



Murrindindi
Shire Council

Scheduled Meeting of Council

Agenda

Wednesday 27 March 2024
Alexandra Council Chambers
Perkins Street

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1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE

1.1 Acknowledgement of Country

The meeting will be opened with the Mayor reading the following on behalf of the Murrindindi Shire Council:

“Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri people as the traditional custodians of the land we now call Murrindindi Shire.

We pay our respects to their Elders past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.”

1.2 Councillors' Pledge

“The 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, those who conduct business here and those who visit.”

2 PROCEDURAL MATTERS

2.1 Privacy Note

This public meeting is being streamed live via our Facebook page and website. A recording of the meeting along with the official Minutes of the meeting will also be published on our website.

2.2 Apologies and Request for Planned Leave

2.3 Disclosure of Interest or Conflict of Interest

2.4 Confirmation of Minutes

Minutes of the Council Meeting held on 28 February 2024.

RECOMMENDATION

That Council confirm the minutes of the 28 February 2024 Council Meeting.

2.5 Petitions

2.6 Community Recognition

Council may suspend standing orders to thank and acknowledge particular community achievements.

2.7 Matters Deferred from Previous Meeting

2.8 Urgent Business

Council may by resolution admit an item of urgent business only if:

- a. it relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- b. deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- c. the item involves a matter of urgency as determined by the Chief Executive Officer; and
- d. it cannot be addressed through an operational service request process.
- e. Provided the matter does not:
 - I. substantially affect the levels of Council service
 - II. commit Council to significant expenditure not included in the adopted budget
 - III. establish or amend Council Policy.

3 PUBLIC PARTICIPATION

3.1 Open Forum

Section 8 of the *Governance Rules 2020* allows for Community Participation in Council Meetings. Open Forum is an opportunity for the general public to present to Council on a matter listed on the Agenda or any other matter.

3.2 Questions of Council

Questions of Council are an opportunity for the general public to submit a question prior to the Scheduled Meeting and receive a response from Council in the Questions of Council time.

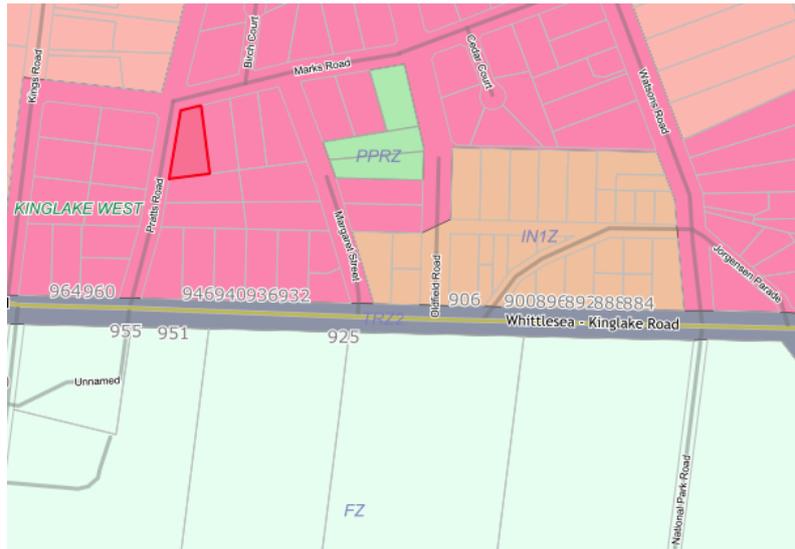
4 REPORTS - COMMUNITY & DEVELOPMENT GROUP

4.1 Planning Application: 18 Pratts Road KINGLAKE WEST - 2 Lot Subdivision & Removal of native vegetation.

Attachment(s)	Attachment 1 - Planning Application - 18 Pratts Road Kinglake West 3757 - Plans [4.1.1 - 3 pages] Attachment 2 - Planning Application - 18 Pratts Road Kinglake West 3757 - Planning Report [4.1.2 - 19 pages] Attachment 3 - Planning Application - 18 Pratts Road Kinglake West 3757 - Bushfire Management Plan [4.1.3 - 1 page] Attachment 4 - Planning Application - 18 Pratts Road Kinglake West 3757 - Bushfire Management Statement [4.1.4 - 48 pages] Attachment 5 - Planning Application - 18 Pratts Road Kinglake West 3757 - LCA Report [4.1.5 - 50 pages]
Presenter	C Fraser, Coordinator Planning
Approved by	Director Community & Development
Purpose	For decision

Land: 18 Pratts Road Kinglake West
 Proposal: Two-lot subdivision and removal of native vegetation
 Applicant: Millar Merrigan
 Zoning: Township Zone
 Overlays: Bushfire Management Overlay
 Triggers: Clause 32.05 - Subdivision of land in the Township Zone
 Clause 44.06 - Subdivision of land in the Bushfire Management Overlay
 Clause 52.17 - Removal of Native Vegetation

Locality Plan



Executive Summary

This application is for a two-lot subdivision of the land and removal of native vegetation at 18 Pratts Road Kinglake West. The land is within the Township Zone and is affected by the Bushfire Management Overlay.

Lot 1 of the proposed subdivision will have an area of 2048 square metres and will retain the existing dwelling on the site. Lot 2 is vacant and will have an area of 2007 square metres.

Consequential native vegetation loss is proposed due to the size of the lots being less than 4000 square metres. Lots under this size are exempt from the requirements of the Native Vegetation Framework pursuant to Clause 52.17-6 of the Murrindindi Planning Scheme. Building and Effluent envelopes are proposed to reduce the risk of this vegetation being removed. This is further enforced by a Tree Retention Plan which has been included in the recommendation for this report.

The application was advertised to adjoining landowners and four objections have been received. The objections raise issues in relation bushfire, amenity and the future development of the site.

The application has been referred to CFA and Goulburn Murray Water who have both consented to the proposal subject to conditions. Additionally, the application has been referred internally to Council's Engineering and Environmental Health units who have both consented to the proposal.

It is considered overall that the proposal is consistent with the Murrindindi Planning Scheme. The proposal provides for an additional lot in an area with limited development opportunity.

This report recommends that a notice of decision to grant a permit be issued for the two-lot subdivision of the land and removal of native vegetation at 18 Pratts Road Kinglake West.

RECOMMENDATION

That Council issue a Notice of Decision to grant a planning permit for Two-lot Subdivision and Removal of Native Vegetation at 18 Pratts Road, Kinglake West (Crown Allotment 25 Section B Township of Pheasant Creek Parish of Kinglake), subject to the following conditions:

Amended Plans

- 1. Prior to the certification of the plan of subdivision, the following plan(s) must be submitted to and approved by the Responsible Authority. Such plans must be generally in accordance with the plans submitted with the application but amended to include:**
 - a. Proposed Building Envelope on Lot 2 set back at least 10 metres from western boundary (Pratts Road)**
 - b. Amended Bushfire Management Plan in accordance with Condition 16 of this permit**
 - c. A Tree Retention Plan showing all native vegetation to be retained within the area of defendable space. The Tree Retention Plan must comply with the bushfire protection measures for defendable space, as specified in the Bushfire Management Plan.**

When approved these plans shall be endorsed and form part of this permit.

Endorsed Plans

- 2. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plans, must not be altered or modified without the written consent**

of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plans.

Subdivision Conditions

3. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
4. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time
 - b. the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time
 - c. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
5. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - d. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time
 - e. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
7. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Section 173 Agreement

8. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, a Section 173 Agreement shall be entered into at no cost to Council, which ensures the following:
 - a. Unless with the prior written consent of the Responsible Authority all buildings are to be located within the building envelopes in accordance with the endorsed plans.

- b. Unless with the prior written consent of the Responsible Authority, all wastewater must be treated in accordance with the recommendations outlined within the Land Capability Assessment prepared by Eco Vision Australia Reference Number 45E023 LCA SUB.
- c. Lot 1 may be developed by way of a single dwelling with no more than three bedrooms.
- d. Lot 2 may be developed by way of a single dwelling with no more than four bedrooms.
- e. Unless with the prior written consent of the Responsible Authority no trees identified in the Tree Retention Plan approved under Condition 1 of this permit are removed.
- f. CFA requirements in accordance with Condition 17 of this permit.

The Section 173 Agreement must be prepared by Council's Solicitors, to the satisfaction of the Responsible Authority and must be registered at the Office of Titles pursuant to Section 181 of the *Planning and Environment Act 1987*.

Council will undertake to have the Agreement prepared upon written notification from the applicant. All fees associated with the documentation must be fully paid prior to execution and registration of the document by Council.

Engineering Conditions

Plans

9. Prior to certification, a suitable prepared engineering plan detailing the proposed driveway, earthworks and drainage, must be submitted to the Responsible Authority and receive its endorsement.
10. Prior to the issue of a Statement of Compliance, the developer must construct the crossovers in accordance with approved construction drawings.

Crossovers

11. Prior to the issue of a Statement of Compliance, any new or otherwise sealed vehicular entrances to the Lot 1 from Pratts Road and to the Two-lot from Marks Road must be constructed/upgraded at applicant's expense to provide ingress and egress to the site at a location and of a size and standard satisfactory to the Responsible Authority. Refer to Council's Infrastructure Design Manual Section 12.9.1 – Semi Urban Vehicle Crossings and standard drawing SD 260.
12. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the Road Management Act 2004 and associated Regulations. by the permit holder.

Environmental Health

13. Prior to the issue of Statement of Compliance an approved operating system in accordance with the Land Capability Assessment prepared by Eco Vision Australia Reference Number 45E023 LCA SUB must be installed and fully operational for the existing dwelling on Lot 1 of the considered plans.
14. All wastewater must be contained on-site in accordance with Council and EPA requirements.
15. A permit to install a treatment system must be obtained from Council prior to the commencement of any works.

Native Vegetation

16. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.037 hectares of native vegetation, which is comprised of:

a. 1 Large Tree.

17. To offset the removal of 0.037 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017):

18. A general offset of 0.007 general habitat units:

19. located within the Goulburn Broken Catchment Management boundary or Murrindindi Shire Council municipal area;

a. with a minimum strategic biodiversity value score of at least 0.080.

20. Before any native vegetation is removed evidence that the offset required by this permit OR for each stage of the subdivision/project has been secured, must be provided to the satisfaction of Murrindindi Shire Council. This evidence must be one or both of the following:

- a. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or
- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

21. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

Notification of permit conditions

22. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

23. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- a. vehicular or pedestrian access;
- b. trenching or soil excavation;
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d. construction of entry and exit pits for underground services; or
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Country Fire Authority

Bushfire Management Plan Required

24. Prior to certification under the *Subdivision Act 1988*, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.

The plan must be generally in accordance with Bushfire Management Plan, prepared by Millar Merrigan, 18 Pratts Road, Kinglake West, Reference 29923_BMP1, dated June 2023 but amended so as to show the proposed building envelope on Lot 2 setback at least 10m from the western boundary.

Additional matters to be set out in the Section 173 agreement

25. In addition to the requirements of Clause 44.06-5 of the Scheme, the section 173 Agreement prepared in accordance with that clause must also:

- a. Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Scheme:

“A building or works consistent with an agreement under section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5”.

- b. Require that the defendable space shown on the endorsed Bushfire Management Plan must be implemented and maintained on an ongoing basis to the satisfaction of the Responsible Authority.

Goulburn Murray Water

26. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

27. A Plan of Subdivision must be provided for Certification showing building and effluent envelopes identified in accordance with Plan Reference 49923P2, Version 1, completed by Millar Merrigan, to the satisfaction of Council’s Environmental Health Department. The wastewater envelopes must contain a notation requiring wastewater to be treated to a secondary standard.

PERMIT EXPIRY

28. This permit will expire if one of the following circumstances applies:

- a. The plan of subdivision is not certified within two years of the date of the permit.
- b. The subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

The Land and Surrounds

The subject site comprises a single parcel with an approximate area of 4052 square metres. The site is regular in shape, encompassing an existing dwelling and an outbuilding (carport) located towards the southern portion of the site. Access into the site is via an existing crossover located to the west of the site, accessed off Pratts Road. The topography of the site is flat.

The site is a corner allotment with road frontage on to both Pratts Road and Marks Road.

The surrounding area is relatively similar in nature, mainly consisting of residential uses typically containing a dwelling with associated outbuildings.

The site is approximately 900m by road to the small mixed commercial area of Pheasant Creek which contains a number of businesses which vary in nature.

Cultural Heritage Management Plan

The site is not in an area of cultural sensitivity as defined by the *Aboriginal Heritage Regulations 2018*. Consequently, a Cultural Heritage Management Plan is not required.

Community and Stakeholder Consultation

Notice of the application was provided in accordance with the requirements of the *Planning and Environment Act 1987* as follows:

- Letters to all adjoining landowners
- Notice on site

Following the notice, a total of four (4) objections were received and the submissions can be summarised as follows:

- Loss of amenity.
- Lot sizes are too small for dwellings and wastewater.
- Lot sizes are inconsistent with the existing character.
- Existing fences in wrong location.
- Impact on native vegetation.
- Bushfire risk.

Responses to the above objections are discussed in greater detail later in this report.

Referrals

The application was referred to Goulburn Murray Water and the CFA.

Goulburn Murray Water have consented to the proposal subject to the following conditions:

1. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
2. A Plan of Subdivision must be provided for Certification showing building and effluent envelopes identified in accordance with Plan Reference 49923P2, Version 1, completed by Millar Merrigan, to the satisfaction of Council's Environmental Health Unit. The wastewater envelopes must contain a notation requiring wastewater to be treated to a secondary standard.

CFA have consented to the proposal subject to the following conditions:

1. Bushfire Management Plan Required

Prior to certification under the *Subdivision Act 1988*, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.

The plan must be generally in accordance with Bushfire Management Plan, prepared by Millar Merrigan, 18 Pratts Road, Kinglake West, Reference 29923_BMP1, dated June 2023 but amended so as to show the proposed building envelope on Lot 2 setback at least 10m from the western boundary.

2. Additional matters to be set out in the Section 173 agreement

In addition to the requirements of Clause 44.06-5 of the Scheme, the section 173 Agreement prepared in accordance with that clause must also:

- a. Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Scheme:

“A building or works consistent with an agreement under section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5”.

- b. Require that the defensible space shown on the endorsed Bushfire Management Plan must be implemented and maintained on an ongoing basis to the satisfaction of the Responsible.

Notice of the application was also given to DEECA due to the vegetation removal included in the proposal as well being the ‘owners’ of nearby crown land. The vegetation removal component of the application is not required to be referred under Section 55 of the Planning and Environment Act 1987. No response was received by DEECA.

The application has also been referred internally to the Development Engineering and Environmental Health departments who have both consented to the proposal subject to conditions which have been included in the recommendation.

Discussion - Planning Considerations

Planning Policy

The proposal has been assessed against state, regional and municipal Planning Policy Framework (PPF) contained in the *Murrindindi Planning Scheme*. Overall, it is considered to be [inconsistent/consistent] with the objectives and strategies of this framework as is discussed below.

Clause 02.02 – Vision The planning scheme outlines the overall vision for the municipality. This includes but not limited to:

- Council seeks to enhance the liveability, amenity and quality of life in the municipality.
- Council will facilitate sustainable population growth and economic growth.
- Residential growth will be provided in established townships and settlements with existing communities and infrastructure, where natural environment is protected and a high level of community safety is achieved.

Clause 02.03 – Strategic Directions Council supports the following strategies when making a determination of the planning permit application:

- Supporting each township as the focus of residential, commercial, community and service hub for its surrounding area.
- Concentrating development in locations free from environmental constraints, where environmental values are protected and the level of community safety is improved.
- Support the function and residential growth of smaller townships and settlements.
- Promoting and facilitate further residential development and housing diversity in established townships to meet the needs of the community, including affordable housing, public housing and aged care accommodation.
- Supporting residential growth that is sustainable.

Clause 11.01-1S – Settlement

Objective:

- To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.02-1S – Supply of Urban Land

Objective:

- To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 13.02-1S – Bushfire Planning

Objective:

- To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 13.02-1L Bushfire Planning

Strategies

Support:

- The rebuilding of communities, destroyed homes and damaged infrastructure affected by the 2009 bushfires
- The re-establishment of commercial centres affected by the 2009 bushfires in a way that mitigates bushfire risk.

Clause 14.02-2S Water Quality

Objective:

- To protect water quality.

Clause 15.01-3S – Subdivision Design

Objective

- To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-5S – Neighbourhood Character

Objective:

- To recognise, support and protect neighbourhood character, cultural identity and sense of place.

Clause 16.01-1S – Housing Supply

Objective

- To facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-2L - Residential development in non-serviced towns

Objective:

- To manage the residential growth of smaller townships and settlements.

Strategies:

- Support new and expanded residential and rural living development in smaller townships and settlements.
- Encourage residential and rural living development that protects areas of environmental value and avoids areas of environmental hazard, particularly bushfire.
- Enforce clear settlement boundaries that take into consideration local character, bushfire risk, and the impacts on other land uses, particularly agriculture.
- Facilitate the restructuring of old and inappropriate subdivisions.
- Support the residential redevelopment of settlements within the Kinglake Ranges, while having regard to environmental values and constraints of the area.

Clause 18 – Transport

Objective:

- To ensure a safe, integrated and sustainable transport system.

Clause 19 – Infrastructure

Objective:

- To ensure planning to facilitate efficient use of existing infrastructure and human services.
- Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure.

Clause 19.03-3S – Integrated water management

Objective:

- To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

The Murrindindi Planning Scheme encourages residential growth to be provided in established townships and settlements with existing communities and infrastructure. Clause 11.02-1S seeks to provide long term land supply to accommodate the projected increase in population. The proposed subdivision will contribute to the land supply required that could accommodate potential residential development. The sites location within the existing Township Zone supports the growth and development of Kinglake West/Pheasant Creek within the existing settlement boundary. This protects the broader environment by providing additional housing where it is supported reducing demand on other, less appropriate areas. The site is capable of containing wastewater, as outlined in the Land Capability Assessment which has been assessed having regard to the Murrindindi Shire Domestic Wastewater Management Plan (August 2020). This also provides an upgraded system for the existing dwelling on the site. The capacity of a site to manage wastewater is calculated on the number of bedrooms contained within the dwelling. The LCA recommends a restriction of 3 bedrooms for the existing dwelling on Lot 1 and a restriction on any future dwelling on Lot 2 to contain no more than 4 bedrooms. This recommendation has been supported by Council's Environmental Health unit and is included in the recommendation to be enforced by way of Section 173 Agreement.

The proposed subdivision will also allow better usage of the site, minimising under-utilised land. Given the context of the existing environment consisting of mostly residential development, both Lots 1 and 2 will most likely be used for residential purpose (Clause 15.01-5S), which is consistent with the pattern and rhythm of the surrounding development. The proposed lot sizes are also designed to have the internal boundaries that will accommodate sufficient setbacks between future buildings on each lot. This ensures the amenity of the adjoining properties are not compromised. The proposed subdivision will therefore respect the existing neighbourhood character, while being consistent with the purpose of the zone by encouraging residential development of the area.

The proposed subdivision will be consistent with Clause 19 as conditions on permit are proposed to ensure relevant infrastructures and utilities will be provided to each lot to the satisfaction of the Responsible Authority.

Township Zone

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.

- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The proposal would assist in diversifying housing stock within Kinglake West/Pheasant Creek (and Murrindindi Shire more broadly) through the creation of smaller residential blocks with the capacity for services.

The Township Zone requires that any subdivision must meet the requirements of Clause 56 (ResCode) as discussed below. The proposal is consistent with the neighbourhood character in terms of residential use.

The schedule to the Township Zone does not contain specific neighbourhood character objectives to be achieved for the area.

Bushfire Management Overlay

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The subdivision is considered consistent with applicable planning policy as discussed above. It is considered that appropriate bushfire mitigation measures have been implemented which reduce bushfire risk to an acceptable level.

The proposal provides for an additional residential allotment within the existing settlement area and in close proximity to the neighbourhood safer place and is consistent with bushfire policy.

The application was accompanied by a Bushfire Management Statement. The application was referred to and received conditional consent from the Country Fire Authority.

The officer recommendation includes the conditions provided by the CFA including the endorsement of the Bushfire Management Plan.

Clause 52.17 - Native Vegetation

Purpose:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 - Avoid the removal, destruction or lopping of native vegetation.
 - Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 - Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

The proposal creates new lots less than 4,000m² in area and as such, the permit applicant is required to consider loss of native vegetation at the subdivision stage. This is supported by the Victorian Civil and Administrative Tribunal decision of Villawood Properties v Greater Bendigo CC (Red Dot) [2005] VCAT 2703 (20 December 2005).

In accordance with the requirements of Clause 52.17-2 of the Scheme, the permit applicant has provided an assessment of the native vegetation to be removed, meeting the requirements of the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017). This is provided through the provision of an 'NVIM Assessment' (Native Vegetation Information Management), utilising the NVIM tool provided by the State Government.

This assessment demonstrates that the proposed vegetation removal would result in the removal of a total area of

Clause 52.03 - Bushfire Planning

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

The subdivision objectives at Clause 52.47-2.4 refer to providing lots that are capable of being developed in accordance with the objectives of Clause 52.47, and to specifying at subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes. The related Approved and Alternative Measures AM 5.2 requires an application to subdivide land for residential purposes to be accompanied by a plan that shows building envelopes, defensible space, vegetation management requirements, water supply and vehicle access.

The application included a Bushfire Management Statement and Plan that showed both approved and alternative measures to be implemented.

The provided Bushfire Management Statement and Bushfire Management Plan were referred to the Country Fire Authority who confirm the plans were to their satisfaction.

Clause 56 – Residential Subdivision

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.
- To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

An assessment of the proposal against the relevant provisions of Clause 56 is detailed below:

Clause 56.03 – Liveable and Sustainable Communities		
Objective	Complies	Council Comment
Neighbourhood character objective: <ul style="list-style-type: none"> ● To design subdivisions that respond to neighbourhood character. 56.03-05 Standard C6	Yes	The proposed lots are smaller than the immediate area, however the proposal still supports residential development at a rate of one dwelling per lot.

Clause 56.04 – Lot Design		
Objective	Complies	Council Comment
Lot diversity and distribution objectives: <ul style="list-style-type: none"> ● To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. ● To provide higher housing densities within walking distance of activity centres. ● To achieve increased housing densities in designated growth areas. ● To provide a range of lot sizes to suit a variety of dwelling and household types. 56.04-01 Standard C7	Yes	Both lots can be developed with a single dwelling.
Lot area and building envelopes objective: <ul style="list-style-type: none"> ● To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features. 56.04-02 Standard C8	Yes	Both lots can be developed with a single dwelling as per the standard.
Solar orientation of lots objective: <ul style="list-style-type: none"> ● To provide good solar orientation of lots and solar access for future dwellings. 56.04-03 Standard C9	Yes	While development plans have not been prepared for the vacant lot, the building envelope is of an appropriate size and layout to ensure good solar orientation can be achieved.
Common areas objectives: <ul style="list-style-type: none"> ● To identify common areas and the purpose for which the area is commonly held. 	Not applicable	No Common Areas proposed.

Clause 56.04 – Lot Design		
Objective	Complies	Council Comment
<ul style="list-style-type: none"> To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network. 56.04-05 Standard C11		

Clause 56.06 – Access and Mobility Management		
Objective	Complies	Council Comment
Lot access objective: <ul style="list-style-type: none"> To provide for safe vehicle access between roads and lots. 56.06-08 Standard C21	Yes	Both lots contain ample road frontage to facilitate vehicular access. The application has been referred to Council's Development Engineer who have consented to the proposal subject to conditions.

Clause 56.07 – Integrated Water Management		
Objective	Complies	Council Comment
Drinking water supply objectives: <ul style="list-style-type: none"> To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water. 56.07-01 Standard C22	Yes	No reticulated water is available to the site. A domestic supply will be made available on site.
Reused and recycled water objective: <ul style="list-style-type: none"> To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water. 56.07-02 Standard C23	Yes	The recycling of water on site can be accommodated in line with EPA guidelines.
Wastewater management objective: <ul style="list-style-type: none"> To provide a wastewater system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner. 56.07-03 Standard C24	Yes	No reticulated sewerage is available to the site. Wastewater must be managed through an onsite system. The applicant has provided a Land Capability Assessment which has been reviewed by Goulburn Murray Water and Council's Environmental Health Unit who have both consented to the proposal.
Urban run-off management objectives <ul style="list-style-type: none"> To minimize damage to properties and inconvenience to residents from urban run-off. To ensure that the street operates adequately during major storm events and provides for public safety. To minimize increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off. 56.07-04 Standard C25	Yes	Murrindindi Asset Department provided conditions regarding drainage and stormwater.

Clause 56.08 – Site Management		
Objective	Complies	Council Comment
Site management objectives: <ul style="list-style-type: none"> To protect drainage infrastructure and receiving water from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable. 56.08-01 Standard C26	Yes	Murrindindi Asset Department provided Conditions regarding site management and construction plans.

Clause 56.09 – Utilities		
Electricity, telecommunications and gas objectives: <ul style="list-style-type: none"> To provide public utilities to each lot in a timely, efficient and cost effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources. 56.09-02 Standard C28	Yes	Officers are satisfied that available reticulated services can be provided to both lots.
Objective	Applicant Comment	Council Comment
Shared trenching objectives <ul style="list-style-type: none"> To maximize the opportunities for shared trenching. To minimize constraints on landscaping within street reserves. 56.09-01 Standard C27	Yes	Shared trenching of services will be utilised where possible.

Discussion - Submissions

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

- Lot sizes are too small for dwellings, wastewater and amenity

When considering an application for subdivision of residential land, a key consideration of any proposal is how the land will be able to be developed for residential purposes which includes the provision of services.

Where a particular service is not available through a reticulated supply, consideration must be given to ability for on site management or supply.

As part of the assessment of this application, a Land Capability Assessment has been provided in accordance with the Murrindindi Shire Domestic Wastewater Management Plan and EPA requirements. This includes an assessment of how an additional dwelling can be accommodated as well as the existing dwelling located on the site.

The LCA recommends a full replacement of the existing system on site to provide for a secondary treatment system as well as a secondary treatment system on the proposed vacant lot to accommodate a maximum number of bedrooms. The LCA will be enforced through a Section 173 Agreement.

- Lot sizes are inconsistent with the existing character

Lot sizes throughout the area of Kinglake West/Pheasant Creek within the Township Zone are generally around 4000 square metres. There is a small number of lots smaller than this with some pre-existing and others being the result of further subdivision (in the last 20 years).

The subject site is a corner allotment which benefits from dual frontage where both frontages are constructed allowing for subdivision without relying on a battleaxe layouts or common property.

It is acknowledged that the proposed lots are smaller than the surrounding area. While this is recognised, it is not considered that this individual application changes the character of the area more broadly, nor that the approval of this application will set a precedent for further subdivision in the area.

- Existing fences in wrong location

The layout of the subdivision is based on location of the property boundaries, not the location of existing fences.

Officers recognise that for this particular property, existing fencing has encroached into the road reserve. As a condition of any permit issued, it is recommended that boundary fencing along the road reserve be removed and reinstated to the satisfaction of the responsible authority.

- Impact on native vegetation

The vegetation removal included in this application is consequential. The vegetation is intended to be retained however will become exempt from planning permit requirements upon completion of the subdivision, should a permit issue. Officers recognise the current vegetation contributes to the overall character of the area. It is recommended that should a permit issue, a tree protection plan be enforced through a section 173 agreement to ensure the existing character is retained. The trees to be retained include significant vegetation which can be retained on site without impacting on the ability to develop the site for a single dwelling into the future.

- Bushfire risk

Applications for the development of land in the Bushfire Management Overlay are exempt from public notice and review rights under the provisions of the Planning and Environment Act 1987. This exemption is located at Clause 44.06-7 of the Murrindindi Planning Scheme:

Clifftop at Hepburn Pty Ltd v Hepburn SC [2023] VCAT 201 (1 March 2023) paragraphs 161, 162 and 163 state:

- *The presence of the exemption in the BMO suggests that the drafters of the Scheme determined that for that particular planning permission, the decision-maker would not be assisted by hearing from third parties or that it was not appropriate that third parties be involved in that particular decision. Further, the required referral to the CFA suggests that the drafters of the Scheme determined that for that particular planning permission, the decision-maker would be assisted by hearing from the CFA,^[28] no doubt because of the extent of knowledge and expertise required for the making of that decision.*
- *The exemption then precludes a section 82 review of a decision on that permit application. This aligns with section 63 of the Act and its direction for a permit – and not an NOD – to issue where the responsible authority has decided in favour of an application and there are no persons entitled to object to the permit application.*

- *So, if a responsible authority, having obtained the views of the CFA, considers that the acceptable planning outcome is to grant the planning permission sought under the BMO,^[29] the planning permission will issue and no third parties are involved in this decision being made.*

While the application as a whole is not exempt from public notice, bushfire matters considered as part of the application are exempt from and cannot be considered as part of the objections received to this application.

Conclusion

It is considered that the proposed Two-lot subdivision is appropriate. On the balance it is considered that the proposal will provide for an additional residential lot and is consistent with the provisions of the Murrindindi Planning Scheme.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

Relevant Legislation

The proposal is being considered under the provisions of the *Murrindindi Planning Scheme* and the *Planning and Environment Act 1987*.

Financial Implications and Risk

There are no financials implications or risks associated with the consideration of this application for planning permit.

Conflict of Interest

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

4.2 U.T. Creek / Leckie Park Precinct - Consultation Results

Attachment(s)	Attachment 1 - Community Engagement Outcomes - UT Creek Leckie Park Precinct [4.2.1 - 19 pages]
Presenter	A Paxton, Director Community & Development
Approved by	Director Community & Development
Purpose	For noting

Executive Summary

This report provides Council with the results of community consultation about the future direction of the U.T. Creek / Leckie Park precinct following a resolution from Council, after community petitions about Leckie Park and a trial wetland. Consultation occurred in late 2023 with considerable community interest. 70 online surveys were completed, and 11 social map pins were submitted, along with quantitative data, 212 individual comments were submitted. Feedback received has been collated and analysed for consideration by Council.

RECOMMENDATION

That Council note the report and outcomes from the consultation on the future direction of Leckie Park and future renewal works will be undertaken through existing programs.

Background

During 2023, Council received two petitions in relation to the U.T. Creek / Leckie Park precinct and the trial wetland which had been implemented at that time. One petition was against the trial wetland and the second was in favour of the trial continuing. In response to the petitions, at the Special Council meeting on 3 May 2023 Council made the following resolution:

That, in recognition of the diverse views that have been expressed, Council:

- a. Retain the current wetlands site until 30 June 2023.*
- b. In the period prior to 30 November 2023, Council survey the wider Alexandra community to determine the preference for changes to the Leckie Park and U.T. Creek precinct.*

Community consultation was subsequently undertaken from 11 November 2023 to 10 December 2023.

Discussion

The community was engaged via The Loop platform (Councils online digital engagement platform) with the primary mechanisms through a survey and a social pin map. The consultation was promoted through print media, social media, UGFM, neighbour notification and through two pop-up information stalls (Grant Street and Leckie Park). The consultation sought to receive quantitative data to determine usage type and values people place on the precinct and qualitative data to understand what people think is positive or negative and what opportunities could be considered.

Community feedback included:

- 70 community surveys completed
- 11 submissions on the Social Pinpoint map feature
- Community meeting/drop-in sessions with reach of up to 100 people and detailed conversations with an estimated 30 people.

The community feedback has been analysed and is presented in the attached Engagement Outcomes Report.

Quantitative Summary

- Over 70% of respondents were female.
- Over 70% of respondents were between 35 and 69 years of age.
- Around 90% of respondents are regular users of the park (either several times per month or most days in a week).
- Respondents visit the park most often with family, children, pets or alone.
- Nearly 80% of respondents will walk to the park while others will cycle or drive and some will do more than one option.
- The type of usage that respondents reported varied from walking/cycling for fun or exercise, relaxing or enjoying nature, visiting the playground, catching up with friends or as a route to other destinations (e.g. shops, school, work).
- Nature was the most loved aspect of the precinct, with the creek and open space also highly valued followed by the shared trails, playground and significant trees.

- 87% of respondents rated biodiversity as important in the precinct (6% rated as not important, 7% rated as other)
- Rating the precinct overall, 16% of respondents were dissatisfied (either dissatisfied or very dissatisfied) and 66% were satisfied (either satisfied or very satisfied).
- Safety rated the highest (74%) for satisfaction levels
- Amenities (seating, pathways, equipment etc) rated the lowest (45%) for satisfaction levels

Qualitative Summary

212 comments/suggestions were made. The detail of the comments and suggestions is in the Engagement Outcomes Report, the following table is extracted from the report and summarises the feedback and presents recommended actions for Council to consider.

Category	# of comments	Summary of comments	Response to comments
Environment	45	Many comments sought to improve the environmental values in the precinct. There was a strong focus on enhancing the creek and banks and increasing the biodiversity in the precinct, particularly the use of native vegetation especially low and mid-level plantings around the existing mature trees. The wetland swale was supported by some respondents, while the majority were more broadly interested in improved environmental outcomes.	There are opportunities for Council to partner with community organisations and the community to enhance environmental outcomes within the park through planting days etc.
Playground	33	There were many comments that the playground in Leckie Park was insufficient and that it would benefit from shade. There is also a lack of seating areas, BBQ and toilets.	The playground at Leckie Park is identified as a Local playground in the Recreation and Open Space Strategy and plays a complimentary role to the larger playground at Rotary Park. When this playground is due for renewal (5+ years) it should be designed to complement Rotary Park and target younger children. It should also be developed with additional seating if auditing supports. The playground area can also benefit from improved shade from any program to improve environmental outcomes.
Pathways	24	There were many comments about the accessibility of the pathways throughout the park and the diverse range of surfaces.	It is proposed that all pathways within the park should be accessible and that any defects are rectified according to their level of risk. Accessibility should be considered a priority when assets are being renewed.
Dogs	23	There were many comments around the need for an off-leash dog area within the precinct. There were also many comments about the need to adequately	It is proposed to investigate the opportunity for an off-leash dog park within the precinct. The most favoured location based on this community consultation would be

Category	# of comments	Summary of comments	Response to comments
		manage dogs within the park, particularly dogs off leash and the management of dog waste.	the de-commissioned grass tennis courts, further analysis of this option recommended. The management of dogs within public spaces and the need for signage and education is to be considered with Council's Public Safety team in accordance with the Domestic Animal Management Plan.
Park Furniture / Signage	22	There were many comments about the need for additional bins, seats and picnic tables.	An audit of the precinct and the location of park furniture is to be undertaken to determine appropriate service levels and whether additional park furniture is required.
Cars / Traffic / Parking / Safety	16	The uninhibited vehicle access to the majority of the parkland was a common issue. This presents risks for users of the precinct and also impacts on assets within the precinct.	A risk assessment should be completed to determine the levels of risk associated with vehicles having access to the park. This will help determine whether barriers are required.
Management	16	There were many comments about mowing (often linked to desire for improved environmental outcomes). There were also comments about the desire to not use herbicides within the precinct.	Discussions to be held with operations staff about operational practices within the precinct.
Using unused assets	10	Many people sought to make use of existing assets such as the de-commissioned tennis courts and the unused concrete pad.	These assets are likely to be impacted by other proposals (e.g. off-leash dog park). The future use of assets should be considered in an asset management plan for community and recreation assets.
Other	23	Various comments.	Nothing to consider.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Resilient Communities* strategy to “provide and promote safe, passive and active recreational opportunities that will enhance the health, and wellbeing of residents and visitors”.

Relevant Legislation

Local Government Act 2020.

Financial Implications and Risk

The identified initiatives and projects stemming from this consultation can largely be included within existing renewal programs representing a low financial risk.

It is noted that the precinct is also the subject of a flood study which may identify risks from overland flooding associated with future development. This will likely require future investment to improve drainage within the catchment.

The opportunities identified through this consultation and report should also be noted when considering investment requirements stemming from the flood study.

Conflict of Interest

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

4.3 Amendment C77 - Eildon Reserves

Attachment(s)	Attachment 1 - 10 Eighth Street Eildon - Draft Planning Permit for Exhibition [4.3.2 - 6 pages] Attachment 2 - Amendment - C 77 - Eildon Reserves - Draft Explanatory Report [4.3.3 - 16 pages] Attachment 3 - Draft Amendment - C 77 - Eildon Reserves - Draft Instruction Sheet [4.3.4 - 1 page] Attachment 4 - Draft Amendment - C 77 - Eildon Reserves - Draft Schedule Clause 52.02 [4.3.5 - 1 page]
Presenter	A Paxton, Director Community & Development
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

This report seeks approval from Council to request authorisation from the Minister for Planning to prepare and Exhibit Amendment C77muri.

The amendment is a combined amendment and planning permit under section 96A of the *Planning and Environment Act 1987*. The amendment proposes to rezone land at 10 Eighth Street, Eildon from Public Park and Recreation Zone to General Residential Zone, amend the schedule to Clause 52.02, to allow for the removal of restrictive covenants on title at 10 Eighth Street, Eildon, 11 Seventh Street, Eildon and 18 Twenty First Street, Eildon and include 11 Seventh Street, Eildon to allow for the designation as a Reserve status to be removed.

The draft planning permit includes the land at 10 Eighth Street and 11 Seventh Street, Eildon to allow for a six (6) lot subdivision.

Prior to exhibiting the Planning Scheme Amendment, authorisation must be sought from the Minister for Planning to prepare and exhibit the Amendment.

RECOMMENDATION

That Council:

1. **Authorise delegated officers to seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Murrindindi Planning Scheme as outlined in this report, including:**
 - a. **Amend Planning Scheme Map No. 15 to rezone to General Residential Zone.**
 - b. **In the Particular Provisions – Clause 52.02, replace the Schedule with new Schedule to allow for the removal of restrictive covenants at 10 Eighth Street, Lot 1 and Lot 2 at 18 Twenty First Street and the removal of the status of a**

- reservation at 11 Seventh Street, Eildon.
- c. Prepare a DRAFT Planning Permit to allow for a 6-lot subdivision at 10 Eighth Street, Eildon and 11 Seventh Street, Eildon.
2. Upon receiving authorisation from the Minister for Planning, exhibit the amendment in accordance with Section 19 of the *Planning and Environment Act 1987*.
 3. Notes that a further report will be presented to Council upon completion of the public exhibition period of the future amendment.

Background

Amendment C77muri, is being undertaken to assist with previous work for the Eildon Reserves Redevelopment, including the installation of a Regional Splash Park.

Consideration of underutilised land owned by Council, was given as part of the redevelopment process and identified land at 10 Eighth Street, 11 Seventh Street and 18 Twenty First Street, Eildon as land which was underutilised.

A proposal was endorsed at the Council Meeting on 14 December 2022 for officers to undertake a deliberative engagement process in Eildon supported by external consultants.

Capire Consulting Group was appointed to facilitate a deliberative engagement program. The program and process was designed and facilitated by specialist consultants who could independently provide a forum for the community to understand the project and proposed land sales of 10 Eighth Street, 11 Seventh Street and 18 Twenty First Street, Eildon.

A deliberative panel (the Panel) was formed, and comprised of community members who debated a way forward and made a recommendation to Council as to whether the land sales should proceed. A total of 30 community members, made up of a broad cross section of the community expressed their interest and were invited independently by Capire to become Panel members. A total of 25 community members accepted the invitation, becoming the Panel for a series of three workshops. Council officers sought an 80% majority vote from the Panel for a recommendation to Council to proceed.

The sale of land was identified to assist with funding to enable the full completion of the proposed redevelopment of land located at Thomas Marr Reserve in Eildon.

The process to enable the land identified to be development ready, requires a Planning Scheme Amendment to re zone 10 Eighth Street, Eildon from Public Park and Recreation Zone to General Residential Zone and removal of a restrictive covenant. The land at 11 Seventh Street, Eildon immediately adjoins 10 Eighth Street and is zoned General Residential, however requires the status of a "Reservation" to be removed. Land identified at 18 Twenty First Street Eildon being Lot 1 and Lot 2 are zoned General Residential, however require the restrictive covenant to be removed.

The recommendation to Council at the March 2023, Council meeting was as follows:
That Council:

1. note the Deliberative Panel Summary report
2. note the panel recommendation to "Proceed with the sale of land to support project delivery within the current scope, as per proposed timelines. This will include considerations for new use opportunities for the land parcels if sold"
3. request that officers initiate of the necessary steps to prepare 18 Twenty First Street, 10 Eighth Street and 11 Seventh Street, Eildon, for sale

4. request that a report be presented to Council prior to formally commencing the sale process under section 114 of the Local Government Act 2020 for the above blocks of land.
 The above recommendation was carried.

Discussion

The amendment applies to land at 10 Eighth Street, Eildon (Lot 25 on PS041436), 11 Seventh Street, Eildon (Reserve No.1 on PS506009M) and 18 Twenty First Street, Eildon (Lot 1 and Lot 2 on LP129633).

Address and legal description	Ownership	Parcel size	Zone	Restriction	Proposal
10 Eighth Street, Eildon. Lot 25, section C Plan of Subdivision 41436 Volume 10696 Folio 510	Murrindindi Shire Council	2,784 sqm	Public Park and Recreation Zone	Covenant (A610387) lodged by the State Rivers and Water Supply Commission on 17 September 1958. This Covenant details that the land will 'not be used for any other purpose than an infant welfare centre, municipal library and children's playground.'	Rezone to General Residential Zone Remove restrictive covenant
11 Seventh Street, Eildon. Reserve No 1 Plan of Subdivision 506009 Volume 10696 Folio 509	Murrindindi Shire Council	1,315 sqm	General Residential Zone	Reserve on Plan of Subdivision.	Remove Reserve status
18 Twenty First Street, Eildon. Lot 1 Plan of Subdivision 129633 Volume 9403 Folio 290	Murrindindi Shire Council	838 sqm	General Residential Zone	Covenant H463383. Dated 28 March 1979, the Covenant was lodged on the title by the Housing Commission of Victoria. It sets out that the land will not be used 'for any purpose other than as a public reserve for recreation purposes and playground.'	Remove restrictive covenant
18 Twenty First Street, Eildon. Lot 2 Plan of Subdivision 129633 Volume 9403 Folio 291	Murrindindi Shire Council	1,016 sqm	General Residential Zone	Covenant H463383. Dated 28 March 1979, the Covenant was lodged on the title by the Housing Commission of Victoria. It sets out that the land will not be used 'for any purpose other than as a public reserve for recreation purposes and playground.'	Remove restrictive covenant

The amendment is a combined planning permit and planning scheme amendment under section 96A of the *Planning and Environment Act 1987* (the Act).

The planning permit applies to 10 Eighth Street, Eildon (Lot 25 on PS041436) and 11 Seventh Street, Eildon (Reserve No.1 on PS506009M)



Figure 1 - 10 Eighth Street and 11 Seventh Street, Eildon



Figure 2 – Lot 1 and Lot 2 - 18 Twenty First Street, Eildon

The amendment rezones 10 Eighth Street, Eildon (Lot 25 on PS041436) from Public Park and Recreation Zone to General Residential Zone (Schedule 1) (GRZ1).

The amendment will introduce changes to the Schedule of Clause 52.02 to allow for the removal of the reserve status 11 Seventh Street, Eildon formally known as Reserve No.1 on PS506009M.

The changes introduced to the Schedule to Clause 52.02 will remove the restrictive covenant on title to allow the whole of the land known at 10 Eighth Street, Eildon and 11 Seventh Street, Eildon, to be used for residential purposes. The schedule will introduce the land at 18 Twenty First Street, Eildon (Lot 1 and Lot 2 on LP129633) to allow the removal of the restrictive covenant for the whole of the land.

Through the Exhibition process all beneficiaries of the covenant will be notified of the proposed amendment and will have an opportunity to make a submission to the Amendment which includes the removal of the restrictive covenant.

The amendment will allow for residential development on these sites, with community open space to remain adjacent to 18 Twenty First Street, Eildon and community open space will be allocated at 39 High Street and Main Street, Eildon by providing improved and upgraded infrastructure replacing the existing open space at 10 Eighth Street, Eildon.

The draft planning permit seeks approval for:

A six (6) lot subdivision at 10 Eighth Street, Eildon and 11 Seventh Street, Eildon

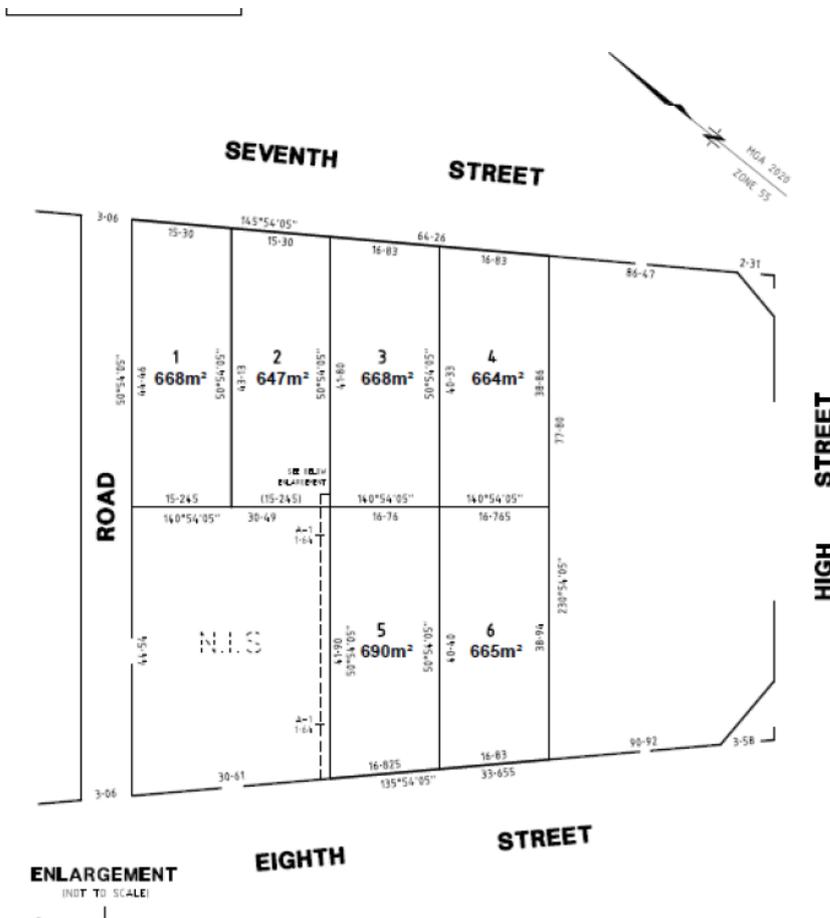


Figure 3 – Proposed plan of subdivision

The amendment is required to enable the land to be developed to provide for housing within the township of Eildon.

The amendment makes site specific changes to zones and restrictions that will align with the use of the land for residential purposes and enable orderly development to occur at underutilised sites for the provision of housing. This includes the development of land for residential uses at 10 Eighth Street, 11 Seventh Street and 18 Twenty First Street, Eildon.

Should Council sell the land at 10 Eighth Street, 11 Seventh Street and 18 Twenty First Street, Eildon, the funds will be utilised to enhance the development of the existing public open space within proximity to the subject sites in accordance with Council's Public Open Space policy.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

This report also supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objectives to:

- “evaluate and pursue new commercial opportunities”.
- “maintain transparent, inclusive and accountable governance practices”.

Housing and Settlement Strategy (H&SS)

The H&SS identified that existing housing stock within the municipality would be taken up by 2026. The amendment makes use of council owned land which can provide for housing within a serviced township and contribute to the supply of housing, in particular, for key workers within a township which is a high tourist destination and struggles to provide housing for workers.

Relevant Legislation

Planning & Environment Act 1987.

Financial Implications and Risk

Should Authorisation be given from the Minister for Planning to commence Amendment C77muri, financial consideration will need to be given to engage Planning Panels Victoria to resolve any submissions which cannot be resolved.

The costs associated with the planning scheme amendment will be recovered through the sale of the land.

Conflict of Interest

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

Community and Stakeholder Consultation

Extensive community consultation was undertaken as part of the Eildon Reserves development deliberative engagement process, which informed Councils' resolution. as part of the Exhibition process, notice of the Amendment is required to be given for a period of one month.

It should be noted that all beneficiaries to the covenant for 10 Eighth Street, Eildon will be notified of the Amendment during the Exhibition period.

4.4 Amendment C71 - Toolangi Forest Discovery Centre

Attachment(s)	Nil
Presenter	A Paxton, Director Community & Development
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

This report is presented to Council following a decision at the 28 February 2024 Scheduled Meeting of Council to defer the matter and to consider Planning Scheme Amendment C71, Toolangi Forest Discovery Centre at the 27 March 2024 Scheduled Meeting of Council. Council resolved to:

1. Defer consideration of the Murrindindi Planning Scheme Amendment C71 to the Murrindindi Planning Scheme to the Council Meeting of 27 March 2024
2. Write to the Minister for Environment to have DEECA fund the cost of a Planning Panel and to have the Minister for Planning consider the Amendment.

It is timely and appropriate now that Council, having written to the Minister for Environment making a formal request to fund the planning panel, and not having had a response, consider the recommendation from officers.

The State Government is currently undertaking, through the Eminent Panel for Community Engagement, a review of the Central Ranges Forests. The future uses of the Toolangi Forest Discovery Centre could be considered through this process.

RECOMMENDATION

That Council:

1. **write to the Minister for Planning seeking an intervention in the amendment to address the objections**
2. **provide the amendment as a submission to the Eminent Panel for Community Engagement for their deliberation and advice to the Minister for Planning, on future uses of Crown and State Forests**
3. **write to Planning Panels Victoria to seek to defer the panel**
4. **note that the amendment will lapse if not resolved by 19 November 2025.**

Background

Council in April 2021, resolved to request the Minister of Planning to authorise Murrindindi Shire Council to prepare and exhibit Amendment C71 to Murrindindi Planning Scheme.

At the conclusion of the exhibition period, a total of eight (8) public submissions were received. Two (2) submissions in their current format object to the rezoning based on various matters raised, a summary of the current position of the submissions can be found in the consultation section of this report.

Amendment C71 was initiated by members of the community through the Department of Energy Environment and Climate Action, DEECA (previously known as DELWP, Department

Environment Land Water and Planning) as the landowner. The Amendment sought to facilitate an expanded range of uses at the Toolangi Forest Discovery Centre (TFDC), located at 1683 Healesville-Kinglake Road, Toolangi.

The Amendment proposed to rezone the land from the Public Park and Conversation Zone (PPCZ) to the Public Park and Recreation Zone (PPRZ).

By changing the zone, it would allow a schedule to be included in the Murrindindi Planning Scheme to Clause 36.02, Public Park and Recreation Zone to include a new incorporated document titled "Toolangi Forest Discovery Centre, 2023".

The Amendment included an Incorporated Document to be listed within Clause 74.02 of the Murrindindi Planning Scheme to enable greater use by the community.

Due to the submissions received not being able to be resolved, consideration of whether to proceed to Planning Panels Victoria has been given by DEECA and due to budget constraints, DEECA is not in a position to support this amendment proceeding to Panels Victoria.

As the Amendment is proponent-led and not an amendment of Council, these costs are borne by the proponent.

The TFDC is located on Crown land and comprises of approximately 13 hectares in area. The TFDC is in public ownership and until recently has been under community management. Under the Victoria Planning Provisions, a committee of management and a lessee are not considered a public land manager.

Existing development on the land includes the TFDC building containing a café, gift shop, theatrette, outdoor deck, office, storage room and toilet facilities. An adjacent building known as "The Discovery Tree" which forms part of the discovery centre site, contains a square exhibition room, an office space/classroom space, equipment/helmet room and toilet facilities. There are an associated carpark, an existing sculpture and walking trails and picnic facilities. The land is located adjacent to the CFA (Country Fire Authority) fire station and the Department of Energy, Environment and Climate Action depot.



The amendment sought to:

- Reflect the long-term land use purposes for the TFDC, making better use of an existing facility.
- Widen the range of potential land uses for the TFDC.
- Allow uses to be undertaken by a committee of management (CoM) where the CoM is not a public land manager and is not associated with a public land use or any use is not conducted by or on behalf of a public land manager.

The widened range of land uses was to be facilitated through the introduction of an incorporated document that facilitates the following purposes for the TFDC:

- Ensure the TFDC is a viable and a vibrant community-based enterprise, providing a wide range of community-based activities.
- Provide for an expansion of uses on the land, including a range of recreational, educational, environmental, tourism, cultural and community uses.
- Provide opportunity for both public and private uses in accordance with land manager directions.

The land contains the TFDC buildings and sculpture trail in a modified setting which promotes tourism. Rezoning the land to Public Park and Recreation Zone best reflects the intended long-term use of the building and the land.

The rezoning of the land will provide a CoM or a future lessee certainty to enact its business plan, to ensure that the facility is managed and maintained in good order, for use by the community and the wider public.

The planning scheme amendment as proposed would allow the CoM or a future lessee to use the land without the need to obtain a Planning Permit, reducing the financial costs and provide certainty for the committee or lessee to undertake the activities as contained within the incorporated document. This also reduces the administrative burden, as approval would be required via the public land manager (DEECA) including consideration of potential leasing arrangements. A planning permit would still be required for buildings and works to ensure that considerations such as bushfire, car parking, siting and design can be assessed.

The enhanced usage of the TFDC would complement the existing recreational and environmental assets on the land.

Discussion

Planning Scheme Amendment C71 was prepared and exhibited at the request of DEECA to progress the use and activation of the TFDC.

Submissions which have not been able to be resolved need to be considered and determined if the Amendment proceeds to have the submissions heard before Planning Panels Victoria or the Amendment is to be abandoned.

The Amendment is known as a “Proponent led Amendment” and as such, any costs to proceed to Planning Panels Victoria are paid for by the proponent, in this instance DEECA.

Consultation with DEECA has been undertaken and due to budget constraints, DEECA has advised that they are not able to proceed to Planning Panels Victoria.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

This report also supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to “maintain transparent, inclusive and accountable governance practices”.

Relevant Legislation

Planning and Environment Act 1987.

Financial Implications and Risk

The Amendment was initiated by community members through DEECA (formally known as DELWP). As the subject site of the Amendment is in the ownership and management of DEECA, Council is the Responsible Authority for processing the Amendment.

Planning Panel costs for a proponent led amendment would need to be paid for by the proponent being DEECA.

If the planning scheme amendment does not proceed, there is a risk that the DEECA-owned building will not be utilised as intended and will continue to deteriorate further.

Conflict of Interest

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

Community and Stakeholder Consultation

The Amendment was required to be Exhibited for a period of one month. Notice of the Amendment was sent to all adjoining owners and occupiers, relevant Ministers, relevant authorities, notice in the Government Gazette and notice on Council’s website.

A total of eight (8) individual submissions have been received.

The submissions have been reviewed and consultation in the form of face-to-face meetings, telephone conversations and email communication has occurred. As a result, one submission which opposed the Amendment has since been withdrawn. A further two (2) submissions remain as objecting to the amendment, whilst the balance remaining submissions support the amendment as exhibited.

All relevant authorities who received notice of the Amendment have responded and have provided no objection.

The below table provides a summary of all submissions received.

Submitter	Type	Response	Outcome
1	Objection	Concerns raised regarding future management of the 13 hectares of land. A copy of the DECCA response was provided to the submitter. Face to face meetings have been undertaken with the submitter to address concerns and provide clarity.	Submission clarified and whilst more comfortable is not formally withdrawn.
2	Supports	Letter Sent@30/11/23 acknowledging	No further action
3	Supports	Letter Sent@30/11/23 acknowledging	No further action
4	Objection – since withdrawn	Have exchanged emails and had phone conversations to seek clarification to submission. The submission supported the amendment but there was one matter regarding the proposed wording contained within the amendment documents which required clarification. The wording related to a “Committee of Management/Leasee” as the TFDC does not have a current Committee of Management the term leasee was provided by the Department of Transport and Planning in the preparation of the Explanatory report and Incorporated document. Having provided clarification, the submission has since been withdrawn.	Submission clarified and since received confirmation that they support the amendment as exhibited.
5	Objects	Submission received by two individuals which contained an additional 18 names as joint submitters. The submission sought to have the Toolangi Recreation Reserve currently zoned Public Park and Recreation Zone to be rezoned to Public Conservation and Resource Zone. The submission saw this to be offsetting the Public Conservation and Resource Zone being removed from the TFDC. Several emails were exchanged with the two individuals who submitted jointly, explaining the process to hear their submission, and providing clarification on a way forward should a rezoning of Toolangi Recreation Reserve be undertaken. The individuals did not want to meet face to face nor discuss their concerns on the phone. The submission has not been resolved.	Submission remains
6	Supports	Letter Sent@30/11/23	No further action
7	Supports (Made comment to some minor word changes for the	Supportive with changes to description of the land/building, the description did not accurately reflect the description of the Discovery Tree building, this is supported to be amended.	Description of site does not change the policy details of

Submitter	Type	Response	Outcome
	description of the site).	Letter Sent@30/11/23	the Amendment as exhibited.
8	Supports	Hard copy Letter Posted @30/11/23 acknowledging the submission.	No further action
AUTHORITIES RESPONSE			
GMW	No Objection		
DECCA	No Objection		
GBCMA	No Objection		
DTP	No Objection		
GVW	No Objection		
EPA	No objection – noted that notice not required		

4.5 Grants and Sponsorships - Major Event

Attachment(s)	Nil
Presenter	A Paxton, Director Community & Development
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

Council's Grants and Sponsorship program provides funding for projects that support our communities to improve the liveability of our towns and places, build connections, create opportunities for participation in community and civic life, improve personal and community health and wellbeing, protect our natural environment and assist communities to plan for the future.

This report provides Council with one Event of Major Significance application from the period of November 2023 – January 2024 with the Panel Assessment Report for consideration.

RECOMMENDATION

That Council endorse the following allocation as recommended by the Grants and Sponsorship Assessment Panel:

- Joyride Mountain Bike – The Joyride Rookie Cup 2024 – Round 2 - \$12,000.**

Background

The Grants and Sponsorship program provides the opportunity for not-for-profit community groups and organisations, social enterprises and businesses to seek funding from Council to support events, activities and projects that align with the Murrindindi Shire Council 2021-2025 Council Plan. The funding streams provided under the program are:

- Quick Response Grants
- Sponsorships
- Community Projects and Events

- Local Events
- Events of Major Significance
- Special Purpose Grants.

Each stream has its own objectives, eligibility and assessment criteria and can be found in the Program Guidelines on Council's website. The applications have been assessed against the adopted policy. Assessment occurs monthly for Quick Response Grants and four times per year for the other streams.

Discussion

Council officers have assessed the following grant application under the Events of Major Significance category and recommend Council endorsement:

1. Joyride Mountain Bike – The Joyride Rookie Cup 2024 – Round 2

Joyride Mountain Bike (MTB) is the largest MTB coaching business in Victoria. In 2023 they applied and became the first and only company certified by AusCycling, the National Governing body, to hold a junior downhill race series - The Joyride Rookie Cup.

In 2024, the series is expanding to four events across regional Victoria, giving young riders from Victoria, NSW and SA the opportunity to race and develop their skills in a professional, fun, race environment.

The project is looking to hold Round 2 of the four race 2024 series at Eildon MTB Park. The influx of visitors will support local investment including accommodation and retail from multi stay visits. The 2023 series attracted 700 riders with much larger support numbers and extended family. The submission includes data indicating that each event in the 2024 series will:

- Attract 300 participants
- Be supported by 1,200 family members and spectators
- Generate up to \$150,000 local spend.

The project will support the Murrindindi Cycle Club with enhanced membership and fundraising opportunities.

An Event of Major Significance grant was requested for \$12,000 and is recommended by the Panel.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy "support and promote our tourism and events sector to boost the economy through increased visitation".

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

In endorsing this application year to date funding allocations will be noted as at end of February as \$92,489.

This submission was not able to be assessed in time to meet the February assessment period due to a system issue with the SmartyGrants platform used by Council for managing grant applications. This issue has now been rectified.

Conflict of Interest

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

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

4.6 Draft Murrindindi Shire Economic Development Strategy

Attachment(s)	<ol style="list-style-type: none">1. Attachment 1 - Draft Murrindindi Shire Economic Development Strategy [4.6.1 - 13 pages]2. Attachment 2 - Final Murrindindi Snapshot [4.6.2 - 16 pages]
Presenter	B Harnwell, Manager Economic Development
Approved by	Director Community & Development
Purpose	For noting

Executive Summary

This report provides an overview of the draft 2024 Murrindindi Shire Economic Development Strategy which has been developed through extensive research and engagement with businesses and the wider community.

The draft Strategy is a comprehensive five-year plan designed to improve the economic well-being and quality of life in the region. The Strategy will sit within a suite of documents including the 2023 Murrindindi Snapshot and 2024 Action Plan, still to come.

The draft Economic Development Strategy provides the regional context, research background and macro trends, that fed into the development of the five Priority Areas. Each Priority Area has a range of outcomes that will be the measure for the success of the Strategy.

The rolling Action Plan will detail the specific annual activities aligned to each Outcome. An Annual Report will be prepared to report on the achievements each year. The Action Plan will be updated annually to adapt to the changing environment.

RECOMMENDATION

That Council note the plan to commence community engagement with business and community for the draft 2024 Murrindindi Shire Economic Development Strategy.

Background

Work began on the development of the 2024 Murrindindi Shire Economic Development Strategy in late 2023 with research and exploration of current and past local and regional strategies. This work identified five Priority Areas and several broad outcomes which were tested with a series of Community Engagement activities and on Council's online engagement tool the Loop.

During the community engagement process in October to December 2023, Council gathered ideas and feedback from over 50 people, plus business groups to help us develop draft plans.

What we heard:

- Confirmed the 5 Priority Areas.
- 34 responses to the ideas board.
- 10 surveys completed.

- Over 100 participants at pop-ups held over the Shire.

The community engagement confirmed the Priority Areas and Outcomes. The draft Strategy was then written and is presented here for further community engagement.

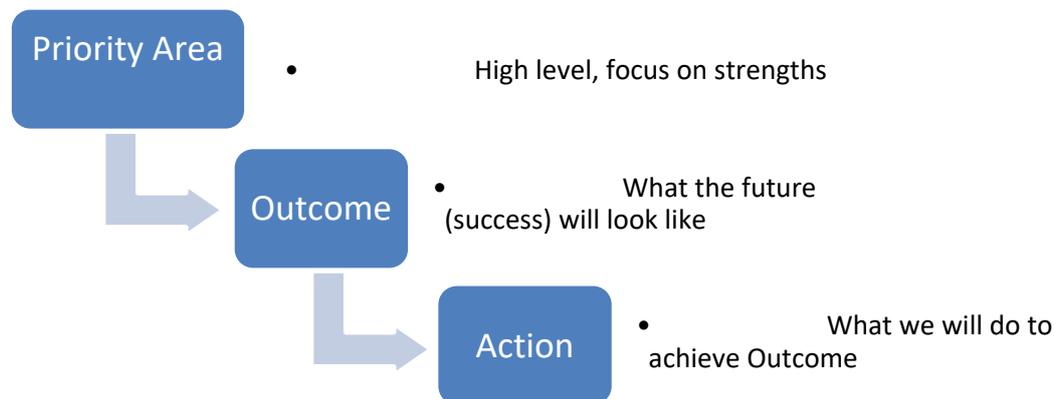
Discussion

The 2024 Murrindindi Economic Development Strategy is our five-year plan designed to improve the economic well-being and quality of life in the region.

The draft Strategy (attached) provides context around its position as part of Council's strategic documents and includes both regional and local connections to other Strategies and Plans. These were used as inputs into the development of the Priority Areas and Outcomes as well as background information.

The 2023 Murrindindi Snapshot (attached), providing data on the current economic performance of the Shire, was used to support the Strategy. This document will sit alongside the Strategy and provides data that is useful for both government and business. This snapshot can be updated as new data emerges.

The Strategy has been developed around the delivery of Outcomes under the five Priority Areas. The Outcomes are a future state the Strategy aims to deliver over the five-year term of the Strategy. The Action Plan will detail annual activities that will be delivered to achieve the Outcome.



The Priority Areas are:

1. Visitor Economy
 - We are a thriving nature-based tourism destination with diverse offerings and strong visitor numbers, driven by our natural beauty and year-round events, making it a promising area for investment and development.
2. Agriculture, aquaculture and food production
 - We have ideal conditions and infrastructure for agribusiness and aquaculture investments, featuring prime grazing land, award-winning cattle farms, and a thriving aquaculture industry driven by favourable climate skilled workforce and expertise in agroforestry make Murrindindi an attractive opportunity for investors and people seeking to live farm to plate.
3. Business Support
 - We have thriving niche manufacturing enterprises, benefiting from our proximity to Melbourne, affordable real estate, and a skilled labour pool, offering potential for

further growth across a range of sectors. We support businesses to network, share resources, buy local through a collaborative engaged network of businesses.

4. Sustainable Future

- We are embracing a transition towards sustainability by promoting a circular economy, renewable energy generation, and addressing the challenges of an aging population by creating economic opportunities while minimizing environmental impact and supporting community wellbeing.

5. Prosperous Communities

- Addressing our population's demographic challenges, such as aging population through a range of initiatives. These include diversity of housing choice, improved transportation, education investments (including childcare and tertiary), health care and social services and embracing creative industries for community well-being.

The Outcomes for each Priority Area are:

Visitor Economy – Outcomes

- 1.1 Our tourism and visitor economy businesses are strong, supported and connected.
- 1.2 Increased investment in visitor generating infrastructure.
- 1.3 Increased visitor yield via effective and innovative marketing and promotional activities.
- 1.4 We have a year-long calendar of high-quality festivals and events that attract visitors and support the local economy.
- 1.5 We will advocate for the services and investment to support tourism and enable the sector to thrive.

Agriculture, Aquaculture and Food Production – Outcomes

- 2.1 Our farming land and associated rural industry is supported, protected and productive for future agricultural purposes.
- 2.2 Our agricultural industry is strong, growing, supported, and connected.
- 2.3 Our farming practices are sustainable and future focused.
- 2.4 Our agricultural, aquacultural and farming businesses are resilient and prepared for future impacts.
- 2.5 Our agroforestry sector has expanded and is a key driver supporting the wider economy.

Business Support - Outcomes

- 3.1 Our workforce is sustainable, skilled, and meets the needs of our industries.
- 3.2 Enabling infrastructure, including connectivity, is in place to support the industries within Murrindindi.
- 3.3 Our business community is connected, engaged, collaborating, and well-informed.
- 3.4 Investing in Murrindindi will be straightforward, with clear processes and support options, attracting appropriate investments.
- 3.5 Investment opportunities are identified and promoted through investment attraction activities.

Sustainable Future - Outcomes

- 4.1 Our local businesses are aware of the implications and opportunities in transitioning towards a net zero and the circular economy.
- 4.2 Our economy has access to infrastructure and new technology that supports business and industry reach net zero.
- 4.3 Local clusters support business and industry reach circular economy goals and utilize waste into resources.

Prosperous Communities - Outcomes

- 5.1 Our workforce and community can access training and development opportunities to succeed.
- 5.2 Our housing and accommodation options meet the needs of our workforce, business, and community through diverse offerings.
- 5.3 We are an attractive option for existing and new residents with businesses and services that support our community's needs.
- 5.4 We have opportunities for young people to remain in the community through education, career pathways and accommodation options.
- 5.5 We recognize the importance and relevance of creative industries to our economic and community wellbeing.

The Action Plan will be developed using SMART methodology. An action will be Specific, Measurable, Achievable, Relevant and Time-bound.

- **Specific** – the action is easy to understand and that anyone knows what will be done and who will do it.
- **Measurable** – the action is measurable. This helps determine the progress made and assists with keeping us on track.
- **Achievable** – the action is realistic given the resources and other factors. This helps sets up the action for success.
- **Relevant** – the action makes sense and is fit for purpose. This ensures the action is related to the Outcome/s.
- **Time-bound** – there is a clear completion date for the action.

The Action Plan is still being developed and will form the basis for workplans and activities for both Council officers and partner organisations.

Monitoring and reporting on the delivery of the Strategy is important to ensure that strategic goals and objectives are being met effectively.

The Action Plan will include measures to track delivery of activities and will be reported via annual reporting. This will also include a review of the Action Plan and updating as necessary.



The next stage of the development of the Strategy is community engagement on the draft Strategy. It is proposed that community engagement on the draft Strategy commences on 1 April until 12 May. With feedback being sought via

- Direct messaging through business newsletter, social media, and one-on-one discussions.
- Direct engagement with those who participated in the initial consultation in 2023.
- Online via The Loop

At the conclusion of the community engagement any comments or suggestions will be considered and the final Strategy will be presented back to Council for adoption in May or June 2024.

Council Plan/Strategies/Policies

This report supports the following strategic objectives under the *Council Plan 2021-2025 Growth and Opportunity* pillar to:

- “prioritise and promote a culture in which the economy, businesses and community can grow and thrive”.
- “boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow”.
- “support and promote our tourism and events sector to boost the economy through increased visitation”.
- “partner with community members, businesses, and other organisations affected by the state-government-led transition out of native forest harvesting”.

Relevant Legislation

Nil.

Financial Implications and Risk

The development of the Murrindindi Economic Development Strategy will be delivered through operational budget. The implementation of the final Strategy may require additional budget either sourced through operational budgets or grant funding sources.

Conflict of Interest

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

Community and Stakeholder Consultation

A communication and engagement plan has been developed which tested the proposed Pillars and Outcomes, developed through research and analysis of data and current and previous related strategies. This plan has been further developed to include the draft Strategy.

Broadly the engagement will seek responses on the draft Strategy and test the proposed Action Plan. The engagement will take place across several mechanisms including.

- Direct messaging through business newsletter, social media, and one-on-one discussions.
- Direct engagement with those who participated in the initial consultation in 2023.
- Online via The Loop.

The Loop will also include an opportunity for business and community members to ask questions.

5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP

5.1 Adoption of Advocacy Policy

Attachment(s)	Attachment 1 - Proposed Advocacy Policy [5.1.1 - 5 pages]
Presenter	A Cullen, Manager Customer Experience
Approved by	Director People & Corporate Performance
Purpose	For decision

Executive Summary

Council plays an important role in advocating on behalf of itself and the community to other levels of government and a variety of external entities and decision-makers to secure influence, policy reform, financial contributions, and other resources and support for its communities, region and the broader sector.

Implementing an advocacy platform, informed by an advocacy framework and policy will support transparency and commitment of Council's advocacy efforts to the Murrindindi Shire community.

RECOMMENDATION

That Council adopt the proposed Advocacy Policy as contained in Attachment 5.1.1.

Background

To ensure the needs of our community are understood and heard, Council advocates to all levels of government, often working in partnership with local representatives, associations, community and other like-minded councils.

Our advocacy efforts generate support for projects and policies to deliver the social, health, cultural, infrastructure, education, and transport outcomes that our community deserves.

During the last quarter we advocated to State and Federal Government Ministers on a range of topics of concern to Murrindindi communities, including:

- The poor condition of State managed roads in the Shire, in particular the Melba Highway (State Minister for Roads)
- Impacts of flooding and the need to review flood mitigation protocols associated with water held and released from Lake Eildon (State Minister for Water and Minister for Emergency Services)
- The need for the State to improve river level monitoring and the provision of flood gauges on the Goulburn River and its tributaries (State Minister for Water)
- Impacts of the cessation of native timber harvesting on our local economy, particularly harvest and haulage contractors and the need for improved support (State Minister for Agriculture)
- Improved communication to the community around State fire management planning with the cessation of forestry to address concerns around adequate preparedness and response capability (State Minister for Agriculture and Minister for Emergency Services)

- Raising awareness among State and Federal representatives and Ministers about, and seeking support for a tertiary education hub in Murrindindi Shire

In addition to this, we utilised opportunities including the recent visit to Murrindindi Shire by the Governor of Victoria, Her Excellency Professor the Honourable Margaret Gardner AC, and the Emergency Management Commissioner, Rick Nugent, to demonstrate firsthand the impacts of the recent emergency events across the shire and to have an open dialogue to highlight the challenges faced by our community, especially in terms of disaster preparedness and response.

We are continuing to work on improvements to our systems to better showcase our advocacy efforts to the community and stakeholders, and this policy is the first step in our progress.

Discussion

The strategic priorities outlined in the *Council Plan 2021-2025* and other key strategies contain a range of initiatives which require support from government partners to ensure they can be effectively delivered for the community.

The Council Plan 2021-2025 also outlines a range of commitments Council has made to improve outcomes through effective and targeted advocacy over its four-year term.

Council works across many important issues. However, we cannot advocate on all things equally, or at the same time.

Defining our advocacy priorities means we can elevate a clear and achievable set of key ‘asks’ consistently and persuasively, channeling resources into the areas that require it most.

By using our resources in this strategic way, we can increase the likelihood of cut-through with decision makers, and in turn, demonstrate to the community that we understand and act upon their key concerns, and deliver results.

The advocacy framework comprises three important components:

1. An advocacy policy – creates transparency and accountability.
2. An advocacy platform – establishes the list of advocacy topics and priorities for Council.
3. An advocacy register – enables the recording, reporting and communication of the outcomes of our advocacy efforts.

Annually, in line with Council’s other strategic pieces of work, Council develops an advocacy strategy to support the delivery of initiatives requiring advocacy, based on the needs of the community.

The proposed advocacy policy (refer to attachment 1) supports the achievement of those commitments, describing the approach Council will take to ensuring advocacy efforts are strategic, coordinated, and effective.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objective “to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future”.

Relevant Legislation

Local Government Act 2020.

Financial Implications and Risk

The proposed advocacy framework will enable the assessment and prioritisation of resources to support Council's advocacy activities, which will enable a more streamlined approach, and therefore a more efficient use of resources.

Conflict of Interest

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

Community and Stakeholder Consultation

Council's current Advocacy platform has been, and will continue to be, shaped and informed by the needs and priorities of our communities.

5.2 Audit and Risk Committee Confirmation of Minutes

Attachment(s)	Attachment 1 - Audit and Risk Committee Meeting - 14 March - Minutes [5.2.1 - 11 pages]
Presenter	Michael Chesworth, Director People & Corporate Performance
Approved by	Michael Chesworth, Director People & Corporate Performance
Purpose	For decision

Executive Summary

This report presents the minutes of the 14 March 2024 Audit and Risk Committee Meeting to Council for noting.

RECOMMENDATION

That Council note the minutes of the 14 March 2024 Audit and Risk Committee in Attachment 5.2.1.

5.3 CODI IT Systems Alignment Procurement

Attachment(s)	Confidential Attachment 1 (<i>Distributed to Councillors separately</i>)
Presenter	M Chesworth, Director People & Corporate Performance
Approved by	Director People & Corporate Performance
Purpose	For decision

Executive Summary

The Lower North Eastern Regional and Rural Councils (LNERRC) Rural Councils Transformation Program is a business transformation program of work across four Councils, being the Shire Councils of Mansfield, Murrindindi and Strathbogie and the Benalla Rural City Council, to "improve service delivery and enhance Councils' collaboration through the transformation of ICT

and Digital Systems, the adoption of aligned business capabilities (people, process and technology) and modern ways of working”.

The program has been funded with a \$1,000,000 grant from the Rural Councils Transformation Program (RCTP), \$888,000 from the Business Acceleration Fund (BAF) and \$2,276,480 funding commitment from the four Councils (equating to a contribution of \$569,120 per Council), across three financial years. To date, all funding milestones have been achieved with all grant funding being acquitted to Mansfield Shire Council, as the lead Council.

A previous procurement process was undertaken for delivery of Building, Planning and Regulatory, and Information Management solutions, as part of this project. The outcome of this procurement was endorsed by Murrindindi Shire Council at its July 2023 Scheduled Meeting. To finalise the selection of solutions to meet the goals of the transformation program, a further procurement process for an Enterprise Resource Planning (ERP) solution was successfully completed.

As a result, the officer recommendation is to endorse the awarding of a contract by Mansfield Shire Council for the delivery of an ERP solution incorporating modules for Finance, Customer Relationship Management, Property/Rates to Tenderer 2, and to include Human Resources and Payroll as an additional module.

RECOMMENDATION

That Council:

1. **Endorse the award by Mansfield Shire Council of a lump sum contract for the Enterprise Resource Planning to Tenderer 2 for implementation of the Finance, Customer Relationship Management and Property/Rates modules into Mansfield, Murrindindi and Strathbogie Shire Councils, and Benalla Rural City Council, for the amount of \$1,223,590 (Ex GST, Including 10% contingency)**
2. **Support the award by Mansfield Shire Council of a lump sum contract to Tenderer 2 for the implementation of the HR/Payroll module into Mansfield, Murrindindi and Strathbogie Shire Councils, and Benalla Rural City Council for an amount of \$214,434 (Ex GST, Including 10% contingency), following the approval of a formal project change request to Local Government Victoria to include the module in the Project CODI schedule**
3. **Authorise the Chief Executive Officer to advise Mansfield Shire Council of Murrindindi Shire Council’s approval to award the contracts in accordance with the Memorandum of Understanding signed by all four (4) Councils, including payment of all agreed contributions;**
4. **Award the contracts for ongoing servicing agreements between Murrindindi Shire Council and the Tenderer 2 as follows:**
 - a. **Award the ongoing servicing agreement for the licencing of the Enterprise Resource Planning solution for Finance, Customer Relationship Management and Property/Rates modules between Murrindindi Shire Council and Tenderer 2 for the amount of \$944,785 (Ex GST) for a term of 5 years.**
 - b. **Award the ongoing servicing agreement for the licencing of the HR/Payroll module between Murrindindi Shire Council and Tenderer 2 for the amount of \$36,884 (Ex GST) for a term of 5 years.**

5. **Note the contract period of 5 years is effective from 1 April 2024 till 31 March 2029, with options of two x two year extensions.**
6. **Note that pricing for the ERP modules is accommodated within the project budget for implementation and Council's annual budget for annual commitments.**
7. **Note that pricing for the Human Resources and Payroll module will require additional budget of \$25,542 excluding GST and including 10% contingency as Murrindindi Shire Council's contribution to the implementation costs, and noting that ongoing licensing will be accommodated within Council's annual budget.**
8. **Authorise the Chief Executive Officer to execute the contracts as detailed in recommendation 4.**
9. **Release the name of the successful tenderer into the Minutes of this meeting.**

Background

In May 2023 as part of the Victoria Government's Rural Council Transformation Program the Lower North East Regional and Rural Councils (LNERRC), consisting of Mansfield, Benalla, Strathbogie and Murrindindi Councils, issued a public tender for the evaluation and selection of an Enterprise System Replacement to support the following business functions:

- Information Management
- Planning, Building and Regulatory
- Customer/Citizen Relationship Management (CRM)
- Property/Rates
- Finance

The tender was constructed to allow suppliers to respond with a 'best of breed' solution to either one or more of the functions or provide a holistic Enterprise Resource Planning (ERP) solution that would support all functions within a single enterprise platform.

Following the tender evaluation eVis/Greenlight and Logicalis/AvePoint were selected to provide 'best of breed' solutions for 'Planning, Building and Regulatory' and Information Management respectively. Suppliers were not selected for the remaining modules as they were unable to satisfactorily meet the evaluation criteria.

To achieve the goals of the Transformation Program, solutions were still required for the remaining functions of CRM, Property/Rates and Finance. Throughout this process, it was also identified that there were opportunities to collaborate on a solution for Human Resources (HR) and Payroll, which would benefit from being integrated as part of an ERP platform.

As a result, the Councils undertook a structured evaluation and procurement approach consisting of:

1. Market Analysis
2. Procurement

Market Analysis

The market analysis was undertaken and involved the investigation, assessment and reporting on:

- Experience of other Councils: Insights were gathered from multiple Victorian Rural, Regional, and Metropolitan Councils, highlighting diverse approaches to enterprise systems.
- Best of Breed vs. Best of Suite: The pros and cons of adopting either a specialised "Best of Breed" approach or an integrated "Best of Suite" (ERP) solution were weighed up.
- ERP Solution Providers: An examination of ERP providers operating in the local government context of Victoria.

The result of the analysis recommended that the consortium of Councils:

- Adopt a strategic direction of 'Best of Suite' for enterprise system replacement and procure and implement a holistic ERP system which has been successfully deployed within Victoria Local Government.
- Only evaluate the 'Top 2' cloud ERP suppliers within the Victoria Local Regional/Rural Government environment, being Tenderer 1 and Tenderer 2.
- Undertake structured competitive negotiations, overseen by a Probity Adviser and led by an experienced procurement officer, with Tenderer 1 and Tenderer 2.
- Evaluate suppliers solely on their business and operational capability and pricing.

These recommendations were endorsed by the Project Control Group (PCG) and approved by the Project Steering Committee, consisting of the CEOs of the four Councils.

Procurement

The structured competitive negotiations procurement approach was possible as a public tender had previously been undertaken and hence requirements under the procurement policies had been met. Local Government Victoria advised that it had no objections to the procurement approach as long as the process complied with all procurement policies.

Tenderer 1 and Tenderer 2 ERP vendors were engaged in the procurement process between 13 October and 8 December 2023. The process consisted of:

- An 'affordability' assessment to obtain indicative prices to ensure solutions would be financially viable within the Councils.
- Invitation to tender, via TenderLink lockbox, to submit a written response to LNERRC's ERP requirements.
- Evaluation of the written responses and the development of consensus scoring for each evaluation criteria
- Presentation from each vendor on their response and capability for each evaluation criteria
- Demonstration from each vendor of their solution
- Evaluation of the presentations and demonstrations and update of the consensus scores
- Invitation to the respondents to submit Best and Final Offers (BAFO) in a structured format to enable like-for-like comparison
- Evaluation of the BAFOs and update of the consensus scores
- Endorsement of a preferred supplier, for approval of the Steering Committee

The administrative elements of the procurement process was led by Strathbogie Shire Council's Procurement and Tenders Officer with probity oversight provided by an independent Probity Advisor.

The Contract period sought was for five years, with options for two, two-year extensions.

Evaluation Criteria

The Evaluation Committee consisted of the voting members of the PCG (1 member from each Council). Each member engaged subject matter experts within their Council to assist them with the evaluation and scoring.

The evaluation criteria and weightings were:

Criteria	Weighting
Total Cost of Ownership	25%
Business Function Capability	15%
Strategic Roadmap	10%
Implementation Approach	25%
Integration Capabilities	10%
Post Implementation Support	15%

The following were also required to be met by each Vendor:

1. Satisfactory insurance cover
2. Adoption of the Victoria Government eServices Register Contract
3. Fully Cloud Based Solution
4. Solution able to integrate with Share Point based information management systems.

Both vendors proactively participated in the procurement process.

Discussion

Evaluation

All members of the Evaluation Panel assessed the submissions, with assistance of local subject experts, and provided scoring out of ten.

The table below details the outcome of the criteria assessment. Total Cost of Ownership has been based on the pricing for the core requirements of Finance, Customer Relationship Management and Property/Rates modules.

Criteria	Weighting	Weighted Score	
		Tenderer 1	Tenderer 2
Total Cost of Ownership	25%	16.75	25
Business Function Capability	15%	7.5	9
Strategic Roadmap	10%	5	5
Implementation Approach	25%	7.5	12.5
Integration Capabilities	10%	4	5
Post Implementation Support	15%	7.5	9
	Totals	48.25	65.5

The table below details the outcome of the contractual and insurance assessment

	Tenderer 1	Tenderer 2
eServices Register contract	No	Yes

	Tenderer 1	Tenderer 2
Workcover Insurance	Certificate Provided	Certificate Provided
Public and Products Liability	\$10,000,000.00	\$20,000,000.00
Employers Liability	-	£10,000,000.00*
Professional Indemnity	\$20,000,000.00	£5,000,000.00*
Cyber Liability	\$10,000,000.00	-

*These policies are held by the parent company based in UK and therefore value is expressed in pounds

It is noted that Tenderer 2 does have insurance cover for Cyber Liability of \$5,000,000 which is included as a subset of its Public and Products Liability Policy. Tenderer 1 did not commit to use the Victorian Government eServices Register Contract. Both providers committed to a fully cloud based solution and to ensure integration with a Share Point based Information Management System.

Price was evaluated on the implementation and annual cloud service charges associated with the delivery of the following modules:

1. Customer Relationship Management
2. Finance
3. Property/Rates.

The following prices (excluding GST) were submitted:

Tenderer 1 \$5,829,834.50

Tenderer 2 \$4,317,013.54

After consideration of all the criteria, the evaluation panel concluded that Civica provided the best value for money and most advantageous solution/approach for the delivery of an Enterprise Resource Planning solution to the Lower North Eastern Regional Councils. The following points were noted:

1. Price:

Tenderer 2's pricing was lower and fixed, whereas Tenderer 1's implementation costs were estimated on a time and materials basis.

While it did not form part of the formal evaluation, Tenderer 2's pricing for HR and Payroll module was also lower than Tenderer 1's.

2. Capability

Both vendors demonstrated that they were capable of implementing their solution across all four councils. Tenderer 2 was able to demonstrate a stronger capability for its solution to integrate with other systems, and its implementation approach and post implementation support was rated stronger than Tenderer 1's. Both vendors specifically excluded organisational change management, data migration and systems integration from their submissions. These will form separate streams of work within the project.

3. Capacity

Both vendors have the ability and resources to complete the works within the expected timeframes. They have extensive experience working with local government, and their support teams are both highly experienced.

On this basis, the evaluation panel concluded that Tenderer 2 be recommended as the successful provider of the ERP solution.

Human Resources and Payroll Modules

Human Resource and Payroll module pricing was requested, and provided by the vendors during the procurement process, but this did not form part of the formal evaluation. Tenderer 2's pricing for the implementation and ongoing cloud services for these modules was lower than Tenderer 1.

As Murrindindi Shire Council currently uses an older version of Tenderer 2's solution for human resources and payroll it will be necessary to transition to the newer version of the HR and payroll modules, as is it not realistic to seek an alternative provider. This issue arises as a direct consequence of the decision to recommend Tenderer 2 as the successful provider. The remaining three Councils have also subsequently indicated a willingness to procure Tenderer 2's HR and Payroll module solution, subject to their Council's endorsement, with recognition this component is an additional cost to the transformation project, and not covered by the existing project budget.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objective "to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future".

This project directly addresses Council's Information and Communications Technology Strategy objective to modernise and transform Council's IT systems and services. The strategy notes that comparison with industry benchmarks shows that Council has under-invested in IT system enhancement in recent years.

Relevant Legislation

The procurement has been undertaken in compliance with all four Council's Procurement Policies, as required by the *Local Government Act 2020*.

Financial Implications and Risk

Project CODI has been funded with a \$1,000,000 grant from the Rural Councils Transformation Program (RCTP), \$888,000 from the Business Acceleration Fund (BAF) and \$2,276,480 from the four partner Councils (equating to a contribution of \$596,120 per Council for implementation), across three financial years. Both grants have very tight timeframes, with the BAF originally required to be expended by December 2023 and the RCTP required to be expended by June 2024. Extensions have subsequently been negotiated.

The overall implementation funding for the project, per component, has been allocated as detailed in the below table (figures Ex GST):

Component	RCTP Funding	BAF Funding	Council Contribution	Total Budget
Program Management	\$224,289	\$82,000	\$510,591	\$816,880

Component	RCTP Funding	BAF Funding	Council Contribution	Total Budget
Non-System Components	\$26,736	Nil	\$60,864	\$87,600
MS365 Alignment and Governance	\$20,144	Nil	\$45,856	\$66,000
Information Management	\$164,506	Nil	\$374,494	\$539,000
Financials	\$262,477	Nil	\$597,523	\$860,000
Customer Relationship Management	\$119,030	Nil	\$270,970	\$390,000
Property and Rating Management	\$182,818	Nil	\$416,182	\$599,000
Planning, Building and Regulatory Services	Nil	\$806,000	Nil	\$806,000
TOTAL	\$1,000,000	\$888,000	\$2,276,480	\$4,164,480
Per Council			\$569,120	

The tendered price for the ERP solution from Tenderer 2 is within the established project budget.

Due to the nature of the project, the implementation contract will be awarded and managed by Mansfield Shire Council as the lead Council for the project, with servicing/licencing agreements to be entered into by all four Council's for the ongoing costs associated with the solution.

For Murrindindi Shire Council, the \$569,120 is a committed contribution across three financial years for the implementation phase of the CODI project.

The annual licencing fee over the 5-year term of the contract with Tenderer 2 for Murrindindi Shire Council is \$944,785 (ex GST), representing an annual average cost of \$188,957.

Furthermore, each partner Council will need to make an additional contribution for the implementation of the HR and Payroll modules as these are outside of the original agreed project scope of works and funding commitment of the Councils.

Murrindindi Shire Council will be required to contribute a further one-off \$23,220 (Ex GST) for implementation and \$36,884 (Ex GST) over 5 years (on average \$7,377 per annum) for the licensing of the Human Resources and Payroll modules. It is noted that the implementation cost for Murrindindi relates to the transformation elements of the modules only, as Murrindindi already utilises an older version of the product.

It is estimated that the CODI project and digital transformation will result in an approximate annual increase of \$200,000 operating cost for IT related services for Murrindindi Shire Council. As the solution will be cloud based, this increased operating cost is, to some extent, offset by a reduction in the capital IT budget from which the former on-premises software costs and associated network service and componentry necessary to run the systems in-house has been funded. Both capital and operating costs associated with maintaining old legacy systems, on-premises software/hardware/networks and manual processes will be significantly reduced.

The introduction of improved systems will also enable the Councils to provide better and more efficient services to the community through streamlined processes.

Conflict of Interest

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

Community and Stakeholder Consultation

No external community consultation was necessary as part of this procurement process.

6 REPORTS - ASSETS & ENVIRONMENT GROUP

6.1 Naming Roads and Places Policy

Attachment(s)	Attachment - Draft Naming Roads and Places Policy [6.1.1 - 8 pages]
Presenter	C Lintott, Director Assets & Environment
Approved by	Director Assets & Environment
Purpose	For noting

Executive Summary

This policy and associated guidelines have been created to provide guidance and a consistent approach for staff and Councillors when considering proposals for the assigning of names to roads, localities and geographical features in the municipality.

RECOMMENDATION

That Council adopt the Naming Roads and Places Policy and Guidelines 2024.

Background

Consistent and appropriate naming of roads, assets, features, locations and cultural places is essential for precisely identifying locations for the management of emergencies and the delivery of services. It is important that practices, processes, and procedures for naming places are unambiguous, provide enduring names and preserve our cultural identity.

In Victoria, the Geographic Place Names Act defines Council as a naming authority for the municipal district of Murrindindi and is bound by the naming rules and regulations detailed in the Naming Rules for Places in Victoria 2022. Naming authorities are responsible for submitting naming proposals and are a referral authority if a name change is submitted directly to the Registrar.

The naming of local roads is a local government responsibility under the *Local Government Act 1989* and the *Road Management Act 2004*. The processing of proposed names in new subdivisions is also covered by the Subdivision (Procedures) Regulations 2011.

The Naming Rules for Places in Victoria 2022 provides a structured approach ensuring the names assigned to roads, locations and features comply with the Act. This policy sets out the criteria to be applied and the procedures to be followed by officers and Councillors for the naming of places to ensure compliance with the Act.

Discussion

The Naming Rules for Places in Victoria were updated in 2022 with a number of changes being implemented. The passing of the *Gender Equality Act 2020* now sees the rules supporting commemorative naming of places after women. The rules also continue a strong focus and support for places named in traditional owner languages. The policy and guidelines support Council's implementation of these rules.

The policy and guidelines provide a clearer set of rules and processes for officers and Councillors to follow. The workflow listed in the guidelines section of the policy reflects the process defined in the Naming Rules for Places in Victoria.

In addition to the thirteen naming principles listed in the Naming Rules for Places in Victoria, the following additional Murrindindi naming principles or modifications are proposed:

1. New names
 - a. Preference shall be given to names that have a historical or other relevant connection to the immediate area. The name must have an enduring relevance.
 - b. Where a local family name is proposed, the consent of the family needs to be provided by the proposer.
 - c. Local Indigenous names or descriptives relevant to the immediate area and approved by the relevant registered party, shall only be used avoiding the use of borrowed indigenous names from other language groups.
 - d. Dual English and Indigenous names shall only be used for locations or geographic features not roads.
 - e. Proposed road name suffixes shall be in accordance with the Guidelines and be meaningful to the road type.
 - f. Proposed road names will be checked for duplication and possible confusion with existing roads within a minimum radius of 15 kilometres irrespective of a different township or locality. This includes adjacent municipal districts.
2. New estates
 - a. Developers of new estates may submit proposed names for roads based on a theme so long as the theme will apply to all roads in that estate.
3. Renaming
 - a. Renaming roads will be supported where the present name causes confusion and there is a risk of delay to an emergency vehicle.
 - b. Where a road is to be renamed due to duplication, the one with fewer properties will be preferred for renaming.

All naming proposals are approved by Council.

All naming proposals shall undergo suitable community consultation as detailed in the guidelines.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “connect our communities through improved roads, footpaths and public transport”.

Relevant Legislation

Gender Equality Act 2020.

Geographic Place Names Act 1998.

Local Government Act 1989.

Road Management Act 2004.

Financial Implications and Risk

There are no financial implications in adopting this policy. Responsibility for ensuring the procedural requirements of the Acts are met with respect to naming roads, features and places is with the Coordinator Asset Management.

Conflict of Interest

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

Community and Stakeholder Consultation

No external community or stakeholder consultation as this forms part of this policy.

6.2 Murrindindi Road Safety Strategy Stage 2

Attachment(s)	Attachment 1 - Murrindindi Road Safety Report - Stage 2 [6.2.1 - 43 pages]
Presenter	C Lintott, Director Assets & Environment
Approved by	Director Assets & Environment
Purpose	For decision

Executive Summary

Murrindindi Shire Council is developing a Road Safety Strategy and Action Plan to reduce road trauma within the shire in response to the road trauma study conducted in 2021. The draft Road Safety Strategy and Action Plan has been developed with grant support from the Transport Accident Commission (TAC) and is designed to be consistent with the current Victorian Road Safety Strategy.

A preliminary draft strategy was discussed with Council in December 2023 and reviewed in detail by the Strategic Interest Group from January 2024 resulting in this revised version of the draft strategy and action plan.

The draft strategy and action plan is now ready for community feedback.

RECOMMENDATION

That Council:

1. **Endorse the draft Road Safety Strategy and Action Plan**
2. **Approve the release of the draft Road Safety Strategy and Action Plan for community consultation.**

Background

In 2021, Murrindindi and Strathbogie conducted a "Review of the Murrindindi and Strathbogie Shire Road Trauma Research, Crash Analysis Report." The study revealed a troubling trend that Murrindindi's rate of fatal and serious injury accidents is among the highest compared to other regional municipalities. In response, the Council successfully secured a grant from the TAC in March 2023 to develop a Road Safety Strategy to address this pressing issue. The Murrindindi Road Safety Strategy is to be a complimentary document to the Victorian Road Safety Strategy.

A Murrindindi Road Safety Strategic Interest Group was formed to provide direct feedback on the draft strategy and actions. This group consists of representatives from Department of Transport and Planning, DEECA, Parks Victoria, Victoria Police, TAC, Road Safety Victoria, Council and several community-based transport organisations. Road Solutions were selected as the road safety expert consultants to assist in the development of the strategy and the associated action plan.

Discussion

Strategy Development:

In developing the draft Road Safety Strategy and Action Plan, a Safe System methodology was employed which is consistent with the Victorian Vision Zero for road trauma. This methodology

uses specific metrics based on trauma research and assumes that people will make mistakes and that this needs to be mitigated. The Safe System methodology has five components:

- Safer road users.
- Safer roads.
- Safer speeds.
- Safer vehicles.
- Post-crash care.

The Strategic Interest Group endorsed seven key principles for the Murrindindi Road Safety Strategy which are:

1. Equity – all road users will benefit from safety improvements.
2. Infrastructure safety – improvements will be used to mitigate serious injury and death.
3. Safe System Impact Speeds – safe travel speeds will be adopted.
4. Future Mobility – consider current and future traffic and mode share.
5. Shared Responsibility – recognize the need for effective coordination.
6. Evidence Based Approach – ensure all recommendations are supported by strong data.
7. Continuous Improvement – be open to changes and new technologies.

The draft Murrindindi Road Safety Strategy and Action Plan aims to establish a framework that will enable Murrindindi to work towards a 50% reduction in road trauma by 2030, aligning with the Victorian Road Safety Strategy 2021-2030 and ultimately working towards the “Towards Zero Vision” of eliminating road fatalities and serious injuries by 2050.

The Murrindindi Road Safety Strategy and Action Plan sets out seven specific strategic goals for Murrindindi Shire as a region and as an agreed set of priorities by the members of the Road Safety Strategic Interest Group. There are seven proposed goals of the strategy are:

1. Reduce the number of fatal and serious injuries related to motorcycle crashes.
2. Ensure a self-explaining road network that helps reduce the number of fatal and serious injuries of visitors unfamiliar with the shire’s road network.
3. Support the selection of suitable speed limits to improve survivability, especially on high-speed roads, and improve compliance.
4. Improve safety on high-speed rural roads mid-block, that is between intersections.
5. Maintain good road conditions to ensure safe outcomes.
6. Support innovative solutions to prepare for future development and an integrated network with e-mobility and vehicle automation.
7. Provide safe connections between and within communities (including townships and commercial areas) to increase accessibility and safety, in particular for the young and aging population, and tourists.

Program:

Preliminary community consultation.	Complete
Analysis of trauma statistics.	Complete
Interest group workshop.	Complete
Development of the preliminary draft strategy.	Complete
Consultation with Council and reference groups.	Complete
Develop draft strategy.	Complete
Community consultation on draft strategy.	April – May 2024
Adoption of strategy.	June 2024

The endorsement of this draft version will allow council to close the loop with the community on the strategic directions and the proposed action plan.

Council Plan/Strategies/Policies

This report supports the following strategic objectives under the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* pillar to:

- “connect our communities through improved roads, footpaths and public transport”.
- “provide fit-for-purpose infrastructure that meets current and future service demands and needs for our community”.

Financial Implications and Risk

The adoption of the Road Safety Strategy and Action Plan will be a strategic advocacy document and will support applications for special purpose road safety grants in various programs such as Black Spot program, Safer Local Roads and Streets Program and Motorcycle Safety grants.

Conflict of Interest

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

Community and Stakeholder Consultation

There are three stages of consultation to develop the Murrindindi Road Safety Strategy

Stage 1 – Broad Community Survey:

Council undertook a broad community survey in September 2023. The survey was published on the Council website in the “Loop”. To generate interest there were three “pop up sessions:” held in Yea, Alexandra and the Kinglake Market. Council received 42 responses that assist with the direction of the strategy.

Stage 2 – Strategy Workshop with interest groups that included:

- Victoria Police
- Department of Transport and Planning
- TAC
- Department of Environment Energy and Climate Action
- Motorcycle Riders Association
- Victorian Transport Association
- Bicycle Network
- Road Safe Goulburn Valley

Stage 3 – Release for community feedback the draft Murrindindi Road Safety Strategy and Action Plan.

- 7 COUNCILLOR AND CEO REPORTS**
- 7.1 Notices of Motions**
- 7.2 Cr Ilona Gerencser**
- 7.3 Cr Eric Lording**
- 7.4 Cr Sandice McAulay**
- 7.5 Cr Karine Haslam**
- 7.6 Cr John Walsh**
- 7.7 Cr Sue Carpenter**
- 7.8 Cr Damien Gallagher - Mayoral Report**
- 7.9 Chief Executive Officer Report**

8 RECORD OF COUNCIL BRIEFING SESSIONS

Purpose

For noting.

Executive Summary

This report presents the records of Council Briefing Sessions for 6 March 2024 to 20 March 2024, for Council to note.

RECOMMENDATION

That Council receive and note the records of Council Briefing Sessions for 6 March 2024 to 20 March 2024.

Background

The Governance Rules adopted by Council at its 24 August 2022 meeting sets the order of business for scheduled meetings. As part of section 7.2.1 “Record of Council Briefing Sessions” is listed as to be included in the order of business.

Discussion

The purpose of keeping a record of Council Briefing Sessions is so that the content of the Briefing Session, the attendance and any declared conflicts of interest are recorded in a formal document. Council is making every effort to ensure that it is transparent in the content of Briefing Sessions and any conflicts of interest, therefore the formal record is presented for noting as part of the Scheduled Meeting Agenda.

The following summary details are for 6 March 2024 to 20 March 2024:

Meeting Name/Type	Briefing Session
Meeting Date:	6 March 2024
Matters Discussed:	<ol style="list-style-type: none"> 1. Alexandra Flood Scoping Study Final Report 2. Regional Greenhouse Alliances 3. Neighborhood Battery Investigation Project 4. Community Transport - Moving Murrindindi 5. UT Creek/Leckie Park precinct consultation feedback 6. Preparing for the 2025-29 Council Plan 7. Planning Application: 18 Pratts Road KINGLAKE WEST 8. Advocacy Platform & Policy 9. Draft Operating and Capital Budget updates
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay
Council Officer Attendees:	L Bonazzi, M Chesworth, A Paxton, C Lintott, P Bain, B Chapman, A Langley, S Coller, C Fraser, N Stewart, A Cullen, C Nickels-Beattie
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	13 March 2024
Matters Discussed:	<ol style="list-style-type: none"> 1. Economic Development Strategy - Draft Engagement 2. Environmental Programs half year update 3. Budget Discussion
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay
Council Officer Attendees:	L Bonazzi, M Chesworth, A Paxton, S Russell, B Harnwell, B Chapman, C Nickels-Beattie
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	20 March 2024
Matters Discussed:	<ol style="list-style-type: none"> 1. Draft Kerbside Services Policy 2. Capital Works Program Review – February 2024 3. Flood Recovery progress update 4. Breakaway Bridge 5. Shaping Murrindindi's Future – Entrepreneurial Discovery Process 6. Great Vic Bike Ride 7. Youth Services update 8. Draft Annual Budget - Financial Statements 9. Grants and Sponsorships - major event 10. Contract Award Project - CODI IT Systems Alignment Procurement
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr D Gallagher, Cr E Lording, Cr S McAulay,
Council Officer Attendees:	L Bonazzi, M Chesworth, A Paxton, S Russell, B Harnwell, J Russell, P Bain, K Chadband, A Milestone, I Weston, S Coller
Conflict of Interest Disclosures:	Nil

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to “maintain transparent, inclusive and accountable governance practices”.

Relevant Legislation

This report supports the *Local Government Act 2020* overarching governance principles, in particular “the transparency of Council decisions, actions and information is to be ensured”.

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

Any conflicts of interest are noted in the records of Council Briefing Sessions tables listed above.

9 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT23/13	22 March 2024	Formal Instrument of Agreement between Murrindindi Shire Council and Boral Resources Pty Ltd	Livia Bonazzi, Cr Damien Gallagher

RECOMMENDATION

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