funded under the Seasonal Pools Grant have not been fully expended. This is a result of savings achieved or works no longer required. It is proposed that \$40,000 of these funds be carried forward for works associated with the pools that will be identified during the year.

Summary of recommended carry forwards

This report includes two tables as follows:

- Table 1: is a list of projects to the value of \$338,058 which have not commenced or are no longer required or where savings have been realised. It is recommended that this amount is carried forward or reallocated in accordance with Council's Capital Works Expenditure Policy.
- Table 2: is a list of projects to the value of \$2,359,148 that were not completed in the financial year and are now complete or will be completed in the 2017-2018 year.

Table 1:

Project	Comment	Recommended Carry Forward \$
Yea Shire Hall clock tower repair	Project postponed until 2017-2018 financial year, to be undertaken in conjunction with facade repair works.	26,867
Community (Public) Buildings - Renewal	Yea Shire Hall (as above)	93,569
Alexandra Shire Offices	External facade replacement	100,651
Drainage – Network Expansion	Savings to be reallocated to undertake drainage works at Seal Rock Road	56,971
Public Conveniences –	Savings to be reallocated to demolition of	20,000

Renewal	Leckie Park public toilet block or a future alternate use of the building.	
Swimming Pools	Savings to be reallocated to future pool upgrades	40,000
	TOTAL	338,058

Table 2:

Project	Current Status	Recommended Carry Forward \$
Bridge Component Renewal	The replacement of Draytons Bridge and Dairy Creek Road Bridge and the repair of Acheron Road Bridge	343,763
Timber Tramway Museum	Electrical works completed. The remainder of the project has been postponed until completion of the master plan.	5,642
Marysville Tourism and Arts Centre	Grant Funded - Design completed remaining funds to be allocate to construction works	7,722
Murchison Street Marysville - Carpark	Design completed allocate to construction works	39,620
Library - Generators	Grant Funded. Required for supply and installation of generator for mobile library prime mover.	24,603
Vegetation Projects	Pre-2006 native vegetation offsets liability	87,876
Drainage Upgrade - Trouble Spots	Works have been packaged together. Yea works are nearing completion. Alexandra works about to commence. Funds fully committed.	47,500
Kerb and Channel - Renewal		41,001
Kerb and Channel - New		500
Kerb and Channel - Upgrade		19,694
Footpath Renewal		10,934
Footpath - Missing Links		35,124
Paths - Upgrade		40,759
Drainage Renewal		44,000
Yea Saleyards Development	Grant Funded. Roof extension, B-Double ramp, holding pens and scales completed. Awaiting installation of scale house and commissioning of scales. Funds are committed.	61,233
Bus Shelter Construction	Carry forward to match grant funding for a further shelter.	4,000
Snodgrass Street Yea – Special Charge Scheme	Survey plans completed. Design underway. Consultation about to commence.	39,309
Eildon-Jamieson Black Spot	Grant Funded. Grant received midyear. Design review is currently underway.	282,879
Plant and Fleet	Plant and fleet purchases currently awaiting delivery or procurement	1,025,774
Integrated Asset Management System	Completion of implementation	99,038

Project Management System	Software to support project management framework	50,000
Business services	Upgrades to corporate software and electronic document management systems	42,871
Library Book Stock	Additional books not yet purchased	5,306
	TOTAL	2,359,148

Consultation:

This Report has been developed with officers responsible for finance, asset management and delivery of the CWP.

Conclusion:

The CWP increased significantly from the adopted budget. This was primarily due to the addition of carry forwards and grant funded infrastructure projects. 96% of the adopted infrastructure budget's scheduled projects were delivered and 85% of the revised capital works budget was delivered or committed.

6.4 MURRINDINDI MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

REF: SF/572 (17/51490)

Attachment: Draft Minutes of the Murrindindi Shire Council and Lake Mountain Alpine Resort Municipal Emergency Management Planning Committee (MEMPC) Meeting Held 1 June 2017 (refer *Attachment 6.4* - TRIM 17/48178)

Purpose:

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

Officer Recommendation:

That Council note the draft minutes of the MEMPC meeting held on 1 June 2017.

6.5 COUNCILLOR APPOINTMENT TO GOULBURN BROKEN GREENHOUSE ALLIANCE

REF: SF/139 (17/58096)

Attachment: Councillor Committee Representative List (refer *Attachment 6.5* – TRIM 17/44554)

Purpose:

This report recommends the appointment of Councillor Bowles as Council's delegate to the Goulburn Broken Greenhouse Alliance.

Officer Recommendation:

That Council resolve to appoint Councillor Bowles as Council's representatives to the Goulburn Broken Greenhouse Alliance.

Background:

Councillor appointments to external associations, bodies and committees are to be made through Council resolution at an Ordinary meeting. Council last reviewed its appointments to external bodies at its June 2017 Ordinary Meeting. Council is a member of the Goulburn Broken Greenhouse Alliance but has not to date formally appointed a Council representative to the body.

Discussion:

The Goulburn Broken Greenhouse Alliance (the Alliance) was established in 2007 to promote regional action on climate change. The Alliance's mission is to "raise awareness in, and capacity of, the Region to mitigate and adapt to climate change."

In seeking to deliver on its mission the Alliance has, in recent years, successfully delivered the Watts Working better street lighting project and the Climate Smart Agricultural Adaption project.

It is proposed that Cr Bowles be appointed as Council's representative to the Alliance as a part of her portfolio of Natural Environment and Climate Change.

7. SEALING REGISTER

REF: 13/6325

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/1176 D17/9820	25 July 2017	Lease Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Leadbeater Group Pty Ltd	Margaret Abbey Charlotte Bisset
SF/779	7 August 2017	Lease Kinglake Rebuilding Advisory Centre between Murrindindi Shire Council and Parks Victoria	Margaret Abbey Charlotte Bisset
SF/1159	7 August 2017	Formal Instrument of Agreement between Murrindindi Shire Council and State-wide Locksmiths Pty Ltd - Provision of Locksmithing Services - Contract SF/1159	Margaret Abbey Charlotte Bisset
CONT 16/24 17/32312	7 August 2017	Formal Instrument of Agreement between Murrindindi Shire Council and KC Facility Services Pty Ltd - Council Facilities - Cleaning Services - Contract CONT 16/24	Margaret Abbey Charlotte Bisset

Officer Recommendation:

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

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

Cr M Rae:

8.2 ECONOMIC DEVELOPMENT PORTFOLIO

Cr J Ashe:

8.3 INFRASTRUCTURE AND WASTE PORTFOLIO

Cr E Lording:

8.4 CORPORATE AND CUSTOMER SERVICES PORTFOLIO

Cr L Dunscombe:

8.5 NATURAL ENVIRONMENT AND CLIMATE CHANGE PORTFOLIO

Cr R Bowles:

8.6 COMMUNITY SERVICES PORTFOLIO

Cr S McAulay:

8.7 MAYOR AND DELEGATED COMMITTEE REPORTS

Cr C Bisset:

9. GENERAL BUSINESS**10. MATTERS DEFERRED FROM PREVIOUS MEETING****11. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN****12. ASSEMBLIES OF COUNCILLORS**

REF: CY17/114 (17/56562)

Purpose:

This report presents the records of assemblies of Councillors for 18 July 2017 to 9 August 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 18 July 2017 to 9 August 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:	Murrindindi Environmental Advisory Committee
Meeting Date:	18 July 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Insufficient members to make a quorum. 2. Greenhouse and Resource Consumption Reporting. 3. Council's position on the central highlands forests.

	<ol style="list-style-type: none"> 4. Council's position on supporting community led environmental initiatives. 5. Review of Environment/Waste Actions in Council Plan. 6. Parliamentary Inquiry into Management of Central Highlands Forests.
Councillor Attendees: Cr Bowles	Council Officers: S McConnell, M Leitinger, J Russell
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Councillor Briefing
Meeting Date:	19 July 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. 'Our Promise' Draft Council Plan actions 2. Planning Application – Kinglake Central 3. Community Satisfaction Survey 4. School Crossings 5. Economic Think Tanks
Councillor Attendees: Cr Bisset, Cr McAulay, Cr Bowles, Cr Ashe, Cr Lording, Cr Rae	Council Officers: M Abbey, S McConnell, M Chesworth, A Bond, M Crane, N Maguire, K Girvan
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Council Pre- Meeting
Meeting Date:	26 July 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning Application - Kinglake 2. Supplementary Valuations 3. Contract Award – Training Services Panel 4. Council Plan – 'Our Prosperity'
Councillor Attendees: Cr Bisset, Cr McAulay, Cr Dunscombe, Cr Lording, Cr Ashe, Cr Bowles, Cr Rae	Council Officers: M Abbey, M Chesworth, S McConnell, K Girvan, S Brown, A Bond, L Peddie
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Councillor Briefing
Meeting Date:	2 August 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Food Insecurity in Murrindindi 2. Bushfire Memorials
Councillor Attendees: Cr Bisset, Cr McAulay, Cr Bowles, Cr Dunscombe, Cr Rae, Cr Ashe	Council Officers: M Abbey, N McNamara, S McConnell, J Canny
Conflict of Interest Disclosures: Nil	

Meeting Name/Type:	Councillor Briefing
Meeting Date:	9 August 2017
Matters Discussed:	<ol style="list-style-type: none"> 1. Development Services Quarterly Activity Report 2. Goulburn Broken Greenhouse Alliance MOU 3. Municipal Emergency Management Plan(MEMP) – Public Exhibition 4. Draft Council Plan Actions
Councillor Attendees: Cr Bisset, Cr Ashe, Cr Lording, Cr Rae, Cr Bowles, Cr Dunscombe	Council Officers: M Abbey, S McConnell, M Chesworth, S Brown, M Leitinger, C Price, N McNamara, J Canny
Conflict of Interest Disclosures: Nil	

13. URGENT BUSINESS**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 "Correction to the Training Services Panel Appointment" 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:

- **Correction to the Training Services Panel Appointment**