



AGENDA
of the
ORDINARY MEETING OF COUNCIL
WEDNESDAY 26 AUGUST 2020
at
6:00 pm
Conducted via videoconference

This Ordinary Meeting will be conducted virtually (as per *COVID-19 Omnibus (Emergency Measures) Act 2020*, passed by Victorian Parliament on 23 April 2020)

The proceedings will be live streamed for public viewing.

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1. PLEDGE AND RECONCILIATION STATEMENT**2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE****3. COMMUNITY RECOGNITION****4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST****5. CONFIRMATION OF MINUTES**

5.1 Minutes of the Ordinary Meeting of Council held on 22 July 2020.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 22 July 2020 be confirmed.

5.2 Minutes of the Special Meeting of Council held on 5 August 2020.

Officer Recommendation

That the minutes of the Special Meeting of Council held on 5 August 2020 be confirmed.

6. PETITIONS**6.1 PETITION – KINGLAKE WEST 80KM ZONE EXTENSION**

Attachment(s): *Petition – Kinglake West 80km zone extension support (D20/6830) – distributed to Councillors Separately*

Purpose

This report is to advise Council that a petition has been received requesting that Council provide support to an application to VicRoads (Rural Roads Victoria) to extend the 80km speed zone to the north side of Nichols Rd Kinglake West to suit the Rural Living Zone.

Officer Recommendation

That Council refer the petition to the Director Assets and Development to prepare a report for the 16 September 2020 Ordinary Meeting of Council.

Background

The petition was submitted by Paul Denton and was signed by 5 people.

The petition requests that Council apply or provide support to an application to VicRoads (Rural Roads Victoria) to extend the 80km speed zone to the north side of Nichols Rd Kinglake West to suit the Rural Living Zone and specific road hazards (identified in the petition).

7. PUBLIC PARTICIPATION TIME**7.1 OPEN FORUM****7.2 QUESTIONS OF COUNCIL**

8. OUR PLACE

8.1 DOMESTIC WASTEWATER MANAGEMENT PLAN

Attachment(s): *Domestic Wastewater Management Plan (Attachment 8.1)*

Purpose

The purpose of this report is to seek Council's adoption of the Domestic Wastewater Management Plan 2020.

Officer Recommendation

That Council adopt the Domestic Wastewater Management Plan 2020 as enclosed in Attachment 8.1.

Background

Council are required to prepare a Domestic Wastewater Management Plan (DWMP) under the State Environment Protection Policy (Waters of Victoria).

The Domestic Wastewater Management Plan 2020 (DWMP) provides a strategic framework to plan and manage domestic wastewater within the municipality. The DWMP aims to:

1. identify, assess and manage cumulative risks of onsite domestic wastewater systems discharging waste water beyond allotment boundaries
2. engage with the Victorian Environmental Protection Authority (EPA) and Goulburn Valley Water (GVW) to identify existing unsewered allotments (which do not retain wastewater on site or are not capable of preventing the discharge of wastewater beyond allotment boundaries, or preventing impacts on groundwater beneficial uses) for inclusion in the domestic wastewater management plan.
3. identify, cost, prioritise and evaluate options to:
 - a) provide solutions to prevent discharge of wastewater beyond allotment boundaries;
 - b) provide for the compliance assessment and enforcement of on-site domestic wastewater systems in accordance with the plan
 - c) where applicable, have regard to the guidelines for planning permit applications in Open, Potable Water Supply Catchments and any relevant guidelines authorised by the EPA.

The DWMP includes on-site wastewater hazard mapping that identifies the risk associated with on-site wastewater management on each property based on land capability and lot size.

Council is responsible for the approval and on-going oversight of on-site wastewater management systems (traditionally described as 'Septic Tanks' and more recently described as 'On-site Systems') within the Shire. On-site systems are the traditional method for managing sewage and other forms of wastewater on properties that are not connected to a Goulburn Valley Water or Yarra Valley Water reticulated sewerage systems.

Current legislation requires homeowners to manage these septic tank systems, with councils required to monitor the long term management of these systems. Over time, the long-term management of septic tank systems becomes increasingly difficult, due to various contributing factors, such as septic tank age, increasing population density, poor management practices and lack of resources. This can result in substandard environmental and public health conditions within these communities and prompts the need to upgrade to an alternative domestic wastewater management system.

On-site systems are also the preferred method of wastewater management for new developments in Low Density Residential, Rural Living and Rural land use zonings.

Discussion

The majority of unsewered areas in Murrindindi Shire are moderately to poorly suited to on-site wastewater management subject to meeting the requirements of the EPA Code of Practice for On-site Wastewater Management. This is driven by land capability constraints across the Shire, in particular lot size (in certain areas), climate, slope, and the presence of dams and incised watercourses.

Domestic Wastewater Management Planning has included an evaluation of existing and potential future lot sizes in unsewered residential areas in conjunction with the broader Planning Controls.

It is recommended that higher levels of scrutiny are applied to proposed unsewered developments proposing new allotments that are less than one hectare in size. The presence of constraints such as slope, gullies and watercourses can increase risk and limit options on lots below this size.

The DWMP proposes a set of “Minimum Standards” for Land Capability Assessment and design information that needs to be submitted with Septic Tank or Planning Permits in unsewered areas classified as high risk.

The DWMP also recommends that consideration be given to potential funding mechanisms for increased on-going oversight of on-site wastewater management system compliance.

Domestic Wastewater Management Action Plan

<p>Action 1</p> <p>High Priority</p> <p>Develop Funding Models for On-site Wastewater Oversight / Compliance Program and Implement (refer to Section 6.1.1)</p>	<ol style="list-style-type: none"> 1. Evaluate potential funding models and make recommendation to Council seeking funding approval. 2. Implementation (prioritised based on On-site System Inspection data analysis and risk). 	<p>DWMP Year 1</p> <p>DWMP Year 2</p>
<p>Action 2</p> <p>High Priority</p> <p>Pilot alternative wastewater management strategies for Flowerdale and/or Kinglake and Thornton</p>	<ol style="list-style-type: none"> 1. Design a suitable Pilot Project 2. Develop and implement monitoring and evaluation system/program 3. Engagement between Council, Victorian Government Agencies and Community Stakeholders to identify potential funding and management opportunities 4. Pursue grants and funding made available to implement an alternative wastewater management pilot study. Requires development of a business case to demonstrate how this scheme may be implemented. 	<p>DWMP Year 1</p> <p>DWMP Year 1-2</p> <p>DWMP Year 3-5</p>
<p>Action 3</p> <p>High Priority</p> <p>Establish Minimum Standards for Septic Tank and Planning Permit Applications</p>	<ol style="list-style-type: none"> 1. Refine, finalise and adopt the Minimum Standards Tables in Appendix B. 2. Engage with neighbouring Councils to work towards consistent septic tank and planning permit application standards 3. Conduct Consultant and Installer Information Sessions 	<p>DWMP Finalisation</p> <p>DWMP Year 1</p> <p>DWMP Year 1</p>

	4. Implement and Update as Required.	
<p>Action 4</p> <p>High Priority</p> <p>DWM Information Collection and Management</p>	<ol style="list-style-type: none"> 1. Investigate developing user group to facilitate the integration of Open Office Health Manager wastewater management system data with Council GIS system 2. Create a baseline Septic Tank Permit GIS mapping layer 3. Establish procedure for direct input of all new Permits' data as they are approved. 	DWMP Year 1
<p>Action 5</p> <p>High Priority</p> <p>Education and engagement program</p>	<ol style="list-style-type: none"> 1. Develop a Stakeholder Engagement Plan, which outlines how stakeholders are to work together to better manage domestic wastewater impacts. 2. Develop and deliver wastewater management system maintenances and good land management practices education material via Council's website, pops up and printed information. 3. Promote wastewater management education and septic system data availability to all relevant community members. 4. Develop and implement documentation to enable these community members to obtain information on properties they have interest in and status of a potential wastewater management system for the site. 5. Develop and deliver information guide on how to consolidate lots. 	<p>DWMP Finalisation</p> <p>DWMP Year 1</p>
<p>Action 6</p> <p>Low Priority</p> <p>DWM Impact Monitoring Program</p>	<ol style="list-style-type: none"> 1. Evaluate potential for an on-going water quality monitoring program in high risk areas. 	DWMP Year 3
<p>Action 7</p> <p>Low Priority</p> <p>DWMP Action Plan Review</p>	<ol style="list-style-type: none"> 1. On-going evaluation against Action Plan 2. Adapt DWMP Actions as required based on available funding and previous action outcomes. 3. Full DWMP Review 	<p>Annually</p> <p>Annually</p> <p>DWMP Year 5</p>

Council Plan/Strategies/Policies

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

Relevant Legislation

State Environment Protection Policy (Waters)

EPA Code of Practice: On-site Wastewater Management (2016)

Environment Protection Amendment Act (2018)

Public Health & Wellbeing Act 2008

Local Government Act 2020 (formerly Local Government Act 1989)

Water Act 1989
Planning and Environment Act 1987.

Financial Implications and Risk

The Plan and its associated action plan will determine Council priorities for future resourcing commitments. Future funding to support the action plan and its associated activities may also be sought through collaborative external funding opportunities.

Conflict of Interest

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

Community and Stakeholder Consultation

The Draft DWMP was released for community consultation from 1 July to 30 July 2020 in accordance with sect 223 of the *Local Government Act 1989*. No public submissions were received during this time.

A Stakeholder Engagement Plan was also prepared to support the implementation of the DWMP. The purpose of this Plan is to identify the key stakeholders in relation to domestic wastewater management in Murrindindi Shire and develop an appropriate program to inform, consult and involve stakeholders in the implementation of the DWMP.

This DWMP Engagement Plan will need to be reviewed throughout DWMP implementation to ensure it remains applicable and appropriate as information on and understanding of domestic wastewater risks and actions increases. The engagement plan is presented in Table 20 of the DWMP.

8.2 MURRINDINDI SHIRE COUNCIL MUNICIPAL EMERGENCY MANAGEMENT PLAN 2020-2023

Attachment(s): *Murrindindi Shire Council – Municipal Emergency Management Plan (Attachment 8.2)*

Purpose

The purpose of this report is to seek Council's adoption of the Murrindindi Shire Council Municipal Emergency Management Plan 2020-2023 (MEMPC).

Officer Recommendation

That Council pursuant to section 20(1) of the *Emergency Management Act 1986*, Council adopt the Murrindindi Shire Council Municipal Emergency Management Plan (Attachment 8.2) which considers the prevention of, response to and recovery from emergencies within the Murrindindi Shire Council area.

Background

The Murrindindi Shire Council Municipal Emergency Management Planning Committee (MEMPC) is formed pursuant to Section 21(3) & (4) of the *Emergency Management Act 1986*, to formulate a plan for Council's consideration in relation to the prevention of, response to and the recovery from emergencies within the Murrindindi Shire and Lake Mountain Alpine Resort.

It is not the MEMPC's role to manage emergencies. This is the responsibility of the agencies and personnel identified under the response and recovery arrangements in the *Emergency Management Manual Victoria*, the *Emergency Management Act 1986* and the *Country Fire Authority Act 1958*. The MEMPC is required to prepare the MEMPC, which documents response and recovery operational arrangements, and to ensure that all the subjects listed in the Plan's outline are investigated and adequately provided for.

The ongoing role of the MEMPC is to review and amend the operational components of the Plan by:

- Assessing and reviewing hazards and risks facing the community
- Producing the MEMP for consideration by Council
- Reviewing and updating the Plan annually, including reviewing risks, with responsibility for this task delegated to the MEMPC Executive Officer
- Every three years, conducting a review of the risks examined in the Community Emergency Risk Management (CERM) or Community Emergency Risk Analysis (CERA) processes
- Arranging regular tests/exercises of an emergency scenario.

MEMP Audit – Statutory Review Requirements

Every three years Section 21A of the *Emergency Management Act 1986* requires that the MEMP be audited by the State Emergency Service. This audit assesses whether the plan complies with relevant statutory requirements. The audit for the Murrindindi Shire Council is scheduled to occur on 6 October 2020. The plan is required to be with the auditors by 6 September 2020 for review. It is important to note that new audits under the *Emergency Management Act 2013* do not apply to plans audited before 1 December 2020.

Prior to the audit, Council must have completed a number of processes including:

- endorsing the plan for the purpose of public exhibition;
- considering any submissions and potential adjustments to the MEMP as a result of the feedback from the exhibition period; and
- adopt the MEMP.

The 2020 review of the Murrindindi Shire Council MEMP has been conducted in line with Section 20(1) of the *Emergency Management Act 1986*. The plan addresses the mitigation of, response to, and recovery from emergencies within the Murrindindi Shire and complies with the audit requirements outlined in the *Act*. It is the result of the co-operative efforts of the MEMPC. The MEMP is an “all hazards” document and has been developed for use by all emergency agencies (including Council) in emergency events.

The MEMPC comprehensively reviewed the MEMP as part of the current audit process. A CERA (Community Emergency Risk Assessment) review process was undertaken in February 2018. The process to review the risks is assisted by the Victorian State Emergency Service.

The CERA process provides a new and clear risk management framework for considering and improving the safety and resilience of community from hazards and emergencies. CERA also aligns with the current ISO 31000:2009 risk management standard. The risk assessment process aims to understand the likely impacts of a range of emergency scenarios upon community assets, values and functions. As such, it provides an opportunity for multiple community impacts and consequences to be considered enabling collaborative risk treatment plans and emergency preparedness measures to be described.

The resulting CERA process forms an integral part of the new “all hazards” MEMP.

Discussion

The Draft MEMP was available for public exhibition from 1 July to 31 July 2020. This process was advertised widely in accordance with section 223 of the *Local Government Act 1989*.

Council at its Special Meeting of 5 August 2020 acknowledged that no submissions were received.

It is recommended that Council adopt the Murrindindi Shire Council Municipal Emergency Management Plan 2020-2023 in accordance with section 20(1) of the *Emergency Management Act 1986*.

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* Strategy 2.6 to “Enhance community safety, resilience and liveability through improved planning, community engagement, and a fair and transparent approach to compliance”. The MEMP relates directly to Action 2.6.1 to “Plan for emergency response and recovery, and promote community resilience”.

Relevant Legislation

Local Government Act 1989

Local Government Act 2020

Emergency Management Act 1986

Emergency Management Act 2013

Emergency Management Legislation Planning Amendment Act 2018.

Financial Implications and Risk

There are no direct financial implications or risks associated with the adoption of the MEMP.

Conflict of Interest

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

Community and Stakeholder Consultation

The Draft MEMP was required to be released for community engagement, Council released these documents under section 223 of the former *Local Government Act 1989* for a public consultation period of 1 July to 30 July 2020.

9. OUR PEOPLE

9.1 MURRINDINDI SHIRE COVID-19 COMMUNITY RECOVERY PLAN

Attachment(s): *Draft Murrindindi Shire COVID-19 Community Recovery Plan (Attachment 9.1)*

Purpose

The purpose of this report is to recommend that Council adopt the attached Draft Murrindindi Shire COVID-19 Community Recovery Plan.

Recommendation

That Council adopt the Murrindindi Shire COVID-19 Community Recovery Plan as enclosed in Attachment 9.1.

Background

While all levels of Government work together with not-for-profit agencies to ensure community needs are identified and met, Council is responsible for the local coordination of relief and recovery in emergencies.

In line with Council’s coordination role, Council officers have developed the COVID-19 Community Recovery Plan (the Plan). The purpose of the Plan is to guide community recovery and transition through and out of the COVID-19 Pandemic.

The Plan has been developed alongside the Murrindindi Shire COVID-19 Business Recovery Plan, which addresses the impact of COVID-19 on the business community and economy of Murrindindi Shire. The Community Recovery Plan is designed to work in concert with the

Business Recovery Plan. Together, these plans address both the business and community impacts of COVID-19 on Murrindindi Shire and aligns with the aims and objectives of the Victorian State Emergency Relief Plan for COVID-19.

Discussion

The COVID-19 Pandemic has had a significant impact on communities across the world. For Murrindindi Shire, we know there are specific and unique community impacts. The COVID-19 Community Recovery Plan aims to:

- reflect the strengths of the community
- address the relief and recovery needs of the community
- support communities to adapt, evolve and thrive
- be developed and implemented in partnership with the community to coordinate the development and delivery of recovery activities
- be developed in line with current resources and the level of impact of COVID-19 on community.

A community consultation session was held on the 25 June 2020 with 150 people in attendance. The consultation sought information on the impacts of COVID-19 on individuals, community, sport and recreation groups and clubs and the broader community. The consultation also sought feedback on what will assist the community during and beyond the COVID-19 Pandemic.

Consultation with the community and with our partners found that the COVID-19 Pandemic presents specific challenges and opportunities for the Shire. Some of these challenges include:

- social isolation and disconnection
- uncertainty and the associated stress and anxiety this comes with
- mental health impacts of stress and isolation
- family violence
- the uneven impact of the pandemic on different cohorts (including different age groups) within our community
- difficulty finding the correct information
- information overload
- loss of exercise and recreation routines, including volunteering
- food stress
- loss of work or difficulty finding work
- learning to use new technology
- financial stress
- suspension and/or loss of some community group activities.

This information was analysed and used to inform a workshop with Council's Health and Wellbeing Consortium partners, where actions were developed. The draft action plan was provided to all Health and Wellbeing partners for further feedback. This feedback was incorporated into the final draft, ready for Council input and feedback.

The Plan outlines the initiatives that are currently in place and those that will be put in place to support our community while the Pandemic continues. As restrictions ease, this plan will support our communities in recovery in both the short term and long term.

Given the unpredictable nature of this pandemic, a phased approach has been adopted in the Plan. This allows movement in and out of phases as conditions change, making for an agile approach to recovery and transition out of the COVID-19 Pandemic. Each of the three phases of the plan addresses a unique set of key opportunities with each of these opportunities detailing actions that will support the identified need. A summary of the phases and opportunities is provided below.

Phase 1 – Respond

Objective – to support the community through this period to understand restrictions, maintain health and wellbeing and connect in new ways.

Opportunities

- Providing information to the community
- Promoting health and wellbeing
- Supporting community, sport and recreation groups
- Improving access to mental health services
- Increasing opportunities to connect to reduce isolation
- Ensuring people's immediate needs are met
- Ensuring that the voices of all people are included.

Phase 2 – Recover

Objective – to support groups to return to their usual activities, new groups and initiatives to form and get off the ground, and support other recovery activities to meet the needs of different cohorts and age groups.

Opportunities

- Supporting community, recreation and sporting groups
- Supporting community connections
- Supporting and promoting physical and mental health.

Phase 3 – Reimagine

Objective – to create conditions for the community learn, heal and thrive from the experience of COVID-19 through exploring new initiatives and advocating for local issues to higher levels of government.

Opportunities

- Improving access to services
- Ensuring rural communities have a voice
- Support Communities to plan for their future
- Promoting gender equity.

The plan may evolve as further information is available on the impact of COVID-19 and the needs of the community change.

Working with Council's Health and Wellbeing Consortium partners has supported ongoing health and wellbeing planning. Once agreed, actions from the Plan will be incorporated into the Health and Wellbeing Plan – Year 4 Implementation Plan.

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* 'Our People' Strategy 1.2 "work with our partner agencies to ensure people of all ages can access the health and community services they need".

The Plan is closely aligned to the *Municipal Public Health and Wellbeing Plan 2017-2021*.

Relevant Legislation

This following legislation is relevant to this report - *Emergency Management Act 1986/2013*.

Financial Implications and Risk

Some of the actions in the Plan will influence the budget and expenditure of Council. Established budgetary processes and financial management principles will be used to guide implementation.

Funding opportunities will also be sought from external grants as opportunities arise.

Conflict of Interest

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

Community and Stakeholder Consultation

The plan has been developed in consultation with our Health and Wellbeing Consortium partners, community, sport and recreation groups and the broader community via a workshop and community consultation process outlined in the discussion section of this report.

10. OUR PROSPERITY**10.1 MURRINDINDI SHIRE COVID-19 BUSINESS RECOVERY PLAN**

Attachment(s): *Draft Murrindindi Shire COVID-19 Business Recovery Plan (Attachment 10.1)*

Purpose

The purpose of this report is to recommend that Council adopt the attached Draft Murrindindi Shire COVID-19 Business Recovery Plan.

Officer Recommendation

That Council adopt the Murrindindi Shire COVID-19 Business Recovery Plan as enclosed in Attachment 10.1.

Background

In April, Council requested that officers engage a consultant to deliver a COVID-19 Business Recovery Plan (the Plan) for Murrindindi Shire.

Urban Enterprise was appointed to carry out the work and developed an initial Issues and Opportunities Paper which included a comprehensive analysis of COVID-19 impact in Australia and Murrindindi Shire, and was informed by:

- data from 3 x business survey
- advice from the Murrindindi Shire Council Business and Tourism Advisory Committee (MSC BTAC)
- REMPLAN and Urban Enterprise economic modelling
- ABS and Tourism Research Australia data
- Murrindindi Shire Council business workshop information.

Feedback on the Issues and Opportunities Paper was sought from Councillors, MSC BTAC and Council officers to inform the development of the Plan.

Discussion

The final Draft Plan includes three Phases of Strategic Response to support businesses, which align to different stages of the Pandemic:

Phase 1 - Supporting Businesses through Restrictions

The key objectives for Phase 1 Recovery will be to:

- Minimise business loss:
 - continued communication with businesses to understand their financial position will be important in order to provide them with timely advice, support and to direct them to appropriate Local, State and Federal Government programs
 - assist as many businesses as possible to adapt operating conditions.
- Minimise job loss:
 - communication and supporting businesses, as mentioned above, will assist with preventing job loss.

The first phase identifies the following strategies:

1. Undertake regular communication with business to promote the support programs available
2. Encourage business to business connections in the local area
3. Support businesses to diversify income streams and increase sales
4. Undertake professional development initiatives to support business recovery preparation
5. Develop employee retention strategies to combat increasing unemployment
6. Assist businesses to make physical distancing alterations to business operation
7. Provide access to mental health support for business owners, operators and employees.

Phase 2 – Returning Business Performance to Pre-COVID-19

The key objectives for Phase 2 Recovery will be to:

- assist individual businesses to alter operating conditions for a 'with-COVID' operating environment
- support individual businesses to recover to 'pre-COVID' turnover.

The second phase identifies the following strategies:

1. promote and market the Shire to attract key visitor markets
2. attract high-yield visitors to the Shire through collaborative approaches
3. assist businesses with changed operating conditions
4. attract investment in public and private sector development opportunities to support new jobs
5. promote social distancing behaviour to visitors and residents
6. promote opportunities for employment to support unemployed residents.

Phase 3 – A New Normal

The key objectives for Phase 3 Recovery will be to:

- Return to a growth economy
 - continue to support businesses to achieve an increase in jobs, output and business investment.
- Build a sustainable economy
 - see growth in sustainable population-based sectors less reliant on tourism, such as education and training, healthcare and social assistance.

The third phase identifies the following strategies:

1. Prepare for future disasters
2. Drive economic growth and investment
3. Build events sector.

Each strategy includes specific actions for Council to undertake and the estimated costs for each action.

To assist with the review of the draft document Council has received feedback through:

- MSC BTAC
- Public exhibition
- Murrindindi Shire Council Business Forum Workshop.

Following a review of the feedback received the following changes have been made to the Draft Plan:

- recognition of the impact of COVID-19 on key employers in both the outdoor education and the conference and events sectors in Murrindindi Shire
- acknowledgement of the importance of business leaders in key industry segments in encouraging business engagement in networking and cross-promotion initiatives as part of the Plan

- recognition of the opportunity to deliver professional development events and workshops for business owners to support business recovery preparation
- consideration of strategies to ensure visitors feel welcomed by businesses and the community
- collaboration with Mansfield Shire Council to promote Lake Eildon and progress shovel ready activities identified in the Lake Eildon Masterplan
- an action to investigate a skills development scheme to support industry sectors that traditionally struggle to find suitably qualified workers, such as hospitality and healthcare
- an action for the coordination of event dates in recovery, to ensure spread of events and maximise visitor yield
- consideration for the creation or expansion of existing events to be multi-day as well as coordinating activities and packages for visitors.

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* 'Our Prosperity' strategic objective "in partnership with the community we will promote an environment in which business and community can thrive".

A review of existing policy and strategy relating to the economic development of Murrindindi Shire has been undertaken, including:

- Murrindindi Shire Council Plan 2017 to 2021;
- Murrindindi Shire Council Priority Action Plan 2019/20;
- Lake Eildon Masterplan; and
- Murrindindi Tourism and Events Strategy 2019 to 2025.

Relevant Legislation

No legislation has been required to be considered in the preparation of this report.

Financial Implications and Risk

The delivery of this Plan will impact the budget and expenditure of Council. Established budgetary processes and financial management principles will be used to guide implementation, and Council will be fully briefed on each initiative and budgetary impacts.

Conflict of Interest

No conflict of interest was declared by Council officers in the preparation of this report.

Community and Stakeholder Consultation

The Plan has been developed in consultation with Local Business and Tourism Associations, the MSC BTAC, and with individual business owners and operators (as outlined above).

10.2 GRANTS & CONTRIBUTIONS PROGRAM

Purpose

The purpose of this report is to inform Council of allocations made through the July round of the 2020/21 Grants and Contributions Program.

Officer Recommendation

That Council note the grants awarded by officers under delegation:

Application	Reference	Funding Sought	Outcome
Community Projects and Events			
Planting a tree to grow a community: Strath Creek Landcare's enduring legacy	CPE-20/21-005	\$5000	Approved in full Conditional: 1. That the project address future sustainability element of Landcare.
Community Sponsorship			
Yarck Hall Promotional Grant	CS-20/21-001	\$4876	Approved in full Conditional: 1. Communication Plan will be part of the agreement and must include a broad range of activities including social media. 2. Proposed signage has VicRoads approval.
Yea Recreation Reserve Digital Scoreboard	CS-1819-032	\$5000 (Sponsorship) \$202.95 (Fee Reduction)	Approved in Full Fee reduction approved at 50% Conditional: 1. Acknowledgement of Council support must be made via permanent signage. 2. Committee of Management support letter / email confirming their agreement to the project.
Business Growth and Establishment			
Dindi Naturals Cafe + Produce Store 2020	BGE 20/21 - 001	\$20,000	Approved in full Conditional: Review current project timeframes

Background

The Grants and Contributions Program provides the opportunity for community groups, not for profit organisations, and businesses to seek funding from Council to support a range of activities and initiatives happening in Murrindindi Shire. There are a number of funding streams under the program including:

- fee reductions (and waivers by exception)
- quick response grants
- sponsorships (including eligible individuals)
- governance and capacity building
- community projects and events
- small and new tourism events
- events of state significance
- business growth or establishment
- industry or economy growth.

Each stream has its own objectives and eligibility criteria. Application assessment is undertaken via an organisational Assessment Panel with membership from Tourism and Events, Community Wellbeing, Development Services, Customer Experience and Council Executive.

Assessment occurs monthly to meet the timeframes described in the Grants and Contributions Policy.

Discussion

Community Projects and Events (CPE)

1. CPE-20/21-005 - Planting a tree to grow a community: Strath Creek Landcare's enduring legacy – \$5000

This grant will be utilised to create an oral podcast history presenting the environmental activities, volunteering ethos and social focus of Strath Creek Landcare and the commitment that continues to bind its members together even during the COVID19 pandemic of 2020.

When Strath Creek Landcare was founded in 1995 the township had a school, a store and a pub. When the school, the store and the pub closed, the community was left with a hall, and Landcare.

This project explores the history and changes to a cohesive yet dynamic group from a diverse range of backgrounds, united in their care of the environment.

Community Sponsorship (CS)

1. CS 20/21 – 001 Yarck Hall Promotional Grant - \$4876

Yarck Mechanics Institute and Library Incorporated are requesting a grant to promote post-COVID-19, market and theatre events at the Yarck Hall. These events are essential so that the hall remains a vibrant social hub for the health and wellbeing of the community. The events are also an essential source of income for hall upkeep. Major events to be promoted include:

- 12 Monthly markets
- Annual Trash and Treasure market.
- 3 Artz@Yarck Theatre Shows Season 2021, March, May and September.

A range of promotional techniques will be used over a 6-12 month period.

2. CS 1819 032 - Yea Recreation Reserve Digital Scoreboard - \$5202.95

The Yea FNC was gifted 8 digital screens from the AFL Outer East Commission in recognition of the Club's good governance and desire to improve our facilities. In order to utilise these screens the Yea FNC will need to spend around \$15000 on the required framework, electrical, and earthworks to complete the construction.

The new scoreboard will allow all user groups to improve sponsorship opportunities, enhance advertising and messaging as well as provide a vehicle for social connections through the ability to show movies.

The application also requests a fee reduction for the associated building permit to deliver the project.

Business Growth and Establishment (BGE)

1. BGE-20/21-001 - Dindi Naturals Cafe + Produce Store – \$20,000

This grant will support Dindi Naturals to create a cafe and produce store to add to the Dindi Naturals retail shopping experience at Yarck. They aim to produce healthy, nutritious meals, drinks, snacks and sell locally grown produce, as well as offering wholesale produce (like biscuits, jams, granolas, chutneys, health bars) to their large wholesale customer base of around 600 stores/accommodation venues. With such a diverse range of food ingredients grown in the

Murrindindi Shire they would love to showcase these, therefore supporting local producers and attracting tourism to the area.

Council Plan/Strategies/Policies

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

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

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

The below financial table details grant funds allocated to date:

Grant Stream	Allocations to date	Indicative total budget
Fee Reductions	\$202.95	\$260,000
Governance, skills and capacity building	\$0	
Quick response	\$0	
Community sponsorship, projects and events	\$14,876	
Small and new tourism events	\$0	
Events of State Significance	\$0	
Business growth or establishment	\$20,000	
Industry or economic growth	\$0	
TOTAL	\$35,078.95	

A total of \$35,078.95 grant funds were allocated in this round, leaving \$224,921.05 for the remainder of the financial year.

Conflict of Interest

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

Community and Stakeholder Consultation

There has been no formal community consultation with respect to the assessment of this round of Grants and Contributions Program applications.

11. OUR PROMISE

11.1 END OF YEAR REPORT – CAPITAL WORKS PROGRAM 2019/20

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

Purpose

This report provides Council with the final report on the 2019/20 Capital Works Program (CWP) and advises Council on the end of year financial status for the CWP compared to budget allocations.

Officer Recommendation

That Council:

1. **note the End of Year Report – Capital Works Program 2019/20 (Attachment 11.1)**
2. **endorse the reallocation of residual funds and savings to the relevant reserves as outlined in Table CF1 within this report**
3. **note the projects and funds proposed for carry forward to the 2020/21 year as outlined in the report.**

Background

This report is the final report of the CWP. The period of reporting is from 1 July 2019 to 30 June 2020.

The CWP is comprised of projects:

- endorsed by Council as part of the 2019/20 capital works budget
- carried forward from the 2018/19 CWP
- added to the CWP during the 2019/20 financial year.

Discussion

The adopted total capital budget for 2019/20 was \$10.697 million.

Carry forwards and additional projects resulted in a revised total capital budget of \$14.730 million and \$975,000 of large grant funded/non-capital works. After delivering approximately \$8,374,051 of the revised CWP, \$5,456,120 of the CWP and \$766,847 of large grant funded/non-capital works will be recommended for carry forward.

The following projects to the value of \$248,392 listed for delivery in the 2019/20 CWP were postponed into 2020/21 financial year or are no longer required.

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

Project	\$ to be carried forward	Comment
Main Street and Utah Place Eildon	\$0	Postponed to allow further investigation of the moisture issues at the site. Funding was used to support the High Street Yea project.
Footpath Renewal – Riverside Drive, Eildon, Nth Side	\$7,192	There was not enough funding available to complete this last item of the program.
Tenth Street Eildon	\$85,000	A tender was called for this project however pricing received was substantially over the allocated funds.
Path Upgrades - Yea Station St disabled parking upgrade - public toilets	\$7,500	A tender was called for this project however pricing received was substantially over the allocated funds.
Path Upgrades - Disability Access Parking and Pathway - Yea Council offices	\$50,000	A tender was called for this project however pricing received was substantially over the allocated funds.
Asbestos management works	\$50,000	A tender was called for this project however pricing received was substantially over the allocated funds. Project will be re-scoped to fit budget
Kinglake West Memorial Carpark – Stage 2	\$48,700	Works were temporarily placed on hold late last financial year due to issues with a contractor. Works will now proceed.
Total	\$248,392	

Excluding the works outlined in Table 1 and the savings outlined in CF1, 89% of the infrastructure project spend from the original adopted budget was delivered with savings of approximately \$0.994 million.

Unfortunately less than 100% of the original program has been delivered, this reflects the increase in capital budget allocated from the 2018/19 (\$7.249million) financial year into the 2019/20 (\$10.697million) year.

It should be noted however that Council project delivery team delivered a total of \$7.249 million for the CWP this financial year up from \$5.8million for the 2018/19 financial year.

Revised Capital Works Program

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

- Rubicon Village – Provision of services (\$225,000 this year, \$450,000 total)
- Rotary Park – Alexandra Youth Precinct detailed design (\$40,000)
- Wilhelmina Falls Road – Major Culvert renewal (\$44,745)
- Alexandra Scout Hall (\$40,000)
- Leckie Park War Memorial concrete renewal (\$26,000)
- Marysville Caravan Park – Camp kitchen replacement (\$52,000)
- Skyline Road safety treatment (\$48,533)
- Kinglake memorial netball court renewal (\$300,000)
- Local Government Energy Saver Program (\$196,829)
- Yea Caravan Park – Fire management system improvements (\$170,000)
- Engineering capability expansion (\$71,977)
- Yea E-Waste shed (\$100,000)
- New RRC Yea – Investigation & Design (\$75,000).

Carry Forward Recommendations

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

- Table CF1 – is a list of projects that returned savings (including unspent contingencies) to a value of \$994,421. Officers recommend that these amounts be returned to the following reserves as appropriate:
 - Infrastructure reserve
 - Waste reserve.
 - Caravan Park reserves
 - Saleyard reserve.
- Table CF2 – is a list of projects to the value of \$5,094,987 of works that are in progress but not yet completed in the 19/20 financial year, and are either now complete or will be completed in the 2020/21 financial year. This budget will be carried forward.
- Table CF3 – Is a list of Project to the value of \$766,847 of works that are in progress being delivered that are not considered Capital by Council's Capitalisation Policy.

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

Project	Comment	\$ Savings
Sealed Roads – Reseals/Renewals	Works completed under budget	\$3,504
RV Friendly Towns	Works completed under budget	\$20,000

Murchison Street Carpark Development	All infrastructure complete require \$17,747 for landscaping. Remainder is savings.	\$11,000
Yarck Road – Bridge Improvement Stage 1 concept design	Works completed under budget	\$5,455
Spring Creek Road – Culvert Renewal	Works completed under budget	\$6,710
Kinglake Community Centre	Works completed under budget	\$7,950
Kinglake Memorial reserve – Netball Courts	Works completed under budget	\$80,948
Alexandra Shire Office refurbishment	Works completed under budget	\$13,894
Alexandra Shire Hall - Kitchen	Works completed under budget	\$18,380
Depot Development works	Works completed under budget	\$12,034
Asset management system	Works completed under budget	\$4,315
Library bookstock - Adult	All required acquisitions completed under budget	\$6,600
Library bookstock - Junior	All required acquisitions completed under budget	\$3,209
Kinglake Memorial Reserve toilet block	Works completed under budget	\$10,000
Epoxy Floor renewals	Works completed under budget	\$7,050
Epoxy Floor upgrades	Works completed under budget	\$6,400
Helipad Emergency service access - Sealing	Works completed under budget	\$2,445
Bus Shelter construction	Works completed under budget	\$4,550
Cycling safety signage	Works completed under budget	\$2,548
Public Lighting	Works completed under budget	\$5,840
Alexandra Swimming Pool	Works completed under budget	\$9,250
Marysville Swimming Pool	Works completed under budget	\$8,337
General overall program over spend	Combined total of all remaining programs savings under \$2000 and any overspends combined currently have an overspent amount	-\$39,645
Total Infrastructure Savings		\$210,774
Waste Projects	Comment	\$ Savings
Landfill new cell - design	Some works completed, worked placed on hold pending further investigation of the future direction of waste management. No longer needed	\$114,200
Closed Landfill - Flowerdale	Required works completed under budget	\$23,382
Closed Landfill - Yea	Required works completed under budget	\$2,772
Landfill Ancillary works – Leachate Ponds repair	Required works completed under budget	\$11,560
Landfill Equipment – GPS attachment	Unit supplied under budget	\$12,106
Closed landfill rehab - Eildon	Investigation works proceeding awarded under budget	\$156,500

Closed landfill rehab - Yea	Investigation works proceeding awarded under budget	\$135,480
Landfill expansion of the monitoring network	Works completed under budget	\$137,721
Resource recovery centre upgrade	Works completed under budget	\$22,791
E-waste shed Alexandra	Works completed under budget	\$9,976
Landfill truck	Item sourced and delivered under budget	\$65,000
General overall program over spend	Combined total of all remaining waste programs savings under \$2000 and overspends combined currently have an overspent amount	-\$7,944
	Total Waste Reserve	\$683,544
Caravan Park Project	Comment	\$ Savings
Yea Caravan Park – Fire service improvements	Works awarded and underway and all funds not required	\$60,190
	Total Caravan Park Reserve	\$60,190
Saleyards Projects	Comment	\$ Savings
Scalehouse ramp	Works completed under budget	\$28,365
Plant & Equipment	Items sourced and delivered under budget	\$9,599
General overall program over spend	Combined total of all remaining waste programs savings under \$2000 and overspends combined currently have an savings amount	\$1,949
	Total Saleyards Reserve	\$39,913

Total confirmed savings per reserve		
	Total Infrastructure reserve	\$210,774
	Total Waste reserve	\$683,544
	Total Caravan Park reserve	\$60,190
	Total Saleyards reserve	\$39,913

Table CF2 – Capital - works to be carried forward:

Job description	Comments	Budget	Recommended Carry forward
ROADS & TRANSPORT			
Bower St Entry & Realignment Stage 2, Kinglake	Project was delayed due to prioritisation of other works. Works were deferred in April due to impending wet weather impacting sealing works.	\$50,000	\$50,000
Dropmore Bridge	Currently assessing tenders for proceeding to award.	\$96,203	\$92,303
Fannings Bridge – Load Upgrade	Work were awarded late in the 2019/20 financial year. Will proceed with project when weather permits.	\$77,273	\$77,273
Pendlebury Street Kerb (Rose to Coster) Special charge scheme	Concept and costing have been completed	\$53,000	\$53,000
Kinglake West – Pheasant creek - Streetscape	Concept design completed, detailed design now commencing.	\$30,000	\$30,000
Cheviot Tunnel Bridge #297 – Stage 2	Works are currently underway, approaching completion.	\$40,000	\$40,000
Bayley Street (Nihil & Copper) – Kerb renewal & Upgrade	Works awarded and underway	\$110,000	\$110,000

Yea Flora Fossil Path – GR921	Grant was not due to start until 20/21 financial year, however grant money was provided prior to the end of the financial year.	\$46,147	\$46,147
Dyes Lane Bridge – Component renewal	Bridge works have been awarded and budget committed. Wet weather increased river level delaying works until water levels drop.	\$66,000	\$66,000
Murchison Street Marysville - Carpark	All infrastructure works are complete, landscaping works are still to be completed	\$321,110	\$17,747
Gravel Road - Resheeting	Works are underway, early wet weather impacted the program. Still progressing	\$866,000	\$316,070
Roads - Major Maintenance	Majority of works completed. Some still pending	\$322,553	\$30,035
Roads - Major Maintenance – Break O'day Rd	Works were awarded late in the financial year and encountered wet weather.	\$150,000	\$60,428
Sealed Rd - Renewal & Major Patching – Break O'day Rd	Works currently underway, delays largely due to issues with the contractor being overcommitted.	\$49,372	\$49,372
Sealed Rd - Renewal & Major Patching	Major patching works were awarded very early however the contractor has not achieved the program timeline. Works still progressing.	\$351,755	\$227,119
Sealed Rd - Renewal & Major Patching – Murchison Street	Minor work completed, major works now proceeding.	\$60,000	\$59,030
Wilhelmina Falls Road – Upgrade and sealing	All pavement and formation works are complete however the wet weather had delayed the sealing. Works will proceed when the weather allows.	\$246,548	\$61,991
Kinglake Streetscape (Stage 2) - Design	Design works are progressing well, final design is now pending following community consultation	\$160,000	\$95,816
Kinglake Streetscape (Stage 1) – Aitkin Crescent	Construction works are now complete, however some works were pending at the end of the financial year	\$240,000	\$14,659
King Parrot Creek Road – Safety Upgrade FCR	Works were awarded late in the financial year and were disrupted by wet weather. Works are now progressing well	\$360,000	\$274,919
Eildon Back Road – Safety Upgrade FCR	Works were awarded late in the financial year and were disrupted by wet weather. Works close to completion	\$579,000	\$41,003
Rubicon Road – Safety Upgrade FCR	Works were awarded in February. Construction has been slow due to significant unsuitable materials and wet weather. Works close to completion	\$825,185	\$150,775
High Street Yea – Safety Upgrade FCR	Works were delayed due to budget shortfalls, additional funding was allocated. Further delays were due to clashes with existing underground services.	\$855,870	\$823,889
DRAINAGE			
Drainage Trouble spots - Thornton Stormwater Upgrade – Detailed design	Works are underway and progressing well	\$70,000	\$62,000

Drainage Renewal – Pit Lid Replacement	Works are underway. Works were awarded late and had pit lid supply issues. Works progressing.	\$35,000	\$22,966
COMMUNITY ASSETS			
Marysville Caravan Park – Camp Kitchen	Primary structural works complete fit-out underway	\$49,209	\$6,210
Irrigation Upgrade, High Street Yea – Renewal/Upgrade	Design delayed to coordinate with High Street Yea – Safety Improvements project, to ensure no clash of infrastructure. Project is now progressing to Tender.	\$103,000	\$103,000
Yea Caravan Park – Fire service improvements	Works underway 2019/20 and are now complete.	\$170,000	\$85,000
Yea Recreation reserve – Drainage works/ Irrigation water supply	Drainage works were completed late 2018/19. Approval was given to use these funds to alter the water supply from mains water to reduce maintenance costs. Works are currently progressing	\$50,000	\$50,000
Alexandra Shire Hall - Kitchen	Primary works completed. Needs minor carry forward to complete fit out	\$60,000	\$3,100
Alexandra Youth Precinct – Detailed design	Works are well underway and proceeding.	\$40,000	\$31,242
CORPORATE ASSETS			
Switchboard compliance	Works have begun, still underway	\$52,952	\$46,015
Alexandra Scout Hall	Primary works complete, still need title boundary fence line to be installed	\$40,000	\$20,000
Portable Pound Yards	Yards have been purchased, some delays resulting from issues with proposed new location. Issues resolved and progressing	\$20,000	\$6,871
Yea Saleyards Development – WiFi link an Booster	Works partially complete still pending	\$9,500	\$7,000
Yea Saleyards Development – Plant and equipment	Largely purchased and delivered, some minor orders still pending	\$60,000	\$1,000
WASTE PROJECTS			
Closed Landfill Rehabilitation - Eildon	Works are awarded and have commenced, progressing well	\$200,000	\$21,500
Closed Landfill Rehabilitation - Yea	Works are awarded and have commenced, progressing well	\$180,000	\$21,500
Yea Resource Recovery Centre – Design & Due Diligence	Preliminary basic concept plans have been completed. Due diligence works commenced	\$75,000	\$54,970
E-Waste Upgrade – Yea	Works have been tendered and shed supply awarded. Grant was always intended to be expended largely in the 2020/21 financial year.	\$100,000	\$95,942
SPECIAL PROJECTS			
Vegetation Projects	Projects relate to outstanding tree offsets from historical works. Further investigation is required before finalising the final scope however there has been an ongoing commitment to resolve this issue	\$84,876	\$81,240
IT/CORPORATE SERVICES			

Information Technology Hardware	Upgrades to corporate software, ongoing		\$30,549
Information Technology - Office Software Upgrade	Upgrades to corporate software, ongoing		\$35,257
Software Allocation	Upgrades to corporate software, ongoing		\$74,500
PLANT & FLEET			
Plant and Machinery	Plant and fleet purchases currently awaiting delivery or procurement		\$1,287,060
Fleet/Passenger Vehicles	Plant and fleet purchases currently awaiting delivery or procurement. Delays in delivery due to Covid-19.		\$160,489
Total			\$5,094,987

Table CF3 – Non Capital - to be carried forward:

Project	Comment	Budget	Recommended Carry forward
Eildon Houseboat - Infrastructure - Releasing the Floating City.	Delayed delivery due to issues relating to limited scoping of initial project and clashes with existing service. Limited construction complete and design being finalised	\$750,000	\$563,320
Rubicon Village - Provision of Services	Delays due to slow uptake of solution from community, Design being finalised and most households now support the proposed solution	\$225,000	\$203,527
Total			\$766,847

Council Plan/Strategies/Policies

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

Financial Implications and Risk

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

Conflict of Interest

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

Community and Stakeholder Consultation

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

11.2 YEA SALEYARDS FEE STRUCTURE - AMENDMENT

Purpose

The purpose of this report is to seek Council's adoption of a revised fee for Transit Use for the Yea Saleyards as per the recommendation of the Yea Saleyards Section 86 Committee of Management.

Officer Recommendation

That Council adopt the following amended fee for Transit Use for the Yea Saleyards, as per the Committee of Management recommendation:

1. **adjust the fee for Local Agent Transit Use from \$400 per annum \$600 (incl. GST)**
2. **include a new fee for Non Local Agent Transition Use of \$600 (incl. GST) per annum.**

Background

The Yea Saleyards Committee of Management is delegated by Council under section 86 of the *Local Government Act 1989* to manage the Yea Saleyards.

Section 86 Committees of Management are delegated to manage the finances associated with the operation of delegated Council facilities. Committees of Management operate under Council's ABN, and are essentially collecting and expending 'Council funds'. Section 86 Committees of Management however, are not delegated to set fees and charges. Council must do that on their behalf. The Yea Saleyards Committee of Management is recommending a revised fee for transit use for all livestock agents utilising the Council facility for the 2021 financial year.

Discussion

The Committee of Management, at its August 2020 meeting, discussed the impact that transit use is having on the infrastructure.

The original purpose for transit use and the accessibility of saleyards was to provide a service to livestock carriers and local producers should they have trouble with animals in transit, or serving as a collection point for smaller trucks, picking up from B-Double trucks.

The transit use arrangements presently allow for our local livestock agencies to utilise the yards for a flat fee of \$400 per annum with unlimited throughput. Ad hoc private use and use by agents outside the area is not monitored or captured and therefore not generating any income. The reduction of local livestock agencies from three to two also reduces income for the saleyard operations.

More recently the yards has seen increasing numbers of cattle being sold via online services due to COVID-19 restrictions, as well as issues with seasonal access to rural properties by B-Double trucks and the use of the yards by external livestock agencies free of charge. Increased volumes of transit cattle throughput has resulted in a higher level of yard surface and yard infrastructure maintenance.

The Committee of Management recommend that all livestock agencies that utilise the yards be charged \$600 (incl. GST) per annum for unlimited throughput and that ad hoc private use of the yards remain unchanged at \$1.20 per head (incl. GST).

The Committee of Management has included in its capital works program this financial year to increase security measures at the Yea Saleyards which will accurately capture use of the yards in between sales when the yards are not occupied.

The following table shows the current transit fee and then the proposed transit fee going forward:

Fee	Unit	2019/2020 (incl. GST)	Proposed Fee 2021 (incl. GST)
Yea Saleyard - Non Sale Day Fee (Private) *	per head	\$ 1.20	\$ 1.20
Yea Saleyard - Non Sale Day Fee (Local Agent)	per annum unlimited throughput use	\$ 400	\$ 600
Yea Saleyard – Non Sale Day Fee (Non Local Agent)	per annum unlimited throughput use	\$0	\$600

* no change

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* 'Our Promise' strategic objective "we will all work in collaboration with our communities to deliver the best possible outcomes in all that we do" and to "maintain Council's financial sustainability through sound financial and asset management".

Relevant Legislation

The setting of fees and charges cannot be delegated to a Committee of Management under the *Local Government Act 1989*. Council is responsible for adopting all fees and charges associated with the use of the Yea Saleyards.

Financial Implications and Risk

The introduction of a flat fee for all livestock agencies utilising the yards will increase the amount of income raised to offset the increase maintenance costs of the holding pens. With the rollout of the capital works projects, specifically the increased security and livestock traceability systems which will be completed in the latter half of this financial year will provide a more accurate level of fee for service.

Conflict of Interest

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

Community and Stakeholder Consultation

The Yea Saleyards Committee of Management is Council's delegated management body. The Committee's membership represents the community, the Yea Saleyards user groups and the Agents. The Yea Saleyards Committee of Management has discussed and proposed the transit fee structure to Council for consideration.

11.3 QUARTERLY FINANCIAL REPORT TO 30 JUNE 2020

Attachment(s): 4th Quarter Financial Report 2019/20 (Attachment 11.3)

Purpose

This report provides the quarterly financial report for the period ending 30 June 2020. It should be noted that the figures included in the report are the interim, pre-audited results, and may differ from the final annual financial results included in the 2019/20 Annual Report.

Officer Recommendation

That Council receives the Quarterly Financial Report to 30 June 2020 as enclosed in Attachment 11.3.

Background

The Quarterly Financial Report for the period ended 30 June 2020 is presented for consideration by Council, in accordance with the *Local Government Act 1989*.

The report includes the following statements:

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

Discussion

The statements for the fourth quarter to 30 June 2020 are included in Attachment 11.3.

Income Statement (Statement A)

The Income Statement for the period 1 July 2019 to 30 June 2020 (also within the attached report) is presented below:

Income Statement
For the period ended 30th June 2020

NOTE	Original Budget 2019/20 \$	Annual Revised Budget 2019/20 \$	Actual 30/06/2020 \$	Rev. Budget V Actual Variance 30/06/2020 \$	%
Revenue					
Rates & Charges	21,381,684	21,401,886	21,390,611	(11,275)	0%
Special Charge	1	-	27,000	-	(27,000) -100%
Statutory fees and fines	1,082,669	1,020,559	994,001	(26,558)	-3%
User fees	2	2,393,305	1,891,748	1,821,394	(70,354) -4%
Grants - Operating	3	7,992,170	8,247,315	9,177,761	930,446 11%
Grants -Capital	4	2,034,235	2,555,454	2,086,469	(468,985) -18%
Contributions - Cash	5	49,105	169,560	111,459	(58,101) -34%
Contributions - Non Cash	6	400,000	600,000	805,322	205,322 34%
Reimbursements	7	385,062	349,338	265,808	(83,530) -24%
Other revenue	8	1,134,182	963,352	1,246,424	283,072 29%
Total Revenue	36,852,412	37,226,212	37,899,250	673,038	2%
Expenses					
Employee Benefits	15,474,271	15,091,079	14,995,555	(95,524)	-1%
Materials and Services	9	10,550,050	12,676,632	11,708,597	(968,035) -8%
Depreciation and amortisation	10	9,281,520	8,869,011	9,268,086	399,075 4%
Bad and Doubtful Debts	11	-	255	11,207	10,952 4295%
Other Expense	12	313,805	319,805	614,344	294,539 92%
Finance Costs (Interest)	36,809	36,809	37,081	272	1%
Total Expenses	35,656,455	36,993,591	36,634,870	(358,721)	-1%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	13	(33,007)	(327,047)	(1,293,184)	(966,137) 295%
Increase/(Decrease) Landfill Provision	14	-	-	(481,672)	(481,672) -100%
Surplus (deficit) for the period	1,162,950	(94,426)	(510,476)	(416,050)	441%

The \$510,476 operating deficit for the 2019/20 financial year is a \$416,050 unfavourable variance to the annual revised budget.

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

Note	Line item	Variance	Main Contributing Factors
Income			
1	Special Charge	(27,000)	Pendlebury Street project has not proceeded.
2	User fees	(70,345)	\$110,184 less landfill income due to less waste received from commercial sources (45% reduction). Mostly related to less major construction projects in the region. This is partly offset by higher than anticipated saleyard fees \$37,140
3	Grants - Operating	930,446	Working for Victoria grant unbudgeted and higher than budgeted Grants Commission allocation.

Note	Line item	Variance	Main Contributing Factors
4	Grants -Capital	(468,985)	Delay in grant income not being received for the following projects: Fixing Country Roads \$182,331, Kinglake Streetscape \$122,500, Yea E-waste Upgrade \$95,942.
5	Contributions - Cash	(58,101)	\$75,000 contribution from Goulburn Murray Water towards the Floating Cities project was not received as works were not completed. This is partially offset by a contribution for Rubicon Road \$9,185.
6	Contributions - Non Cash	205,322	Infrastructure contributions from developments higher than budgeted. This figure is inherently difficult to budget as Council does not control the number and timing of these contributions.
7	Reimbursements	(83,530)	\$121,649 less in reimbursements for legal costs as debt recovery has been on hold due to COVID-19. (Contra expense savings - refer to note 11). Insurance receipts were \$14,725 higher than anticipated. FOI cost reimbursements were \$10,954 higher than budgeted.
8	Other revenue	283,072	\$208,109 resulting from the recognition of volunteer services in accordance with new Accounting Standards. This amount was unbudgeted. Volunteer services have been recognised in the areas of Library Services, Tourism and Aged and Disability. An additional \$18,316 was received from interest on investments.
	Expenses		
9	Materials and Services	(968,035)	Legal expenses for rate debt recovery down \$121,649 (refer note 7 above). Floating City and Rubicon Waste Water projects, have not progressed as budgeted \$797,048. Note these are not Council assets so are not part of the Capital works figures. \$55,987 savings in utilities.
10	Depreciation and amortisation	399,075	The amortisation (consumption) of landfill airspace was higher than expected. Deprecation on infrastructure assets was up \$186,083, as a percentage this is a small variation. The variation is largely driven by updated valuation data. Deprecation on plant (mostly vehicles) was up \$41,325 due to vehicles being retained and not traded.
11	Bad and Doubtful Debts	10,952	There has been increased activity in the area of community safety enforcement. This has resulted in the number of fines outstanding at year end being higher than previously years. Accounting Standards require a provision based on a % expectation to default, the figure recognises this increased provision.
12	Other Expense	294,539	\$208,109 of the variance is the recognition of the offsetting volunteer services contribution as highlighted in note (8). The recognition of volunteer services under new Accounting Standards is cost neutral, with the corresponding amounts recognised as other revenue and other expenditure. The amount of \$70,442 was incurred as an expense for the waiver of health registrations as part of the COVID-19 relief measures.
13	Net gain/(loss) on disposal of property,	966,137	Income from the sale of plant was down \$490,457 as items have been retained or the changeover delayed. This income will be partly picked up in the 20/21 year when the plant items are disposed. The depreciated value of infrastructure and buildings renewed was greater than expected.
14	Increase/(Decrease) Landfill Provision	(481,672)	An adjustment has been made to increase the liability provision for the rehabilitation of the Alexandra landfill site. It is anticipated that the annual monitoring cost for the site for approximately 30 years will be closer to \$50k per year not the previous estimate of \$30k.

Balance Sheet (Statement B)

The Balance Sheet, Statement B as at 30 June 2020, shows a Cash and Cash Equivalents unfavourable variance of \$15,369,340. This is due to the requirement to recognise cash investments with a maturity date greater than 90 days from 30 June as 'other financial assets'.

The 30 June 2020 balance of other financial assets is \$22,019,500. When reading these two current asset lines together, the total cash position is favourable by \$6,650,042.

Trade and other receivables has a favourable variance of \$1.0 million above budget. This is due to invoices raised in late June for Government grants that will be received in the 2020/21 financial year.

Cash Flow Statement (Statement C)

This statement provides a more holistic picture and reports the important information on Council's cash inflows and outflows. Overall, Council's cash position increased by \$15,394,164. This largely reflects the under expenditure on capital works and a reduction in the about of cash invested in term deposits maturing greater than 90 days from 30 June – both are reflected in the cash flow from investing activities.

Non-Discretionary Cash and Council Reserves (Statement D)

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

Councillor Expenses (GST Exclusive):

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

As detailed in the Councillor Expenses and Support Policy, Council reports quarterly on the Councillor related expenses. The following table details Councillor expenses for the fourth quarter period ending 30 June 2020.

Councillor Expenses for 3 months ended 30 June 2020:

	Allowances	Travel Expenses	Childcare Expenses	Information & Communications Expenses	Conference & Training Expenses	Other Expenses
Cr Ashe	\$3,841.44	\$-	\$-	\$499.40	\$-	\$-
Cr Bisset	\$3,841.44	\$433.95	\$-	\$407.61	\$-	\$-
Cr Bowles	\$3,841.44	\$-	\$-	\$289.90	\$-	\$-
Cr Dunscombe	\$11,476.34	\$-	\$-	\$407.42	\$-	\$4.55
Cr Lording	\$3,841.44	\$1,418.18	\$-	\$619.18	\$-	\$-
Cr McAulay	\$3,841.44	\$1,360.89	\$-	\$496.00	\$-	\$-
Cr Rae	\$3,841.44	\$-	\$-	\$797.16	\$-	\$-

Council Plan/Strategies/Policies

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

Relevant Legislation

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

Financial Implications and Risk

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

Conflict of Interest

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

Community and Stakeholder Consultation

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

11.4 ADOPTION OF PRIORITY ACTION PLAN 2020/21

Attachment(s): *Draft Priority Action Plan 2020/21 (Attachment 11.4)*

Purpose

The purpose of this report is to seek Council's adoption of the Priority Action Plan 2020/21.

Recommendation

That Council adopt the Priority Action Plan 2020/21 as contained in Attachment 11.4.

Background

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

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

This report presents the Priority Action Plan for the 2020/21 financial year for Council's adoption.

Discussion

The format of the Priority Action Plan 2020/21 (Plan) aligns with the structure of the Council Plan 2017-2021, and includes one or more annual actions for each of the strategies in the Council Plan.

Some actions and areas of focus will be fully implemented in the 2020/21 year, others will have a longer timeframe and may be continuing from 2019/20. The focus of activity for the 2020/21 year however is highlighted in the Priority Action Plan.

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

Council Plan/Strategies/Policies

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

Relevant Legislation

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

Financial Implications and Risk

The Priority Action Plan 2020/21 has been prepared in line with the resource commitments contained in the adopted Annual Budget 2020/21.

Conflict of Interest

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

Community and Stakeholder Consultation

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

Subject to Council's endorsement of the Priority Action Plan 2020/21 at this meeting, the Priority Action Plan will be published on Council's website and made available for viewing at Council offices and libraries.

11.5 GOVERNANCE RULES 2020 & GOVERNANCE LOCAL LAW 2, 2020

Attachment(s): *Governance Rules 2020 (Attachment 11.5a)*
 Proposed Governance Local Law 2, 2020 (Attachment 11.5b)

Purpose

The purpose of this report is to seek Council's adoption of the Governance Rules 2020 and the Governance Local Law 2, 2020.

Officer Recommendation**That Council:**

1. Pursuant to section 60 of the *Local Government Act 2020*, adopt the Governance Rules 2020 (Attachment 11.5a)
2. Note that the Governance Rules 2020 will come into effect as of 27 August 2020.
3. In compliance with Section 119(3) of the *Local Government Act 1989* -
 - a) Revokes the current Governance Local Law 2, 2014
 - b) Resolves to make the Governance Local Law 2, 2020 (Attachment 11.5b)
 - c) Note that the Governance Local Law 2, 2020 will come into effect immediately upon the Common Seal being affixed
 - d) Gives notice in the Government Gazette and a public notice that the Governance Local Law 2, 2020 has been adopted
 - e) Forwards a copy to the Minister for Local Government as required under the *Local Government Act 1989*.

Background

The *Local Government Act 2020* (the 2020 Act) was enacted on 6 April 2020. This Act replaces the *Local Government Act 1989* (the 1989 Act). There is however a transition period for many of the legislative requirements, therefore Council is currently operating under both Acts.

Section 60 of the 2020 Act requires each council to adopt Governance Rules for the conduct of council and delegated committee meetings. The Governance Rules are to be adopted by 1 September 2020.

This is a change from the *1989 Act* which requires each council to make a local law governing the conduct of its meetings. Council currently has the Governance Local Law 2, 2014 for this purpose.

Specific requirements of the *2020 Act* include provisions for the adoption, content and application of the Governance Rules. This includes a requirement that a council must comply with its Governance Rules.

The general purpose of Governance Rules is to govern the conduct of council meetings and meetings of delegated committees.

The Governance Rules 2020 replaces the majority of the Governance Local Law 2. The Governance Local Law was revised to only include the use of the Common Seal and penalties associated with the use of the Common Seal and the conduct of meetings.

Council at its 24 June 2020 Ordinary Meeting resolved to place the Governance Rules 2020 and the Governance Local Law 2, 2020 on public exhibition and to seek submissions in accordance with Section 223 of the *Local Government Act 1989*.

Discussion

Both the Governance Rules 2020 and the Governance Local Law 2, 2020 were on public exhibition from 1 July to 31 July 2020 and widely advertised in accordance with section 223 of the *Local Government Act 1989*.

Council at its Special Meeting of 5 August 2020 acknowledged that no public submissions were received during the public exhibition period.

Council at its Ordinary Meeting on 24 June 2020 adopted the Election Period Policy. This Policy has been included as an appendix in the Governance Rules 2020 in accordance with the requirements of the *Local Government Act 2020*.

It is recommended that Council adopt the Governance Rules 2020 in accordance with section 60 of the *Local Government Act 2020*, at this meeting to meet the statutory timeframe of adoption by 1 September 2020. These rules will come into force as of 27 August 2020.

In addition to the adoption of the Governance Rules 2020, it is proposed that Council resolve to revoke the current Governance Local Law 2 and make the Governance Local Law 2, 2020. This Local Law supports the objectives of the Governance Rules 2020 and outlines the use of the Common Seal. The power to make a Local Law remains is provided by the *Local Government Act 1989*.

Council Plan/Strategies/Policies

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

Relevant Legislation

The proposed Governance Rules 2020 are a requirement of the *Local Government Act 2020*. The process for adopting the proposed Governance Local Law 2, 2020 is governed by *Local Government Act 1989*.

Financial Implications and Risk

There are no direct financial implications or risks associated with the proposed consultation process for the two documents.

Conflict of Interest

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

Community and Stakeholder Consultation

The proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 were released for public exhibition and submissions in accordance with Section 223 of the *Local Government Act 1989* for the period 1 July to 30 July 2020. No submissions were received. Council will give notice in the Government Gazette regarding the adoption of the Local Law 2, 2020, pending Council's resolution.

11.6 PRIVACY POLICY REVIEW

Attachment(s): *Privacy Policy (Attachment 11.6)*

Purpose

The purpose of this report is to seek Council's adoption of the revised Privacy Policy.

Officer Recommendation

That Council adopt the revised Privacy Policy as contained in Attachment 11.6.

Background

Council adopted its current Privacy Policy in September 2017, in accordance with the *Privacy and Data Protection Act 2014* and *Health Records Act 2001*. This legislation requires Council to have policy statements and processes to ensure that the Information Privacy Principles contained within the legislation are adhered to.

Discussion

There are 10 Information Privacy Principles that fall under the *Privacy and Data Protection Act 2014*. These principles provide the basis for Council's requirements for the collection and disclosure of personal information, data security, transparency and providing members of the public the opportunity to update their information, or to remain anonymous in some circumstances.

Council must have a statement on how it will meet the requirements of the 10 Principles. This Policy provides these statements. Members of the public have the right to know that their personal information is only being collected for a required purpose and that it will be treated and handled in a manner which is appropriate.

Every Council representative, including councillors, officers and contractors, has a responsibility under this Policy. This Policy outlines our requirements when collecting, holding and using information and, when required, disclosing the information. There are further specific requirements relating to Health Information which are outlined within the Policy.

This Policy identifies the differences between personal information, sensitive information, confidential information and health information. Although predominantly Council must treat all personal information in the same way, there are some extra requirements regarding some of the information categories.

This Policy provides a clear statement that we understand our responsibility to the general public and that we respect every individual's right to ensure their information is handled appropriately.

This scheduled review of the Policy has not resulted in the need for any significant changes, other than to update the Policy to reflect the provisions of the new *Local Government Act 2020*, including reference to the new Governance Rules. The Policy continues to meet all of the above principles.

Council Plan/Strategies/Policies

Reviewing and adopting Council policies supports the *Council Plan 2017-2021* 'Our Promise' strategic objective "we will all work in collaboration with our communities to deliver the best possible outcome in all that we do", by ensuring that our public responsibilities are clear and communicated.

Relevant Legislation

Council has a legislated responsibility under the *Privacy and Data Protection Act 2014* to address the Information Privacy Principles and make the statements available to the public. This Policy achieves this requirement.

Financial Implications and Risk

There are no major financial implications or risks associated with the review of this Policy.

Conflict of Interest

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

Community and Stakeholder Consultation

No community consultation was required in the development of this Policy.

11.7 ESTABLISHING COMMUNITY ASSET COMMITTEES

Purpose

The purpose of this report is to seek Council's endorsement to revoke the current Instruments of Delegation to Committees of Management under Section 86 of the *Local Government Act 1989* and establish a number of Community Asset Committees under section 65 of the *Local Government Act 2020*. These Community Asset Committees will be delegated powers by the Chief Executive Officer.

Officer Recommendation

That Council:

1. **revoke the Instruments of Delegation for the following Section 86 Committees of Management –**
 - a. **Buxton Recreation Reserve Committee of Management**
 - b. **Eildon Alliance Boat Ramp Committee of Management**
 - c. **Eildon Community Resource Centre Committee of Management**
 - d. **Gallipoli Park Precinct Committee of Management**
 - e. **Glenburn Community Centre Committee of Management**
 - f. **Mt Pleasant Reserve Committee of Management**
 - g. **Strath Creek Hall and Reserves Committee of Management**
 - h. **Yea Pioneer Reserve Committee of Management**
 - i. **Yea Saleyards Committee of Management**
 - j. **Yea Showgrounds and Recreation Reserve Committee of Management**
 - k. **Yea Wetlands Committee of Management.**
2. **establish the following Community Asset Committees with the corresponding composition:**

Community Asset Committee	Membership
Gallipoli Park Precinct Community Asset Committee	One Marysville Primary School Representative One Marysville Football Netball Club Representative One Marysville Cricket Club Representative Four Community Representatives
Glenburn Community Centre Community Asset Committee	Five Community Representatives
Yea Saleyards Community Asset Committee	Two Community Representatives One Livestock Transport Representative

	Three District Farming Representatives Two Yea Livestock Representatives
Yea Showgrounds and Recreation Reserve Community Asset Committee	One Yea Football Netball Representative One Yea Tennis Club Representative One Yea Cricket Club Representative One Yea Show Committee Representative Three Community Representatives
Yea Wetlands Community Asset Committee	Nine Community Representatives

3. **delegate the Chief Executive Officer to appoint members to each of the Community Asset Committees.**
4. **note that –**
 - a. **the Community Asset Committees will retain the existing Committee of Managements' account balances to continue supporting the operation of the facilities**
 - b. **the Mt Pleasant Reserve Committee of Management, Eildon Alliance Boat Ramp Committee of Management and the Eildon Community Resource Centre Committee of Management Bank Accounts are to be closed and the balance returned to Council for the ongoing operation of the facilities**
 - c. **the Yea Pioneer Reserve Committee of Management bank account is to be closed and the balance to be gifted to the Yea Community House Inc. to support the ongoing operation of the facility**
 - d. **the Strath Creek Hall and Reserves Committee of Management bank account is to be closed and the balance gifted to the Strath Creek Progress Association Inc. to support the ongoing operation of the facility**
 - e. **Cr Rebecca Bowles will remain as a Councillor Representative (non-voting) on the Yea Saleyards Community Asset Committee**
 - f. **the effectiveness of each Community Asset Committee structure will be reviewed within 12 months of establishment.**

Background

Council currently has 11 Committees of Management established under section 86 of The *Local Government Act 1989* delegated to manage, promote and operate facilities on Council's behalf.

As part of the implementation of the *Local Government Act 2020*, section 86 of the former Local Government Act 1989 is to be repealed effective 1 September 2020. Therefore the Section 86 Committees of Management which have been delegated powers under the former *Act* cease to exist in the current format. Under section 65 of the *Local Government Act 2020*, Council may establish CEO delegated Community Asset Committees, which aligns with operation of the current Committees of Management.

Council's Governance and Risk Department has been working with the existing Committees of Management to establish the best way forward for each Committee and through this process some Committees have identified other governance models as the preferred way forward.

Discussion

The general purpose of Community Asset Committees is to enable the community to operate facilities, such as halls and reserves, on Council's behalf. Council remains ultimately responsible for the facilities including the ongoing asset management, operational maintenance and risk management oversight. Community Asset Committees provide the community with the opportunity to operate a facility in the best interests of the community and to engage with Council regarding the facility's future uses and development. The Community Asset Committee is best aligned to replace the Section 86 Committees of Management that Council has in place.

Under section 65 of the *Local Government Act 2020* the CEO delegates powers to the Community Asset Committees, Council's role is to establish the committees and appoint the membership.

It is proposed that Council establish the membership composition and any inclusion of user group representatives and delegate the appointment of the individual members to the CEO. Whilst many members of the current Committees of Management have indicated a willingness to continue, Council will need to advertise vacant membership positions therefore it is a more practical approach for the CEO to appoint the membership based on the Committees recommendation.

The following Community Asset Committees (including composition) are proposed:

Community Asset Committee	Composition
Gallipoli Park Precinct Community Asset Committee	One Marysville Primary School Representative One Marysville Football Netball Club Representative One Marysville Cricket Club Representative Four Community Representatives
Glenburn Community Centre Community Asset Committee	Five Community Representatives
Yea Saleyards Community Asset Committee	Two Community Representatives One Livestock Transport Representative Three District Farming Representatives Two Yea Livestock Representatives
Yea Showgrounds and Recreation Reserve Community Asset Committee	One Yea Football Netball Representative One Yea Tennis Club Representative One Yea Cricket Club Representative One Yea Show Committee Representative Three Community Representatives
Yea Wetlands Community Asset Committee	Nine Community Representatives

User Group Representatives are nominated directly by the individual organisations, it is the decision of the organisation if they choose to appoint a proxy representative in addition to the user group representative.

The bank accounts and current balances held by Section 86 Committees of Management will transition to the Community Asset Committees to continue to support the ongoing operation of the facilities.

Following engagement with the existing Section 86 Committees of Management some of the Committees identified preferred alternative options to the Community Asset Committee structure. Three Committees of Management have opted to explore management agreements with existing community groups and three Committees are being proposed for closure.

The following is a summary of the proposed changes:

Section 86 Committee of Management	Proposed structure
Buxton Recreation Reserve	Revoke the Instrument of Delegation to the Committee of Management with the intention of exploring a management / advisory agreement with the Buxton Progress Association.
Yea Pioneer Reserve	Revoke the Instrument of Delegation to the Committee of Management with the intention of Leasing the facility to the Yea Community House for direct management.
Strath Creek Reserves & Hall	Revoke the Instrument of Delegation to the Committee of Management with the intention of leasing the facility to the Strath Creek Progress Association Inc.

Eildon Alliance Boat Ramp	Revoke the Instrument of Delegation to the Committee of Management and the management responsibility of the facility returns to Council.
Eildon Community Resource Centre	Revoke the Instrument of Delegation to the Committee of Management and the management responsibility of the facility returns to Council.
Mt Pleasant Reserve	Revoke the Instrument of Delegation to the Committee of Management and the management responsibility of the facility returns to Council.

For the Committees of Management for the Buxton Recreation Reserve, Yea Pioneer Reserve and the Strath Creek Reserves and Hall, it is proposed that Council revoke the Instruments of Delegation, require the closure of the Committee of Management Bank Account and the account balance to be returned to Council. Upon agreements being formalised as indicated in the table above Council will transfer the respective funds to the relevant Association.

The Mt Pleasant Reserve Committee of Management's financials are already directly managed by Council and therefore no further action is required. The Eildon Alliance Boat Ramp Committee of Management and the Eildon Community Resource Centre Committee of Management accounts will be required to be closed and the remaining funds will be utilised by Council for the ongoing operation of these facilities.

Following a resolution of Council to establish the Community Asset Committees the Chief Executive Officer will sign the Instruments of Delegation to each of the Community Asset Committee. These Instruments of Delegation set out the responsibilities to be undertaken on Council's behalf and the reporting requirements. Community Asset Committees will still be required to meet quarterly, and submit agendas, minutes, financial reports, annual reports etc. The Community Asset Committees will still be required to report all maintenance issues, risk issues and to manage the general operation of the facility. This is in addition to the management of bookings, ensuring users have adequate insurance, managing the collection of booking fees and payment of utility bills. Community Asset Committees will be supported by Council Officers in meeting all of the above requirements.

Council Plan/Strategies/Policies

Supporting Committees of Management to operate and manage facilities on Council's behalf supports the *Council Plan 2017-2021* 'Our Promise' strategic objective "we will all work in collaboration with our communities to deliver the best possible outcome in all that we do".

Relevant Legislation

The introduction of Community Asset Committees is in accordance with the *Local Government Act 2020*. Council is required to revoke all Section 86 Committees of Management and provide for alternative governance models, such as Community Asset Committees prior to 1 September 2020.

Financial Implications and Risk

Council currently delegates Committees of Management to open a bank account under Council's ABN, to collect income and to expend funds to support the operation of the facility. The funds collected and expended are in reality Council's funds. What this means is that when a Committee of Management is revoked the remaining funds must be returned to Council. This is also the ongoing arrangement for the Community Asset Committees under the CEO delegation.

Committees are only delegated to enter into financial transactions (income or expenditure) of up to \$5,000. This will remain in the majority of Instruments of Delegation to Community Asset Committees. Anything over this amount can be made as a request and it will be assessed by the relevant officer or Council dependent on the amount (financial delegations).

Conflict of Interest

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

Community and Stakeholder Consultation

Council officers and Councillors have discussed the changes with each Committee of Management and the ongoing approach is supported by the members.

11.8 INSTRUMENT OF APPOINTMENT AND AUTHORISATION

Attachment(s): *S11A. Instrument of Appointment & Authorisation (Planning and Environment Act 1987) (Attachment 11.8)*

Purpose

The purpose of this report is to seek Council's adoption of the revised Instrument of Appointment and Authorisation of staff and others under the prescribed legislation.

Officer Recommendation

In the exercise of the powers conferred by Section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached 'Instrument of Appointment and Authorisation' (Instrument) (Attachment 11.8), Council resolves that:

- 1. the members of Council staff referred to in the Instrument (S11A) be appointed and authorised as set out in the Instrument**
- 2. the Instrument comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it**
- 3. on the coming into force of the Instrument all previous authorisations to members of Council staff (other than the Chief Executive Officer) are revoked**
- 4. the instrument be sealed.**

Background

Council is a legal entity comprised of its members (the seven Councillors). Its decision making power exists only as a group through resolution, not as single Councillors. Most decisions are not required to be made at a Council level therefore the Council must entrust some of the decision making power to others. One form of entrusting this power is through Authorising Officers under the *Planning and Environment Act 1987*.

The *Local Government Act 2020* is currently being implemented and many sections of the former *Local Government Act 1989* are repealed. Section 224 of the *Local Government Act 1989* has not been repealed therefore Council retains its power to Authorise Officers under the *Local Government Act 1989* for the purposes of enforcement of the *Planning and Environment Act 1987*.

Discussion

Instruments of Appointment and Authorisations allow Council to authorise or appoint a person to a particular statutory position. Under the *Planning and Environment Act 1987* an employee of Council can only be authorised by Council, this is done through the following:

- S11A. Instrument of Appointment & Authorisation (*Planning and Environment Act 1987*) (Attachment 11.8)

Council adopted a revised version of the S11A. Instrument of Appointment & Authorisation at its 22 July 2020 Ordinary Meeting, since that meeting Council has employed a qualified arborist. Part of the arborist role is to provide advice to the Council planning processes.

The proposed Instrument reflects this staffing change.

Council Plan/Strategies/Policies

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

Relevant Legislation

The *Local Government Act 1989* section 224 provides for Council to authorise officers to undertake delegated powers. The instruments cover various pieces of legislation and Council's responsibilities.

Financial Implications and Risk

Effective and efficient functioning of Local Government would not be possible without formal delegations to Council officers.

Conflict of Interest

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

Community and Stakeholder Consultation

No external consultation is required in the preparation of Delegations and Authorisations.

11.9 AUDIT AND RISK COMMITTEE ANNUAL REPORT

Attachment(s): *Audit and Risk Advisory Committee Annual Report 2019-2020 (Attachment 11.9)*

Purpose

The purpose of this report is to present the Audit and Risk Advisory Committee Annual Report for 2019/20.

Officer Recommendation

That Council receives and notes the Audit and Risk Advisory Committee Annual Report 2019/20 as contained in Attachment 11.9.

Background

This report represents the last action of the former Audit and Risk Advisory Committee established under the former *Local Government Act 1989*.

Discussion

It is a requirement under the Charter of the former Committee that the Chair presents the Annual Report to Council in person. Mr Claude Baxter, former Chair of the Committee, presented the report to Council at a briefing in August 2020. The Charter also requires that the report be tabled at the next Ordinary Meeting of Council for formal receipt and noting.

Council Plan/Strategies/Policies

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

Relevant Legislation

The Annual Report refers to the activities of the Audit and Risk Advisory Committee which was established under the former *Local Government Act 1989*.

Financial Implications and Risk

There are no financial implications in relation to this report. The Committee is tasked with the responsibility to advise Council with respect to the effectiveness of Council's risk management framework.

Conflict of Interest

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

Community and Stakeholder Consultation

Community consultation was not required in relation to this report.

12. NOTICES OF MOTIONS**13. MATTERS DEFERRED FROM PREVIOUS MEETING****14. URGENT BUSINESS****15. COUNCILLOR REPORTS**

15.1 CR SANDICE MCAULAY

15.2 CR JACKIE ASHE

15.3 CR ERIC LORDING

15.4 CR CHARLOTTE BISSET

15.5 CR REBECCA BOWLES

15.6 CR MARGARET RAE

15.7 CR LEIGH DUNSCOMBE – MAYORAL REPORT

16. CHIEF EXECUTIVE OFFICER REPORT**17. ASSEMBLIES OF COUNCILLORS****Purpose**

This report presents the records of assemblies of Councillors for 22 July 2020 to 19 August 2020, for Council to note in accordance with Section 80A of the *Local Government Act 1989* (the Act).

Officer Recommendation

That Council receives and notes the record of assemblies of Councillors for 20 July 2020 to 21 August 2020.

Background

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

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

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

Discussion

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

The following summary details are for 22 July 2020 to 21 August 2020:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	22 July 2020 – via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. 969 Goulburn Valley Highway Thornton 2. Ordinary and Special Meeting Schedule Changes 3. Delegations and Authorisations 4. Adoptions of the Audit & Risk Committee 5. Establishment of the Audit and Risk Committee 6. Councillor Expenses Policy 7. Tender Report – Fuel Purchasing 8. Tender CONT19/27 – Supply and Delivery of Tip Truck
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, C Gartland, K Girvan, N Stewart
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Briefing Session			
Meeting Date:	5 August 2020 – via Videoconference			
Matters Discussed:	<ol style="list-style-type: none"> 1. Audit and Risk Advisory Committee Annual Report 2019/20 2. Staff Satisfaction Survey 3. Business & Recovery Team introduction 4. Draft Eildon Reserve Precinct Improvement Plan (including community consultation feedback) 5. Marysville Caravan & Holiday Park Lease 6. Alexandra P&A Society Lease 			
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Mahoney, L Grasso, E Pritchard, C Marescia, R Hallewas, S Southam, N McNamara, S Collier			
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
6	Cr C Bisset	No	Yes	Before

Meeting Name/Type	Briefing Session			
Meeting Date:	12 August 2020 – via Videoconference			
Matters Discussed:	<ol style="list-style-type: none"> 1. Annual Priority Action Plan 2020/21 2. Privacy Policy Review 3. CONFIDENTIAL – Rates debtors – S181 update 4. Draft Kinglake Memorial Reserve Masterplan (including community consultation) 5. Josephine Cutting Site Restoration Works 			
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, G Haylock, N McNamara, S Collier			
Conflict of Interest Disclosures: Nil				

Meeting Name/Type	Workshop Session			
Meeting Date:	19 August 2020 – via Videoconference			

Matters Discussed:	<ol style="list-style-type: none"> 1. Supt Matthew Ryan – COVID-19 Police Enforcement 2. Draft Murrindindi Shire COVID-19 Business Recovery Plan 3. Draft COVID-19 Community Recovery Plan 4. Community Asset Committee Transition 5. End of Year Report – Capital Works Program 2019/20 6. Yea Saleyards Fee Structure – Amendment 7. 2020/97 – 265 Whittlesea-Yea Road, KINGLAKE – Proposed Cemetery 8. 86 Moores Road, Flowerdale – Group Accommodation 9. Thornton Primary School – Use of Land for the Purpose of a Café 10. Domestic Wastewater Management Plan 			
Councillor Attendees:	Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, M Thomas, N McNamara, C Lintott, M Schreuder, N Stewart, C Gartland, I Coller			
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
4	Cr R Bowles	No	Yes	Before

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* 'Our Promise' strategy to "expand our communication".

Relevant Legislation

For full details of Council's requirement for assemblies of Councillors, refer to Section 80A of the *Local Government Act 1989*.

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

Any conflicts of interest are noted in the assembly of Councillors tables listed above.

18. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT19/13	17 July 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Detail 9 Architects Pty Ltd for Architectural Services	Craig Lloyd Cr Leigh Dunscombe
SF/123	22 July 2020	S5 Instrument of Delegation – Council to the Chief Executive Officer	Cr Leigh Dunscombe Cr Sandice McAulay
SF/123	22 July 2020	S6 Instrument of Delegation – Council to Members of Council Staff	Craig Lloyd Cr Leigh Dunscombe
SF/123	22 July 2020	S11A – Instrument of Appointment & Authorisation (<i>Planning and Environment Act 1987</i>)	Craig Lloyd Cr Leigh Dunscombe

Officer Recommendation

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

19. CONFIDENTIAL ITEMS

The Local Government Act 2020 section 66(2)(a) allows Council to resolve to close a meeting to the public to consider confidential information. This is defined under section 3 of the *Local Government Act* this includes information that was confidential information for the purposes of section 77 of the **Local Government Act 1989**.

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

The report on the Rates Debt – Section 181 is being considered in the closed part of this meeting because it is considered confidential under section 89 of *the Local Government Act 1989* as it relates to the personal hardship of any resident or ratepayer.

The report on the Variation – Contract 20/1 – Back Eildon Road, Thornton – Route Improvement is being considered in the closed part of this meeting because it is considered confidential under section 3 of *the Local Government Act 2020* as it relates to the private commercial information.

Recommendation

That Council, in accordance with the *Local Government Act 2020* section 66(2)(a), resolve to close the meeting to the members of the public to consider:

- **Rates Debt – Section 181**
- **Variation – Contract 20/1 – Back Eildon Road, Thornton – Route Improvement**