



MINUTES
of the
SCHEDULED MEETING OF COUNCIL
WEDNESDAY 21 OCTOBER 2020
at
Murrindindi Shire Council
Zoom
Virtual Meeting
Videoconference
6:00 pm

This Scheduled Meeting of Council was conducted virtually
(as per *COVID-19 Omnibus (Emergency Measures) Act 2020*,
passed by Victorian Parliament on 23 April 2020)

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

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1 PLEDGE AND RECONCILIATION STATEMENT

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

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

We would like to acknowledge the traditional owners of the Taungurung Nation, and pay our respect to their Elders past and present, and its emerging and future leaders.”

2 APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE

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

Present:

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

In attendance:

Acting Chief Executive Officer: Michael Chesworth

Acting Director Corporate and Shared Services: Marilyn Kearney

Director Community Engagement: Shivaun Brown

Director Assets and Development: Vito Albicini

Manager Governance and Risk: Tara Carter

Manager Development Services: Natalie Stewart

Complex Case Manager: Karen Girvan

Senior Planner: Clara Gartland

3 COMMUNITY RECOGNITION

4 DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

Nil.

5 CONFIRMATION OF MINUTES

5.1 Minutes of the Scheduled Meeting of Council held on 16 September 2020.

Officer Recommendation

That the minutes of the Scheduled Meeting of Council held on 16 September 2020 be confirmed.

RESOLUTION

Cr E Lording / Cr J Ashe

That the minutes of the Scheduled Meeting of Council held on 16 September 2020 be confirmed.

CARRIED UNANIMOUSLY

5.2 Minutes of the Confidential Meeting of Council held on 16 September 2020.

Officer Recommendation

That the minutes of the Confidential Meeting of Council held on 16 September 2020 be confirmed.

RESOLUTION

Cr M Rae / Cr R Bowles

That the minutes of the Confidential Meeting of Council held on 16 September 2020 be confirmed.

CARRIED UNANIMOUSLY

6 PETITIONS

There were not petitions to be tabled at this meeting.

The Chairperson declared Public Participation time.

7 PUBLIC PARTICIPATION

7.1 Open Forum

Johnny Wong spoke against the use and development of the land for the purpose of six (6) dwellings - 102 Falls Road, Marysville item 8.1 on the agenda.

Peter Barry spoke against the use and development of the land for the purpose of six (6) dwellings - 102 Falls Road, Marysville item 8.1 on the agenda.

Michael Chesworth, Acting CEO read a submission on behalf of Stuart Shaw against the use and development of the land for the purpose of six (6) dwellings - 102 Falls Road, Marysville item 8.1 on the agenda.

Kue (Jackson) Lai spoke in support of the use and development of the land for the purpose of six (6) dwellings - 102 Falls Road, Marysville item 8.1 on the agenda.

7.2 Questions of Council

Nil.

8 OUR PLACE

8.1 Use and Development of the Land for the Purpose of Six (6) Dwellings - 102 Falls Road, Marysville

Attachment(s):

1. 102 Falls Road Marysville - Attachments [8.1.1 - 9 pages]
2. CONFIDENTIAL - 102 Falls Road Marysville - Submissions [8.1.2 - 17 pages]

Land: 102 Falls Road Marysville
Proposal: Use and development of land for the purpose of six (6) dwellings
Applicant: M Serapiglia
Zoning: General residential Zone
Overlays: Bushfire Management Overlay Schedule 2
Vegetation Protection Overlay Schedule 1

Locality Plan



Figure 1 – subject site highlighted in red.

Purpose

This report recommends that a notice of decision to grant a planning permit be issued for the use and development of land for the purpose of six (6) dwellings at 102 Falls Road Marysville. The application is being reported to Council because six objections have been received to the proposal.

Officer Recommendation

That Council issue a notice of decision to grant a planning permit for the use and development of land for the purpose of six (6) dwellings at 102 Falls Road Marysville (Lot 1 on TP135028), subject to the following conditions:

1. Prior to the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be in accordance with the plans submitted with the application but modified to show:
 - i. Before the *development* hereby permitted commences, a landscape plan prepared by a suitably qualified (*or experienced*) landscape designer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The landscaping plan must be generally in accordance with the landscape concept plan lodged with the application. The plan must show:
 - a. A survey of all existing vegetation and natural features;
 - b. The area or areas set aside for landscaping;
 - c. A schedule of all proposed trees, shrubs/small trees and ground cover taking into account the Firewise plant selection tool available on the CFA website for gardens in a high bushfire risk area;
 - d. The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - e. Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;

- f. Appropriate irrigation systems;
 - ii. Removal of waste collection area from plan
2. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans shall not be altered or modified without the consent in writing of the Responsible Authority.
3. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
4. Prior to the commencement of use, all planting in accordance with the landscape plan required under condition 1 must be completed unless with the prior written consent of the Responsible Authority.
5. Prior to commencement of the development a suitable prepared engineering plan detailing the proposed driveway, earthworks and drainage, including erosion and sediment control measures must be submitted to the Responsible Authority and receive its endorsement
6. Prior to the commencement of any use of the units, the developer must construct the access in accordance with approved construction drawings
7. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the relevant authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties
8. The approved works must not cut off natural drainage to adjacent properties
9. Prior to the approval of any building construction plans, a stormwater management plan including arrangements for Onsite stormwater detention measures must be forwarded to and approved by the Responsible Authority. The plan must be in accordance with Council's Infrastructure Design Manual Section 16 – URBAN DRAINAGE and Section 19 - ON SITE DETENTION SYSTEMS. All new units must be connected to the Councils underground drainage system.
10. The vehicular crossing must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the responsible authority and any existing crossing or crossing opening must be removed and replaced with nature strip to the satisfaction of the responsible authority. Construction of new vehicular crossing(s) must comply with the IDM guidelines as given below:
 - a. SD 240 of IDM for Residential Single Vehicle Crossing for Unit 1
 - b. Existing gravel crossover next to unit shall be removed
 - c. SD 250 of IDM for Residential Double Vehicle Crossing for Units 2 to 6.
11. This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.

12. Road frontage for the length of this property must be constructed with kerb and channel section;
13. Existing open table drain shall be replaced with underground stormwater pipe approved by the Responsible Authority.

Country Fire Authority (CFA)

Bushfire Management Plan endorsed

14. The Bushfire Management Plan – 102 Falls Road, Marysville (prepared by BAL Assessments, version 4, dated 17/09/2020) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Mandatory condition to Clause 44.06-5 – Building and works

15. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Hydrants

16. An operable hydrant, above or below ground, must be provided to the satisfaction of CFA.
17. The maximum distance between this hydrant and the rear of all building envelopes (or in the absence of building envelopes, the rear of all lots) must be 120m. This distance must be measured around lot boundaries other than those that abut used roads or the common property access.
18. The hydrant must be maintained by the owner's corporation in accordance with Australian Standard AS1851-2012 "Routine service of fire protection systems and equipment".
19. The hydrant must be identified with a marker post and a road reflector to the satisfaction of the Country Fire Authority.

Goulburn Valley Water (the Corporation)

20. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
21. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;
22. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
23. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
24. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;

Notations:

1. CFA - Requirements for identification of hydrants are specified in "Identification of Street Hydrants for Firefighting Purposes" is available under publications on the CFA web site (www.cfa.vic.gov.au)
2. Goulburn Valley Water - Should the applicant wish to subdivide each tenement onto separate titles in the future, provision of appropriate servicing arrangements to facilitate a future subdivision proposal should be investigated as part of this development

3. An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004* and associated regulations
4. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Background

Land and surroundings

The subject land is located to the south-east of the Marysville township. The land is located on the southern side of Falls Road, approximately 50 metres west of the intersection with Hill Avenue. The land is rectangular in shape with a northern property boundary and frontage with Falls Road of 39.78 metres in length, a matching 39.78 metre southern property boundary, and eastern and western property boundaries of 79.46 metres in length. The total area of the land is approximately 3200 square metres.

The land is described as 'Lot 1 on Title Plan 135028L, Vol 09718 Folio 774'. The site has a 1.56 metre wide drainage easement along the Western property boundary, and is not affected by any covenants, encumbrances or agreements.

The subject land and broader area were impacted by the 2009 bushfires. Dwellings have been approved and are being re-built within the vicinity of the subject land. The subject land remains one of the largest undeveloped residential lots in Marysville's south-east.

Proposal

A planning application was lodged on 7 October 2019 seeking the use and development of the land for six (6) dwellings.

The units contain either 3 or 4 bedrooms, have a tiled roof, with mostly rendered and some stack stone finish feature walls. The proposed colours are muted tones.

	Unit Area	Bedrooms	Private Open Space
Unit 1	533.78	4	89.12
Unit 2	538.80	4	89.12
Unit 3	381.67	3	146.47
Unit 4	441.25	3	215.79
Unit 5	441.25	3	215.79
Unit 6	381.67	3	146.67

Further information provided by the applicant included a Bushfire Management Plan, a materials and colours schedule, a concept planting plan, and details of fencing. Fencing is proposed to be a 2m high wire fence with planting as part of the landscape plan.

Council officers also raised a number of concerns with the original application. Issues included:

1. An excessive number of vehicle crossovers
2. The number of garages directly accessing Falls Road
3. The minimal separation between dwellings, which it was suggested should be improved to provide setbacks of a minimum of at least 3 to 4 metres between dwellings
4. The rear setback should be increased to a minimum of at least 3 metres in width
5. Units 2, 3 and 4 should be re-orientated/re-designed for better solar access to living areas
6. Excessive turning Bay areas, driveways and hard areas should be reduced and minimised
7. Articulation should be improved along the side elevations of Units 3 and 4 to improve visual amenity when viewed from neighbouring properties

8. More detailing or other features should be provided within the front setback to increase visual amenity.

Amended plans were later formally submitted to Council under Section 57a of the Planning and Environment Act on 31 August 2020 (note – the date shown on these plans remains 29.7.2019 Rev B). The amended plans were submitted to address issues raised by Council and through objections received. Key changes included:

- Removal of two of the three vehicle crossovers so as to rely on a single driveway access to the property and all proposed dwellings
- Revised the floor plan, elevations to show each unit with additional separation between dwellings
- Reduced building areas
- Updated Landscape Plan to provide more opportunity for landscaping and the provision of canopy trees throughout the site
- Removal of roofed alfresco areas replaced with simple decks
- Increased garden area for each dwelling, exceeding the minimum garden area requirements.

Notice of the amended plans was provided to objectors and referral authorities on 7 September 2020.

Community and Stakeholder Consultation

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

- letters to adjoining and nearby property owners
- notice of the application was displayed on the subject land

Five submissions were received to the initial application. A further two submissions were received from existing objectors following amended plans being advertised. Issues raised in submissions can be summarised as follows:

- design should better fit with character of the surrounding area
- inappropriate density of development and precedent for the area
- larger lots with more green/open space should be provided
- use of Falls Road for on-street parking and lack of more visitor parking
- lack of separation between units
- lack of bin enclosure capacity for the new 4 bin system being introduced
- concern dwellings will all be used as holiday homes (i.e. Airbnb, etc.)
- impact upon property values
- impact upon tourism and aesthetics for visitors to Steavenson Falls
- inappropriate to allow development without a footpath for pedestrians to the Falls
- request for a 2metre high front fence to conceal the façade.

Consideration of Objections Received

Council Officers response to the objections is summarised below:

Design should better fit with character of the surrounding area:

- The preservation and enhancement of Marysville's distinct township character is important to local residents and visitors alike. Falls Road was significantly impacted by the 2009 bushfires. As Falls Road and the broader Marysville township continue to be rebuilt, appropriate planning and design is required

- It is recognised that care needs to be taken in balancing Marysville's previous and desired future character
- The design comprises detached single storey dwellings with pitched roofing, with relatively dense landscape plantings. This approach aligns well with the treed character of the town, with units 1 and 2 appropriately facing the street frontage
- Changes proposed by the applicant in plans in August 2020 further assist in improving consistency between the proposed development and the character of the surrounding area. A reduction in crossovers and driveways from 3 to 1, reduction in dwelling sizes, greater separation between dwellings, materiality of building facades all assist in addressing issues raised by objectors.

Inappropriate density of development and precedent for the area:

- The density of development in comparison to other developments has been a core concern raised by objections.
- The table below summarises the lot density of the proposal and nearby developments:

Address	Lot Size	No of Units	Unit size
<i>This proposal</i>	<i>3,161 sqm</i>	<i>6 units</i>	<i>526 sqm per unit</i>
92 Falls Road	3,360 sqm	4 units	840 sqm per unit
120 Falls Road	4,200 sqm	5 units	840 sqm per unit
38 Falls Road	3,288 sqm	6 units	548 sqm per unit

- The proposal achieves a lot density of 526sqm per dwelling which is a modest increase on an average lot density of 598 sqm per unit in Falls Road. The proposal is not the highest density development in Falls Road nor the broader Marysville area
- The proposal provides good sized lots with access to town services and amenities. In a broader context, a medium density development which achieves a density of 526sqm per lot would be considered appropriate
- The proposal is located on a large lot of 3,161sqm. Few zoned, undeveloped sites of this size exist within Marysville that do not have constraints related to vegetation and bushfire. It is not considered that the proposal sets a precedent, as identified in objections. Any future development in Marysville would be assessed on its merits.

Larger lots with more green/open space should be provided:

- Changes made through the course of the application have resulted in additional garden area within the proposed development
- All proposed dwellings are fully detached with no walls on side boundaries. Dwellings are setback generally between 3m to 4m from side and rear boundaries so as to provide for opportunities for landscaping between the proposed development and property boundaries
- Each dwelling exceeds the Rescode private open space area of 40 sqm
- The total garden area is 41.61% of the site which exceeds the requirement
- It is considered that changes made to the proposal are appropriate having regard to lot size, open/green space.

Use of Falls Road for on-street parking and lack of more visitor parking:

Pursuant to Clause 52.06 Car Parking of the Murrindindi Planning Scheme, 2 car spaces are required for a dwelling with three or more bedrooms and at least 1 of these is required to be undercover. Additionally, a multiunit development requires 1 visitor car space for every 5 units. The proposal includes two visitor car spaces on the site in addition to the double garage provided to each dwelling. This adequately satisfies the planning scheme requirements for the provision of on-site parking for the development.

Lack of separation between units:

- This is a key issue raised by objectors and through the officer assessment
- Council Officers raised concerns with the initial plans with buildings being separated by a narrow 1 metre wide gap
- Through the course of the application, it became evident that dwellings were quite large and could be suitably altered to provide adequate separation with some modest changes
- Amended plans provide a superior layout with Units 5 and 6 mirroring Units 3 and 4 which have a higher degree of separation between the units, consistent with the neighbourhood character of the area
- Walled and covered alfresco areas have also been deleted from the plans and replaced with decking
- A minimum 4 metre separation between dwellings also provides opportunities for landscaping and useable open space
- Officers consider changes made positively respond to submissions received.

Lack of bin enclosure capacity for the new 4 bin system being introduced

- A waste collection area is shown at the front of the property, this will be removed and bins will be kept within each unit area with bins being placed on the nature strip for collection.

Concerns dwellings will all be used as holiday homes (i.e. Airbnb, etc.)

- There is no reason to assume these dwellings would be used as holiday accommodation any more than any other dwellings. In isolation, this is not a valid planning ground on which to refuse the proposal.

Impact upon property values:

- Impacts upon property values are not a valid planning consideration
- Planning applications are required to be assessed on the basis of various other matters, including consistency with relevant planning policy, response to site constraints, design, and impacts on amenity.

Impact upon tourism and aesthetics for visitors to Steavenson Falls:

- It is recognised that the proposal is located in a tourist town on an approach route to Steavenson Falls
- A number of dwellings (including unit development) have been approved on Falls Road. It is not considered that multi-unit development hinders tourism and aesthetics, if appropriately designed
- The proposal has been designed so as to comply with relevant planning requirements and has been improved through the course of the application to provide a better design response
- The subject land is zoned for residential purposes. The proposal provides for a residential use consistent with the purpose of the zone. The proposal would be considered differently if located outside of the Marysville township
- There is no discernible impact upon tourist movements to, and appreciation of, the Steavenson Falls and Marysville township as a result of the proposal.

Inappropriate to allow development without a footpath for pedestrians to the Steavenson Falls:

- The subject land is one of a number of properties on Falls Road to be redeveloped following the 2009 bushfires

- The proposal seeks to redevelop a single property for residential purposes. There is no strategic justification or planning grounds to support an off-site development contribution in the manner suggested by the objector. Development contributions of this magnitude are generally only entertained for much larger subdivision projects where a piece of critical infrastructure is required to support the development
- It is considered that the proposed development will have negligible impact on pedestrian volumes within Marysville
- The application was referred internally to Council's Engineering Department. Should a permit be granted, engineering conditions will be included on the permit to ensure that all critical infrastructure required to support the development is provided.

Request for a 2 metre high front fence to conceal the façade

- The objectors request for a 2m high front fence to screen the proposed development is problematic for two reasons:
- Firstly, the site slopes down to the street. No amount of front fencing will screen the proposed development.
- Secondly, a high front fence would conflict with Rescode standards and create an enclosed development with little integration with the street
- A mixture of facade materials and suitable landscape plantings to soften the front façade are proposed. Officers are of the view that this will provide a superior planning and design outcome on the site.

Referral Authority Advice

This application was referred externally to:

- The Country Fire Authority (CFA). The CFA responded with no objection, subject to conditions
- Goulburn Valley Water (GVW). GVW responded with no objection, subject to conditions.

Discussion

The key issues in assessing this proposal for the use and development of 6 dwellings at the subject site are whether the proposal is consistent with the purpose, objectives and decision guidelines of the General Residential Zone and Bushfire Management Overlay as well as the relevant State, Regional and Local planning policies of the Murrindindi Planning Scheme. This includes clause 55 (Rescode) standards for building design which incorporate considerations of neighbourhood character.

State, Regional and Local Planning Policy

The Murrindindi Planning Scheme contains various policies that relate to supporting higher density of development within existing urban areas where appropriate design is adopted to meet the local neighbourhood character.

Clause 02.03 sets out Council's Strategic Direction in relation to housing, which outlines that established townships and settlements offer a significant opportunity to expand and provide living opportunities in locations with infrastructure and leisure facilities, where natural environment is protected and where a high level of community safety is facilitated.

Council seeks to manage the development of its towns by:

- Promoting and facilitate further residential development and housing diversity in established townships to meet the needs of the community, including affordable housing, public housing and aged care accommodation
- Supporting residential growth that is sustainable

- Facilitating the rebuilding of housing and residential diversity in towns and communities affected by natural disasters, including the 2009 bushfires.

The proposal would provide a medium density residential development which achieves the stated policy objectives in a number of ways:

- The proposal would assist in diversifying housing stock within Marysville (and Murrindindi Shire more broadly) through the creation of smaller household types with access to town infrastructure
- The proposal is located on a site inside an established township in a location zoned to support residential development
- The proposal enables the redevelopment of a property that has remained undeveloped since the 2009 bushfires.

Clause 13.02-1S 'Bushfire Planning' applies to land with Bushfire Management Overlays, and has strategies of *'Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire'*. Accordingly, the proposal seeks to locate development within a cleared urban infill site with an established BAL29 rating under Schedule 2 of the Bushfire Management Overlay. The proposal is supported by a Bushfire Management Statement and referral response from the Country Fire Authority (CFA). The CFA's conditions can be applied should a permit be granted.

Clause 15.01S 'Neighbourhood Character' has objectives of contributing to existing or preferred neighbourhood character, and responding to characteristics of the local environment by emphasising features such as the local pattern of development and subdivision, the underlying natural landscape character and significant vegetation, and heritage and built form values that reflect community identity.

The proposal, with the necessary adjustments referred to in this report would provide:

- Fully detached, single-storey dwellings with pitched roofs - all predominant buildings forms found within Marysville
- Suitable front and side setbacks
- Suitable secluded private open space
- The use of materials and finishes suitable to the local context
- Opportunities for landscaping to contribute to Marysville's landscape character.

To ensure that buildings and landscaping are appropriate and contribute positively to Marysville's neighbourhood character, conditions can be placed on the permit (if granted) requiring detailed plans to be provided and endorsed. This will best ensure that Council and the community's strong expectations regarding the delivery of the proposal are met.

Clause 16.01-2S 'Location of residential development' has strategies supporting increasing the proportion of new housing within established urban areas, and identifying opportunities for increased residential densities to help consolidate urban areas.

Clause 16.01-2L 'Residential development in serviced and non-serviced towns' is a policy which applies only to Alexandra, Yea, Eildon and Marysville, with an objective of locating housing in these serviced towns where there are a range of community and physical services.

Strategies include:

- Facilitate residential expansion in established, serviced townships that have potential for further growth, in particular Yea and Alexandra
- Encourage a diversity of housing including higher density housing, retirement villages and residential aged care facilities
- Encourage housing in well serviced areas to maximise infrastructure provision

- Facilitate housing in locations that ensure a high level of community safety, particularly from bushfire.

The proposal would provide for medium density housing within an established, serviced township. The proposal would contribute to the diversity of housing within Marysville and Murrindindi Shire through the creation of smaller households. As referred earlier in this report, the proposal seeks to locate development within a cleared urban infill site with an established BAL29 rating under Schedule 2 to the Bushfire Management Overlay. The proposal is supported by a Bushfire Management Statement and referral response from the Country Fire Authority (CFA).

General Residential Zone (Clause 32.08)

As the subject site is located within the General Residential Zone a planning permit is required for the use and development of the land for six (6) dwellings.

The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework*
- *To encourage development that respects the neighbourhood character of the area*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The proposal would assist in diversifying housing stock within Marysville (and Murrindindi Shire more broadly) through the creation of smaller household types with access to town infrastructure. The General Residential Zone requires that any development of two or more dwellings must meet the requirements of Clause 55 (Rescode). Refer assessment overleaf.

Clause 44.06 Bushfire Management Overlay

A permit is required to construct a building or construct or carry out works associated with an accommodation use. An application is also required to be accompanied by a bushfire planning report including a site and landscape hazard assessment and a bushfire management statement, and is required to be referred to the CFA as a recommending referral authority. Schedule 2 to the Bushfire Management Overlay (BMO) applies to the land and identifies that a dwelling must be constructed to BAL29.

A Bushfire Management Statement identifies compliance with BAL 29. Each unit will be provided with a 2,500-litre water tank with CFA approved fittings. The site is to be wholly accessed from Falls Road which is a sealed road capable of providing access for emergency service vehicles.

The CFA have reviewed the proposal and have offered no objection to the issue of a permit, subject to conditions.

It is considered that the proposal appropriately responds to the threat to life and property from bushfires and is consistent with the BMO.

Clause 55 (Rescode)

The proposal has been assessed against the requirements of Clause 55 (Rescode).

- The proposal complies with the objectives and standards relating to infrastructure and services, onsite and offsite amenity impacts and construction standards comply.
- Minor modifications (through changes to plans made via permit conditions) would deliver compliance with neighbourhood character objectives and standards. These are to provide

visual separation between the dwellings, increased privacy for neighbouring properties, and also address other minor issues such as changes to the bin enclosures.

The proposal also provides an appropriate number of car spaces for the development as well as two visitors' spaces, (one more than required by Clause 52.06 'Car Parking') to ensure that there will be no impact on car parking in the area.

Overall, it is considered that the development complies with the objectives and standards of Rescode and is an acceptable development of the site which will add to the housing options available in Marysville.

Conclusion

Following detailed assessment and changes made to the proposal by the applicant in response to objections, Council officers are satisfied that this application for the proposed use and development of the land for the purpose of six (6) dwellings at 102 Falls Road can be supported and approved. The application has been assessed against relevant State, Regional and Local Planning Policy. Overall, the application demonstrates a high level of compliance with the objectives, purposes and decision guidelines of the Murrindindi Planning Scheme.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Place* strategic objective to

- "we will maintain and enhance places to be attractive and liveable, in balance with our natural environment"
- "through good land use planning enhance the liveability, prosperity and the rural character of our Shire"
- "recognise and embrace the history, culture and identity of our towns and communities"

Relevant Legislation

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

Financial Implications and Risk

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

Conflict of Interest

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

MOTION

Cr J Ashe / Cr R Bowles

That Council issue a notice of decision to grant a planning permit for the use and development of land for the purpose of six (6) dwellings at 102 Falls Road Marysville (Lot 1 on TP135028), subject to the following conditions:

1. **Prior to the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be in accordance with the plans submitted with the application but modified to show:**
 - i. **Before the *development* hereby permitted commences, a landscape plan prepared by a suitably qualified (*or experienced*) landscape designer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this**

permit. The landscaping plan must be generally in accordance with the landscape concept plan lodged with the application. The plan must show:

- a. A survey of all existing vegetation and natural features;
 - b. The area or areas set aside for landscaping;
 - c. A schedule of all proposed trees, shrubs/small trees and ground cover taking into account the Firewise plant selection tool available on the CFA website for gardens in a high bushfire risk area;
 - d. The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - e. Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - f. Appropriate irrigation systems;
 - ii. Removal of waste collection area from plan
2. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plans shall not be altered or modified without the consent in writing of the Responsible Authority.
 3. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
 4. Prior to the commencement of use, all planting in accordance with the landscape plan required under condition 1 must be completed unless with the prior written consent of the Responsible Authority.
 5. Prior to commencement of the development a suitable prepared engineering plan detailing the proposed driveway, earthworks and drainage, including erosion and sediment control measures must be submitted to the Responsible Authority and receive its endorsement
 6. Prior to the commencement of any use of the units, the developer must construct the access in accordance with approved construction drawings
 7. All stormwater and surface water discharging from the building and works must be conveyed to a point of discharge, approved by the relevant authority. No stormwater discharge from downpipes or overflow from storage tank and surface water shall be directed or caused to be directed in a concentrated form that will cause erosion and or adverse effects within the site or to adjoining land or properties
 8. The approved works must not cut off natural drainage to adjacent properties
 9. Prior to the approval of any building construction plans, a stormwater management plan including arrangements for Onsite stormwater detention measures must be forwarded to and approved by the Responsible Authority. The plan must be in accordance with Council's Infrastructure Design Manual Section 16 – URBAN DRAINAGE and Section 19 - ON SITE DETENTION SYSTEMS. All new units must be connected to the Councils underground drainage system.
 10. The vehicular crossing must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the responsible authority and any existing crossing or crossing opening must be removed and replaced with nature strip to

the satisfaction of the responsible authority. Construction of new vehicular crossing(s) must comply with the IDM guidelines as given below:

- a. SD 240 of IDM for Residential Single Vehicle Crossing for Unit 1**
- b. Existing gravel crossover next to unit shall be removed**
- c. SD 250 of IDM for Residential Double Vehicle Crossing for Units 2 to 6.**

- 11. This permit shall expire if the development hereby permitted is not completed and the use commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing. A request for an extension of time may be made before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet commenced, or within 12 months after the permit expiry date, where the development allowed by the permit lawfully commenced before the permit expired.**
- 12. Road frontage for the length of this property must be constructed with kerb and channel section;**
- 13. Existing open table drain shall be replaced with underground stormwater pipe approved by the Responsible Authority.**

Country Fire Authority (CFA)

Bushfire Management Plan endorsed

- 14. The Bushfire Management Plan – 102 Falls Road, Marysville (prepared by BAL Assessments, version 4, dated 17/09/2020) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.**

Mandatory condition to Clause 44.06-5 – Building and works

- 15. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.**

Hydrants

- 16. An operable hydrant, above or below ground, must be provided to the satisfaction of CFA.**
- 17. The maximum distance between this hydrant and the rear of all building envelopes (or in the absence of building envelopes, the rear of all lots) must be 120m. This distance must be measured around lot boundaries other than those that abut used roads or the common property access.**
- 18. The hydrant must be maintained by the owner's corporation in accordance with Australian Standard AS1851-2012 "Routine service of fire protection systems and equipment".**
- 19. The hydrant must be identified with a marker post and a road reflector to the satisfaction of the Country Fire Authority.**

Goulburn Valley Water (the Corporation)

- 20. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
- 21. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;**

22. **Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
23. **Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.**
24. **All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;**

Notations:

1. **CFA - Requirements for identification of hydrants are specified in "Identification of Street Hydrants for Firefighting Purposes" is available under publications on the CFA web site (www.cfa.vic.gov.au)**
2. **Goulburn Valley Water - Should the applicant wish to subdivide each tenement onto separate titles in the future, provision of appropriate servicing arrangements to facilitate a future subdivision proposal should be investigated as part of this development**
3. **An application for consent to work is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004* and associated regulations**
4. **This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.**

MOTION LOST

MOTION

Cr M Rae / Cr E Lording

That this application be referred back to the Planning Department, the applicant and the community for further discussion and consultation with the view of it returning to Council for a resolution at the next available meeting.

CARRIED UNANIMOUSLY

9 OUR PEOPLE

10 OUR PROSPERITY

11 OUR PROMISE

11.1 2019/20 Annual Report

Attachment(s):

1. Annual Report 201920 - Includes Financials - Final [11.1.1 - 135 pages]

Purpose

The presentation of the Annual Report is an important milestone in recognising the significant achievements of Council in 2019/20, including the objectives and activities of the *Council Plan 2017–2021* and the *2019/20 Annual Budget*.

This report presents the Annual Report for the period 1 July 2019 to 30 June 2020 for Council's endorsement.

Officer Recommendation

That Council formally considers and endorses the *Annual Report 2019/20* as attached to this report.

Background

The Annual Report 2019/20 details Council's performance over the past 12 months in achieving the objectives and activities of the *Council Plan 2017-2021* and the *2019/20 Annual Budget*.

A copy of the Annual Report 2019/20 is contained in Attachment 11.1.1.

Council has previously endorsed the financial statements which forms part of the Annual Report 2019/20 at its 16 September 2020 Scheduled Meeting.

In accordance with Section 133 of the *Local Government Act 1989* the Annual Report 2019/20 was submitted to the Minister for Local Government on Friday 16 October 2020. The Minister granted a 2 month extension to the legislated due date of 30 September this year due to COVID-19 and the impacts on the sector. Following this submission Council made the report publicly available.

Discussion

Whilst the Annual Report 2018/19 lists many achievements for the year, some highlights include:

Our COVID –19 Response

- We launched the DindiLink program to support people impacted by COVID-19 and ensure they are able to access emergency relief and support during restrictions
- We held an online community forum to better understand the impact of COVID-19 on individuals and community to support the development of a COVID-19 Community Transition Plan
- We supported people of all ages through our varied library programs and pivoted our service to help people through lockdown due to the COVID-19 pandemic, including through our 'Book Butler' library home delivery service, and our 'Print and Post' service to help people get printed versions of important documents
- We launched an online business directory 'Dindi Directory' and e-commerce platform 'The Dindi Store' to support businesses through the COVID-19 pandemic and provide an easy way for the community to shop local.
- We held an online community forum to better understand the impact of COVID-19 on individuals and community to support the development of a COVID-19 Community Transition Plan
- We held an online business forum to better understand the impact of COVID-19 on businesses and to support the development of a COVID-19 Business Recovery Plan
- We enhanced our approach to social media, including by introducing daily videos from our CEO during COVID-19, resulting in almost a quarter of our Shire's population following our page
- We successfully transitioned 113 Council staff members to work from home in response to COVID-19, ensuring that we could continue to deliver services to the community
- We successfully recruited and on-boarded 41 temporary full time positions under the State's Working for Victoria scheme to assist those rendered unemployed by the pandemic and to support Council's service delivery
- We adopted a budget to support recovery measures.

Our People

- We supported a range of arts and cultural activities through our Community Grants and Contributions program. This included 18 projects and events, 10 Fee Reductions, 11 Sponsorships and 11 Quick Response grants
- We successfully transitioned Aged and Disability services to new community providers and appointed an Access and Inclusion officer to continue to support individuals to access the services they need
- We created opportunities for local musicians to showcase their songs online to our community and beyond through the Dindi Live and Dindi Sessions programs
- We completed the Community Planning trial in the townships of Marysville, Yea and Toolangi/Castella, and endorsed plans for each of the townships
- We helped people connect to services through the Moving Murrindindi program in partnership with Community Accessibility. We engaged 25 volunteers and completing 145 trips
- We held an online events forum for community groups and event organisers to better discuss ideas and outline how Council can support them to plan and implement events into the future
- We brought together seniors across the Shire for a High Tea celebration during Seniors Week in Alexandra, Christmas in July in Narbethong and a Planned Activity Group break up celebration in Yea.

Our Place

- We completed the construction of the Yea Recreation Reserve female friendly change rooms project and the Kinglake Memorial Reserve Netball court re-development
- We completed the upgrade of the Spring Valley Recreation Reserve change rooms
- We adopted the Alexandra Youth Precinct Master Plan, commenced initial planning works and successfully advocated for a funding contribution via the State Government
- We progressed the Eildon Reserve Precinct Improvement Plan and Kinglake Memorial Reserve Master Plan projects, including community consultation to develop the draft plans
- We commenced construction works on the Yea Streetscape Safety Upgrade Project
- We commenced construction on Stage 1 of the Kinglake Streetscape – Aitken Crescent works
- We carried out weed control on 150 roads across the Shire, totalling 1422 km of roadsides
- We adopted and commenced work on a Waste Education Strategy
- We collaborated with Upper Goulburn Landcare Network on National Tree Day, Ribbons of Remnant Roadside and the Queensland Fruit Fly monitoring program
- We began offering E-waste collection services at our Resource Recovery Centres in Alexandra, Kinglake and Yea, including by creating new e-waste facilities in Alexandra and Kinglake
- We developed, adopted and began implementing the new Community Local Law 2020.

Our Prosperity

- We delivered nine grant information sessions, 34 one-to-one grant sessions and assisted 10 businesses to submit grant applications
- We employed a Business Partnerships Officer to support greater uptake of Council's Grants and Contributions program
- We adopted and commenced work on our Tourism and Events Strategy and Great Victorian Rail Trail Strategic Development Plan
- We delivered a series of 7 business workshops through the Doing Business Better Program, to support different industry sectors
- We supported 44 businesses directly to access further support and skilled resources

- We worked with regional partners and businesses to deliver the inaugural Lake Eildon Boating and Fishing Show and the Victorian Tourism Industry Council Visitor Information Services Summit
- We produced an Official Visitor Guide and continued to build our social media presence using the 'Discover Dindi' brand.

Our Promise

- We advocated to State and Federal Government for
 - improved road safety of the Maroondah Hwy and the Black Spur
 - increased access to mental health services for the communities of the Kinglake Ranges
 - raising awareness of the 'Libraries Change Lives' initiative
 - improved financial support for community waste education
 - further support for the Eildon Houseboat Industry
 - support for the Lake Eildon Boat Show
 - greater financial assistance for small rural councils
 - support for our community and business at the start of the COVID-19 pandemic.
- We received the Local Government Professionals Award for Customer Service 2019 for our 'Customer First' Project
- We continued to improve our customer satisfaction score, with 78.1% of our customers surveyed awarding us a rating of 5 out of 5
- We developed and began implementing our Communications Strategy and Social Media Strategy, a Murrindindi Shire Council Style Guide and adopted a new Communication Policy.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to "expand our communication and two-way engagement with the community".

Relevant Legislation

The annual report process for 2019/20 remained governed by sections 131 to 134 of the *Local Government Act 1989*. *The Act* sets out the requirements for the preparation, public exhibition and consideration by Council of the Annual Report 2019/20.

Subject to Council's consideration and endorsement of the Council's Annual Report 2019/20 at this meeting and giving public notice of its endorsement, all statutory requirements associated with the Annual Report 2019/20 will have been met.

Financial Implications and Risk

The Annual Report 2019/20 includes the audited Financial Report and Standard Statements for the 2019/20 financial year which were approved by Council at its 16 September 2020 Scheduled Meeting.

Conflict of Interest

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

Community and Stakeholder Consultation

The Annual Report 2019/20 was forwarded to the Minister for Local Government in accordance with statutory requirements on Friday 16 October 2020.

The Annual Report 2019/20 has been made publicly available in line with the requirements under Section 133 of the *Local Government Act 1989*.

RESOLUTION

Cr M Rae / Cr J Ashe

That Council formally considers and endorses the *Annual Report 2019/20* as attached to this report.

CARRIED UNANIMOUSLY

Cr S McAulay left the meeting at 6.56pm.

11.2 Quarterly Council Plan Report - 30 September 2020

Attachment(s):

1. Council Plan Quarterly Report - 1 July 2020 to 30 September 2020 [11.2.1 - 26 pages]

Purpose

This report provides the first quarter summary of progress to date in delivering the actions in the Council's *Priority Action Plan 2020/21 (Action Plan)*.

Officer Recommendation

That Council receive the quarterly report ending 30 September 2020 on the status of actions from the *Priority Action Plan 2020/21*.

Background

Council adopted its *Council Plan 2017-2021 (Council Plan)* at the Special Meeting of 21 June 2017. The *Council Plan* sets out the overall strategic direction of Council over its four-year term based on an extensive community consultation program conducted across the Shire.

At the August 2020 Ordinary Meeting Council adopted the *Priority Action Plan 2020/21* which outlines the actions that Council will pursue during the 2020/21 year to continue to implement the four year strategies in the *Council Plan*.

Both the *Council Plan* and the *Priority Action Plan* are published on Council's website.

A report on progress in implementing the annual priority actions is provided to Council at the end of each quarter.

Discussion

The Attached Council Plan Quarterly Report provides a summary of activity undertaken in the second quarter of the *Priority Action Plan* for each of the four strategic objectives relating to Our People, Our Place, Our Prosperity and Our Promise.

Highlights from the quarter (July to September 2020) include the following:

Our People

- Our Dindi Live initiative continues to build strong audiences with the average viewer engagement in music performances increasing to approximately 2,200. We have engaged with over 70 community groups, artists and school groups to foster engagement in the initiative. We continue to work with young people through music and performance opportunities.
- The COVID-19 Community Recovery Plan has been developed and endorsed by Council. The plan was developed in partnership with Council's Health and Wellbeing partners. Information and feedback from a community consultation session involving over 140 community members was also used to shape the plan.

- The Good Sports Initiative has been activated which has included surveys of clubs and groups to assist with planning a range of activities to support groups to re-establish their programs and membership as COVID-19 restrictions ease.
- We have continued to provide support to individuals to connect to services as required through our Dindi Link service. Council's website has been updated to include an extensive suite of downloadable resources so people can also independently contact agencies directly without needing to call.
- We continued to work closely with Community and Neighbourhood Houses and Hubs to support delivery of key services to our community.

Our Place

- We completed and Council adopted at its September Meeting the master planning projects at Eildon Reserve and Kinglake Memorial Reserve.
- We were successful in gaining a grant from Regional Development Victoria to support the completion of detailed design for the Eildon precinct.
- We completed the Activating Growth in Murrindindi priority action list and have commenced project scoping.
- We engaged a team of new employees under the Working For Victoria scheme to undertake environmental works on the selection of Council owned bushland sites.
- We completed the review and Council adopted the Municipal Emergency Management Plan.

Our Prosperity

- We commenced the Better Approvals Project. The project is an initiative of Small Business Victoria and aims to reform the permit approvals process that a small business undergoes when starting or growing a business.
- We provided regular updates to businesses across the Shire of COVID-19 support available to their business and commenced two Business Partnership Officers to support business recovery. In addition, we promoted Council's Grants & Contributions Program through a video 'Success Story' that received over 7,000 views.
- We attended the Virtual Melbourne Boat Show to promote Murrindindi Shire to potential visitors.
- We commenced the #mydindi initiative to encourage Murrindindi Shire residents to contribute content.

Our Promise

- We have commenced the Digital Futures Program including the establishment of a Project Control Group. Key initial projects include the rollout of Microsoft 365 and a new cloud based Contact Centre solution for front line customer services staff.
- During this quarter, we received 7137 customer requests and completed 79% within target. We averaged 4.05 stars out of 5 on the 88 survey responses received between 1 July and 30 September.
- During the quarter we completed the recruitment for the Working For Victoria Scheme. 41 new roles were filled to support a variety of Council's services for the remainder of 2020.
- We conducted OH&S inductions for 21 new staff this quarter, including 10 staff working from home.

Council Plan/Strategies/Policies

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

Relevant Legislation

Council has an obligation under the *Local Government Act 2020* section 90 to prepare and adopt a 4 year Council Plan. The quarterly report supports the intent of the Act to consult and be transparent with the community.

Financial Implications and Risk

The delivery of the *Council Plan* is supported by the four-year *Strategic Resource Plan* and the Annual Budget.

Conflict of Interest

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

Community and Stakeholder Consultation

The actions in the *Action Plan* have been developed with reference to the priorities identified from the community following the 'Have Your Say' community consultation undertaken in February – April 2017.

RESOLUTION

Cr R Bowles / Cr M Rae

That Council receive the quarterly report ending 30 September 2020 on the status of actions from the Priority Action Plan 2020/21.

CARRIED UNANIMOUSLY

11.3 Quarterly Finance Report - 30 September 2020

Attachment(s):

1. 1st Qtr Financial Report to 30 September 2020 Attachments [11.3.1 - 4 pages]

Purpose

The report provides the quarterly financial report for the period ending 30 September 2020.

Officer Recommendation

That Council receives the Quarterly Financial Report to 30 September 2020.

Background

The Quarterly Financial Report for the period ended 30 September 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
- Cash Flow Statement
- Statement of Capital Works

Discussion

The statements for the first quarter to 30 September 2020 are included in Attachment 11.3.1.

Carry Forward Adjustments to 30 September 2020

A priority for preparing the statements for the first quarter of each financial year is to appropriately recognise and adjust for the financial impact of all funds required to be carried forward from the 2019/20 financial year following the finalisation of the annual accounts. This includes items that were budgeted to occur in the 2019/20 financial year that were incomplete or not achieved prior to 30 June 2020, as well as the impact of items that were budgeted to occur from 1 July 2020 onwards, that were in fact recognised in last year's financial statements.

Other Budget Adjustments to 30 September 2020

During the September quarter a number of budget adjustments were identified, these adjustments are listed in the Table 1 below. The adjustments predominantly relate to new grant funded projects.

Table 1 provides a reconciliation between Council's adopted budget 2020/21, carry forward amounts from 2019/20 and other budget adjustments.

Table 1

Reconciliation of 2020/21 Revised Budget Adjustments	2020/21 Operating result Surplus / (Deficit)	2020/21 Capital Works Budget
Adopted Budget 2020/21	(54,904)	11,681,781
Carry forward adjustments		
Unspent operating grants	(730,164)	
Working For Victoria program	(684,004)	
Recreation Master Plans	(40,082)	
Working Standards Review (Operations Service Review)	(10,000)	
TourismMarketing	(9,500)	
IM Archiving Project	(10,040)	
Online Requisition System	(7,986)	
Saleyards Governance and Structure Review	(12,715)	
Waste Strategy	(46,914)	
Visitor Information Centre Review	(5,000)	
Yea Recreation Reserve Lighting project	(4,300)	
Communications Strategy - video content	(8,205)	
Fire Services Levy Expenses	(36,437)	
Centralised Annual Valuations	(31,530)	
Carrying Amount Assets Sold - Service Review Land	(217,047)	
Sale of Land - Service Review	195,000	
Grants & Contributions Program	(37,233)	
Plant & Equipment sold - carrying amount	(490,457)	
Sale of Major Plant & Machinery	213,282	
Sale of Passenger Vehicles	277,175	
Capital works projects carried forward		5,343,379
	(1,751,061)	17,025,160
Budget adjustments		
Local Roads and Community Infrastructure Program- grant funded	823,872	823,872
Yea Recreation Reserve Lighting - grant funded	270,000	270,000
Alexandra Youth Precinct - grant funded	250,000	250,000
Operating grants received in advance	249,566	
Capital grants received in advance	230,000	
Marysville Caravan Park - works		25,375
Yea Saleyards - linked auctioneers walkway		15,000
Other adjustments	(10,457)	(39,030)
	1,812,981	1,345,217
Revised Budget 2020/21	61,920	18,370,377

Budget Comparison September Year to Date.

The adjustments identified in Table 1 have been incorporated into a revised set of financial statements as attached in Attachment 11.3.1.

Income Statement (Statement A)

The Income Statement for the period 1 July 2020 to 30 September 2020 is presented below (and in Attachment 11.3.1):

Murrindindi Shire Council
Income Statement
For the period ended 30th September 2020

	Original Budget 2020/21 \$	Annual Revised Budget 2020/21 \$	YTD Budgets 30/09/2020 \$	Actual 30/09/2020 \$	YTD Budget V Actual Variance 30/09/2020 \$	%
Revenue						
Rates & Charges	21,500,932	21,500,932	21,430,763	21,461,280	30,517	0%
Special Charge	-	27,000	-	-	-	0%
Statutory fees and fines	1,181,634	1,181,634	253,696	294,177	40,481	16%
User fees	1,491,760	1,491,760	186,003	185,453	(550)	0%
Grants - Operating	6,924,717	8,182,209	1,756,289	1,667,972	(88,317)	-5%
Grants - Capital	2,135,391	4,234,098	1,281,202	1,281,202	-	0%
Contributions - Cash	54,449	166,360	47,848	73,273	25,425	53%
Contributions - Non Cash	600,000	600,000	-	-	-	0%
Reimbursements	331,418	331,418	33,985	55,988	22,003	65%
Other revenue	1,046,798	1,046,798	78,885	29,793	(49,092)	-62%
Total Revenue	35,267,099	38,762,209	25,068,671	25,049,138	(19,533)	0%
Expenses						
Employee Benefits	14,180,222	15,579,033	3,829,072	3,664,360	(164,712)	-4%
Materials and Services	11,186,110	13,143,538	2,879,605	3,070,647	191,042	7%
Depreciation and amortisation	9,013,876	9,013,876	101	-	(101)	-100%
Bad and Doubtful Debts	-	-	-	(50)	(50)	0%
Other Expense	316,886	316,886	47,826	40,407	(7,419)	-16%
Finance Costs (Interest)	24,909	24,909	(5,392)	(5,392)	(0)	0%
Total Expenses	34,722,003	38,078,242	6,751,212	6,769,972	18,760	0%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(600,000)	(622,047)	-	-	-	0%
Increase/(Decrease) Landfill Provision	-	-	-	-	-	0%
Surplus (deficit) for the period	(54,904)	61,920	18,317,459	18,279,166	(38,293)	0%

The \$18.28 million operating result for the September 2020 quarter is \$38,293 unfavourable compared to the year to date budget. This variance is explained below in Table 2.

Table 2
Major year to date variances for the quarter

Line item	Variance	Main contributing factors
Statutory Fees and Fines	\$40,481	Favourable variances (income exceeding year to date budgets): <ul style="list-style-type: none"> • Building fees (\$19,137) • Planning fees (\$20,467)
Operating grants	(\$88,317)	Family Day Care operating grant tracking behind year to date budget (\$85,671)
Contributions - cash	\$25,425	Higher than budgeted year to date contributions for: <ul style="list-style-type: none"> • Infrastructure maintenance (\$16,725) • Planning services (\$8,700)
Reimbursements	\$22,003	Higher than budgeted year to date reimbursements for: <ul style="list-style-type: none"> • Fire protection works (\$10,100) • Insurance claims (\$6,930) • Legal costs (\$6,653)
Other income	(\$49,092)	Lower than budgeted year to date income from caravan parks

Employee costs	(\$164,712)	Lower than budgeted year to date expenditure mainly due to staff vacancies and the timing of appointments.
Materials & services	\$191,042	Higher than budgeted year to date expenditure on: <ul style="list-style-type: none"> Contractors – predominantly for activities in response to the COVID-19 pandemic (\$185,935) Insurance (\$71,698) Offset by lower than budgeted year to date expenditure on: <ul style="list-style-type: none"> Utilities (\$52,999)

Balance Sheet (Statement B)

The Balance Sheet as at 30 September 2020 shows a cash and cash equivalents favourable variance of \$14,044.

Trade and other payables have a favourable year to date variance of \$78,648. This is due to the introduction of weekly creditor payments to support the cash flow of local suppliers.

There are no other material variances to report for this quarter.

Cash Flow Statement (Statement C)

The Cash Flow Statement shows a net increase in cash and cash equivalents of \$19.26 million, which is a favourable year to date variance of \$14,044. The cash balance at the end of the quarter is \$37.35 million.

The revised budget for cash from rates & charges has been revised up by \$510,864 to \$22.12 million. As the balance of rates debtors at 30 June 2020 was higher than previous years due the extension of payment due dates to 30 June 2020, it is anticipated that the outstanding balances will be received this financial year. This assumption will be monitored over the next quarter.

Capital Works Statement (Statement D)

The Statement of Capital Works shows a favourable year to date variance of \$32,944.

As per Table 1, the revised budget has increased by \$6.69 million due to projects carried forward from 2019/20 (\$5.34 million) and new projects (\$1.35 million) where Council was successful in obtaining grant funding.

Councillor Expenses (GST Exclusive)

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

As agreed in the Councillor Reimbursement Policy that was adopted by Council at its February 2017 Ordinary Meeting, Council reports quarterly on the Councillor related expenses. Table 3 details Councillor expenses for the first quarter period ending 30 September 2020.

Table 3

Councillor Expenses for 3 months to 30 September 2020:

	Allowances	Travel Expenses	Childcare Expenses	Information & Communications Expenses	Conference & Training Expenses	Other Expenses
Cr Ashe	\$ 7,187.01	\$ -	\$ -	\$ 134.01	\$ 42.86	\$ -
Cr Bisset	\$ 7,187.01	\$ -	\$ -	\$ 195.52	\$ 42.86	\$ -
Cr Bowles	\$ 7,187.01	\$ -	\$ -	\$ 128.82	\$ 42.86	\$ -
Cr Dunscombe	\$21,971.81	\$ 2,463.00	\$ -	\$ 195.44	\$ 42.86	\$ -
Cr Lording	\$ 7,187.01	\$ 18.39	\$ -	\$ 197.43	\$ 42.86	\$ -
Cr McAulay	\$ 7,187.01	\$ -	\$ -	\$ 195.48	\$ 42.86	\$ -
Cr Rae	\$ 7,187.01	\$ -	\$ -	\$ 252.23	\$ 42.86	\$ -

It should be noted that travel costs include the reimbursement of the claims which a Councillor may choose to submit for travelling to Council meetings, briefings and other functions which they attend in their capacity as a Councillor. Where a Councillor's residence is greater than 50 kilometres from the location of a Council meeting they may also claim the statutory remote area allowance.

It should also be noted that Councillors can elect for part of their allowance to be deducted for superannuation purposes.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to "maintain Council's financial sustainability through sound financial and asset management".

Relevant Legislation

The *Local Government Act 1989* (the *Act*) requires, under Section 126, that a Council must prepare a Strategic Resource Plan for a period of four years.

The *Act* also sets out in 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 relation to this report.

Community and Stakeholder Consultation

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

RESOLUTION

Cr J Ashe / Cr R Bowles

That Council receives the Quarterly Financial Report to 30 September 2020 with the amendment of the typographical error in the table on page 23.

CARRIED UNANIMOUSLY

11.4 Quarterly Capital Works Report - 30 September 2020

Attachment(s):

1. Capital Works Quarterly Financial Report - September [11.4.1 - 4 pages]
2. Capital Works Variations Report - September [11.4.2 - 1 page]

Purpose

This report provides an update on the 2020/21 Capital Works Program (CWP) for the first quarter of the year ending 30 September 2020.

Officer Recommendation

That Council:

1. receive the quarterly report ending 30 September 2020 on the status of delivering the Capital Works Program

2. endorse the proposed funding adjustments as presented by Attachment 4.1.1 and Table 2 below.

Background

This report is the first quarter report for the 2020/21 CWP. The period of reporting is from 1 July 2020 to 30 September 2020. The CWP is comprised of those projects endorsed by Council as part of the 2020/21 Capital Works budget, projects identified for carry forward from the 2019/20 program and approved projects that have received grant funding during the financial year.

Discussion

In the first quarter approximately \$4.27M in works have been committed, this is 22% of the current revised budget, with an actual spend of \$1.6M. The profiled/predicted expenditure for this quarter was \$1.55M.

PROGRESS REPORT OF OVERALL PROGRAM

Review of the Delivery of Program Provided

Currently the delivery of the overall capital works program is on target however several projects require funding adjustments to complete the project. Table 2 below provides a detailed list of the funding adjustments that can be accommodated within the capital works program overall budget that will provide a current anticipated underspend of \$800 to date.

Table 1 – Summary of Major Expenditure

Project	\$	Complete	Ongoing
Yea Caravan Park Fire Service Upgrade	\$87,958	X	
Thornton Drainage Upgrade Stage 1 (Design)	\$21,245		X
Kinglake Streetscape Stage 1	\$154,110	X	X
• Aitkin Crescent Upgrade	\$140,460		X
• Detailed design Whittlesea Kinglake Rd	\$13,650		X
King Parrot Creek Road Safety Upgrade	\$90,154		X
Back Eildon Road Safety Upgrade	\$62,057	X	
Rubicon Road Safety Upgrade	\$135,787	X	
High Street Yea Safety Upgrade	\$288,563		X
New Yea E-Waste Shed	\$31,574		X
Sealed Road – Renewal & Major Patching	\$203,271		X
Gravel Road - Resheeting	\$28,479		X
IT Hardware	\$65,388		X

This report also includes an attachment (Attachment 11.4.1) which indicates the current position of all capital projects for the current financial year using a traffic light system. The colours shown highlight the following:

- green – Council officers are confident that the project will be delivered within the current financial year

- yellow – there is a medium risk that there may be a delay in delivery due to issues outside of Council officer's control
- red – there is a high risk that delivery will not occur within the current financial year for reasons as outlined
- blue - the project has been assessed and has been placed on hold
- black- the project has been completed.

PROGRESS REPORT OF LEVEL 1 PROJECTS

Kinglake Streetscape

The design is being finalised to take into account feedback from the community. It is anticipated that a contract will be awarded in January and that construction commences in February 2020.

Alexandra Youth Precinct

The design is progressing well and is currently at 75% completion. Council has recently received a \$250,000 grant from the State Government. This will require Council to contribute \$442,260 providing a total project budget of \$692,760. As the project will be delivered over two financial years, Council's contribution can be included as part of the 2021/22 budget.

Kinglake West/Pheasant Creek Streetscape - Stage 1 design

Consultation is currently being undertaken with the business owners regarding the project scope. There have been some concerns regarding the inability of the current proposed layout to allow semi-trailers and other heavy vehicle access for deliveries. This is being incorporated within the scope for design services.

Landfill Capping Design Cell 1A - Alexandra - Stage 1

The design process has been reinitiated for a single monolithic cap. This new design will allow for coverage for the currently active cells as well as the previously temporarily capped areas.

Closed Landfills Rehabilitation Works

The final report regarding the full extent of the remediation works required to effectively treat the sites has been received. This is being reviewed to confirm requirements for the rehabilitation works.

Floating cities Eildon (Boat Ramp & Washdown Bay)

Tender documentation is currently being prepared and it is anticipated that a contract for the construction will be awarded in December. Construction is expected to commence in late January 2020.

Yea High Street Road Safety Improvements

The works are progressing well with the civil works nearing completion. Landscaping works will be completed in early November.

Council Plan/Strategies/Policies

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

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

Nil.

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.

A number of projects require funding adjustments due to scope changes or insufficient funds to complete the project. A detailed listing of the funding variations are provided by Attachment 11.4.2 and a summary is provided by table 2 below.

Table 2 – Proposed funding adjustments

Project Requiring funds	Funds required (\$)	Projects with funding that can be transferred	Funding available (\$)	Transfer amount to Project (\$)
Dropmore Bridge	95,000	Eildon Play space Cheviot Tunnel Dyes Lane Bridge	45,000 30,399 32,000	33,000 30,000 32,000
Yea disability access pathway & parking upgrade	\$25,000	Yea recreation reserve – Irrigation High St Yea Irrigation renewal	21,000 28,000	20,000 5,000
Tenth Street, Eildon Kerb Renewal	100,000	Eildon Play Space Yea pool shade sale Strath Creek (deferral as noted below)	45,000 15,000 75,000	12,000 13,000 75,000
185 Grant street	35,000	Gravel road re-sheets High St Yea Irrigation renewal	29,000 28,000	29,000 6,000
Shoulder resheet – Johnston St	11,900	High St Yea Irrigation renewal	28,000	11,900
Main Street Utah Place investigation	9,000	High St Yea Irrigation renewal Yea pool shade sale Strath Creek (deferral as above) Alexandra Shire Hall – Kitchen Yea recreation reserve – Irrigation	28,000 2,000 1,428 21,000	5,000 2,000 1,000 1,000
New Yea Saleyards Project - Auctioneers walkway	15,000	Saleyards reserve (20/67122)		15,000
Yea Recreation Reserve – Oval Lighting Upgrade	122,000	Open space reserve (20/60362)		122,000

Notes:

- Main Street Utah Place is a road renewal projects that was deferred in 2019/20 but did not receive funding in the 2020/21 budget and requires \$120,000 to complete the works. It is recommended that design is completed this financial year and consider funding the construction when developing the 2021/20 budget
- Strath Creek Tennis Court demolition project (\$75,000) is for demolition of courts and creation of community garden space and it is recommended that this project be deferred until next financial year to allow the completion of the Tenth Street Eildon project that was deferred last year for construction this financial year.

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 has been undertaken in the preparation of this report.

RESOLUTION

Cr E Lording / Cr M Rae

That Council:

- 1. receive the quarterly report ending 30 September 2020 on the status of delivering the Capital Works Program**
- 2. endorse the proposed funding adjustments as presented by Attachment 4.1.1 and Table 2 below.**

CARRIED UNANIMOUSLY

12 NOTICES OF MOTIONS

Nil.

13 MATTERS DEFERRED FROM PREVIOUS MEETING

Nil.

14 URGENT BUSINESS

Nil.

15 COUNCILLOR REPORTS

15.1 Cr Sandice McAulay

Michael Chesworth, Acting Chief Executive Officer read Cr Sandice McAulay's report on her behalf.

After four years we are now at the end of the last meeting of this current Council.

It has been an amazing four years working with these six wonderful councillors and the dedicated executive staff of Murrindindi Shire Council.

We started off with a comprehensive "Have Your Say" campaign and we have not stopped listening, advocating and working for our community during these last four years.

I was honored to be the Mayor during the 10th Anniversary of the 2009 bushfires and be part of the team to support our community through this difficult milestone. I am also mindful of the important supporting and informing role that Council has played during the current pandemic.

It never ceases to amaze me how our community continues to be strong, supportive and resilient in the face of such challenges. I am so proud to be a member of this wonderful community.

Council is supported by a team of professional and committed staff, and I thank each one of them for their continuing work.

I am incredibly proud of what this Council has achieved over the last four years.

No report would be complete without once again taking the time to acknowledge the many wonderful volunteers in our shire. If anything good comes out of this pandemic, it is that hopefully many of our volunteers have had a well earned rest. So many community groups as well as our Emergency Services depend on these incredible volunteers.

Thank you to my fellow councillors for the last four years of dedication to the community of Murrindindi. I have been humbled by your dedication and commitment to working together, even when we have agreed to disagree we have put aside our differences. We have worked together for the benefit of the community with respect and care.

Thank you it has been a truly amazing four years.

15.2 Cr Jackie Ashe

Tonight, is more a reflection than a report, being my final Council meeting.

Starting out, I just thought I'd like to help, as I believe every person putting their hand up for this current election has also. I'd like to wish everyone of them every success, and if they ever need a hug, sounding board, background understanding, I'm easy to find and more than happy to have that chat or hug.

My background and interest have always been, tourism, events & business, and my reason for popping my hand up was to see if this Council could inject some energy, resourcing and support into this important area – as it results in Vibrancy, Livability, Economy & Jobs.

I'd like to thank my fellow councillors for their support in this space and acknowledge the work the organisation has done so far in focussing on the importance, resourcing, funding and including grants. To Matt and the team, thank you for everything you do and I hope this area goes from strength to strength in supporting businesses and tourism.

To all the community, special interest and business groups – Thank you. To the Business Advisory Committee (BAC), thank you for your guidance, expertise and volunteering your time during this pandemic.

In the Communications area – Wow!

Remembering the early conversation around how to 'get the word out' to all corners of the Murrindindi shire, back then print, radio and newsletter were common practice. Thank you to the organisation for embracing and adding social media as a way of communicating with our community, and doing it better than any LGA I've seen.

Special mention to all the DINDI Brand work is socials;
Discover Dindi, Dindi Directory, Dindi Store and Dindi Live.

As of this evening Discover Dindi has 4431 Instagram followers and over 25,000 on Facebook – it really is phenomenal.

Community as a whole and Eildon – There is so much more I'd like to help with in the grass roots space, and hopefully still can as a community member in the Business and Tourism space, it certainly is a jewel in our shire.

The work that has gone into plans and documents like Activate Eildon, Eildon Play spaces with the proposal that Eildon will have the regions best play space, the Tourism & Events strategy are all big guiding pieces of framework that I believe needed to get done for future proofing & planning. We have had considerable private investment in the Eildon Ward in recent years, it is great now for these plans to exist for Eildon and surrounds to work alongside this. To the hours & hours & hours of input from the community and officer that has gone into these plans – thank you so much. It has been amazing to see what the 'collective' has come up with, and many minds are always better than a few.

Thank you to everyone, community, executive team, crew at Council and fellow councillors, it has been an eye opening, challenging, wonderful and enlightening, thank you for everything that you all do and for this journey.

Thanks, Jackie.

15.3 Cr Eric Lording

All capital works updates are listed in item 11.4 in this agenda.

In relation to waste area, everything from our Council is moving ahead. I will be continuing as a Director of the Waste Board as I am very interested in that.

Thanks to everyone that I have worked with over the past four years. It has been a great experience.

15.4 Cr Charlotte Bisset

Thank you to everyone for the support for the community. Their support, trust and belief in the Council and the new look Council when we came on four years ago. We declared that we would do things differently, and I think we have. We have listened to the community, and I think a lot of other great points have been covered by other councillors in their reports.

Thank you again to the Acting CEO, Councils executive team and officers for all their hard work in supporting the councillors, but also supporting the community.

I always say to people, you can never actually fully understand the requirements of working for Council, once you have actually worked for Council. With the legislative requirements that are there, it is very easy to have opinions of any government organisation, but I think until you have actually set foot in it, and fully understand what is required, either as a councillor or officer, or a contractor to Council, It's a very interesting space to be in.

I take my hat off to everyone that steps into these roles and I wish the new incoming Council all the best.

Thank you.

15.5 Cr Rebecca Bowles

I said my thank you in last months Council meeting thinking it was the last meeting.

To add to last months report, I would like to say thank you and good luck to the new councillors. You have a great team behind you.

15.6 Cr Margaret Rae

In this, my final report to Council after eight years, I just want to take the opportunity for a brief reflection.

Positive Ageing and Inclusion

A very positive thing for me in the latter stage of this term of Council has been the introduction of the Positive Ageing & Inclusion portfolio. The decision taken by Council to withdraw from Aged Care and Disability Services delivery to our community was a difficult one but the right one – and the private providers that have taken on these roles are now in a strong place to grow, respond and adapt to changing requirements in these sectors. Our community can now receive integrated service delivery and transition through the various levels of care available.

The role for Council in the community has therefore been reshaped and remodeled so that our response can be tailored to meet the more diverse range of community needs in an ever growing demographic. I would like to take this opportunity to thank all those involved in this complex transition – for their commitment to its success and to embracing the challenge of working with the community to assist in addressing emerging needs. Fantastic staff working together across the organisation for the betterment of the community. What more can I say than ‘thank you’ - it has been such a pleasure to work with you all.

Land Use Planning

And what can I say about land use planning that I haven’t said before? In many ways it has been front and centre of much of the past eight years. I have had the opportunity to be involved in some very memorable decisions by Council – at times with a very high public focus! I have also been able to participate in many planning committees and conferences – not the least of which is the one we were proud to host– the MAV Rural & Regional Planning Conference in Marysville on 25-26 June 2015. Planning considerations and decisions underpin so much in our world; planning strategy can and should be used proactively to guide and shape our future.

At all points along the way, planning officers have been professional, engaged and committed – not to mention their patience in explaining and helping all of us understand the requirements of the planning scheme and how this interacts with and relates to community concerns. It has been a privilege and a passion for me to have been involved in all matters planning, including being able to make a contribution to the redrafted and restructured local planning policy. My thanks go to all of you, both personally and on behalf of our community, for the great work you do.

And to my fellow councillors, both past and present, thank you for your support, your passion and your commitment. It is only through teamwork that good decisions are made and results achieved – albeit that this can take some time. One attribute that we all need is patience! All the officers have played huge roles in the achievements that have been made. We, as councillors, couldn’t do any of this without you. Thank you for your support and patience as we learn the system that you know so well. In saying this, I have deliberately not named any particular person as everyone contributes in their own individual way, but I will make one exception to thank one very special person who has been an enduring support throughout the past eight years. Michael Chesworth, thank you for your unfailing patience, wisdom and understanding – it has been invaluable.

As I conclude my final report, I would like to express my thanks to the community for their support and their trust which has been second to none. There are many things we have experienced together and many memories to be shared into the future. It has been a remarkable journey with many successes, both big and small.

I hope I have managed to meet at least some of your expectations.

15.7 Cr Leigh Dunscombe - Mayoral Report

I would just like to say it has been an extraordinary year, and I think it's fair to say that it's one that has really challenged us all. I am extremely proud of everyone, councillors, officers and staff that have risen to those challenges for the past few months. There is a long way to go and I think with the continued support of the community and the Council, the Murrindindi shire will overcome these challenges and come out on top.

Thank you to everyone for your support, your commitment and your friendship over the past four years.

16 CHIEF EXECUTIVE OFFICER REPORT

It is pleasing that we are now seeing the daily number of new Coronavirus cases in Victoria reduce to levels not seen since early June, with the Premier poised to make further announcements on the weekend concerning the further easing of restrictions in Victoria.

This will be welcome news to our community which has collectively contributed to these low numbers by diligently abiding by the directions of the Chief Health Officer. It will also hopefully be welcome news for our businesses, particularly those in the hospitality sector which has borne the brunt of the economic downturn that has resulted from this pandemic.

As we approach the coming summer we must now prepare to carefully balance the need to keep our community and our visitor's safe, whilst continuing to support the careful 'opening up' of everything this wonderful Shire offers.

To this end our officers have been developing plans to activate outdoor dining opportunities in our townships. This has, and continues to involve working with many of our businesses on approvals to expand outdoor dining and preparing plans to install additional communal dining facilities in some of our public spaces. Some of this is being made possible by State Government Funding provided to Council for this purpose. We hope to have more to say on this very soon.

With the easing of restrictions we have been able to re-open our Customer Services Centres in Alexandra, Kinglake and Yea for limited hours each day, in a COVID safe way and this week pleasingly we are reopening our library services for book browsing and borrowing, but with limits on time and the maximum numbers attending at any one time. For those that can't visit our library branches our book butler service is continuing to collect and drop off books and videos to people's homes.

In recent days we have also developed processes to enable our non-resident property owners in metropolitan Melbourne to visit their properties for flood and fire preparation works, with written approval from Council. We have commenced processing these approvals today in line with government directions.

We were pleased to see in the recent federal budget the continuation and in some cases enhancement of many of the infrastructure funding programs that support our ability to renew our community infrastructure.

Along with the budget came the advice that we were successful in our submission to receive just over \$2.4 million to support the renewal of important road infrastructure including the widening of Snobs Creek Rd Eildon, the renewal of bridges on Break O'day Rd Glenburn and Court St Yea and the replacement of the single lane bridge on Yarck Rd Gobur with a 2 lane bridge.

We will continue to seek out funding opportunities as both State and Federal Governments attempt to stimulate economic activity and recovery from the pandemic.

With voting in the Council election nearing its end we continue to prepare the induction program for the new Council in line with the requirements of the new Local Government Act. This program is aimed at supporting our new Councillors through what is always a very steep learning curve, so they can become as effective as possible in their roles, as soon as possible.

This brings me to my last item which is to formally acknowledge the contributions of the current council during its 4 year term. Whilst unfortunately the requirements of the election period prevent me from reflecting on the Council's decisions and achievements – that is for others to evaluate – As the Acting CEO however, I would like to thank you all for your unwavering enthusiasm and support to the Executive and the wider organisation during your term.

I sincerely hope your term as Councillors has been both enlightening and rewarding for you all personally.

So on behalf of the organisation, for those of you not returning, I wish you all the very best for whatever journey life takes you on next. For those of you who do return, it will be a pleasure to work with you again.

17 ASSEMBLIES OF COUNCILLORS

Purpose

This report presents the records of assemblies of Councillors for 16 September 2020 to 14 October 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 14 September 2020 to 16 October 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 16 September 2020 to 14 October 2020:

Meeting Name/Type	Workshop Session
Meeting Date:	16 September 2020 – via Videoconference
Matters Discussed:	1. Kerbside Reform Transition Planning 2. Southern Goulburn Valley Regional Waste and Resource Recovery Education Strategy 2019-2021 – Implementation Update 3. Resource Recovery and Waste Strategy - Draft
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae
Council Officer Attendees:	C Lloyd, M Chesworth, S Brown, V Albicini, D Eaton, J Russell
Conflict of Interest Disclosures: Nil.	

Meeting Name/Type	Council Pre-Meet
Meeting Date:	16 September 2020 – via Videoconference
Matters Discussed:	1. Kinglake West Speed Limit Reduction - Response 2. Final Kinglake Memorial Reserve Master Plan 3. Final Eildon Reserve Precinct Improvement Plan 4. Community Planning Grants Program 5. Grants & Contributions Program 6. Annual Financial Statements 7. Minutes of the Audit & Risk Agenda 8. Tender Report – Panel Contract Plumbing 9. Tender Report – Panel Contract Electrical 10. Tender Report – Panel Contract Flooring 11. Tender Report – Panel Contract Painting 12. Tender Report – Panel Contract Slashing Services 13. Sealed Roads – Resealing Program – 2020/21 – Tender 14. CONT20/24 – Consultancy Panel
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae
Council Officer Attendees:	C Lloyd, M Chesworth, S Brown, V Albicini, G Haylock, C Lintott
Conflict of Interest Disclosures: Nil.	

Meeting Name/Type	Briefing Session
Meeting Date:	14 October 2020 – via Videoconference
Matters Discussed:	1. External – Tourism North East Presentation (Bess Nolan-Cook) 2. 2019/183 - 102 Falls Road Marysville Planning Application 3. Quarterly Capital Works Report 4. Municipal Health and Wellbeing Plan Progress Report 5. COVID-19 Relief and Recovery Fund
Councillor Attendees:	Cr L Dunscombe, Cr J Ashe, Cr M Rae, Cr E Lording

Council Officer Attendees:	M Chesworth, V Albicini, S Brown, M Kearney, N Stewart, K Girvan, C Gartland, C Lintott, N McNamara
Conflict of Interest Disclosures: Nil.	

Council Plan/Strategies/Policies

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

Relevant Legislation

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

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

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

RESOLUTION

Cr C Bisset / Cr J Ashe

That Council receives and notes the record of assemblies of Councillors for 14 September 2020 to 16 October 2020.

CARRIED UNANIMOUSLY

18 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/806	11 September 2020	Right of Entry between Murrindindi Shire Council and Bendigo and Adelaide Bank Limited for customer Marysville Holiday Park Pty Ltd as trustee for MHP Unit Trust, premises 1130 Buxton-Marysville Road, Marysville	Craig Lloyd Cr Margaret Rae
SF/806	11 September 2020	Consent of Lessor to Mortgage of Lease to Bendigo and Adelaide Bank Limited for customer Marysville Holiday Park Pty Ltd as trustee for MHP Unit Trust, premises 1130 Buxton-Marysville Road, Marysville	Craig Lloyd Cr Margaret Rae
SF/316	11 September 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Lynne Martin for Lot: 3 PS: 529035	Craig Lloyd
SF/316	11 September 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and David Graham Lydford for Lot: 9 PS: 529035	Craig Lloyd
SF/316	11 September 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Eric Sagebrecht for Lot: 11 PS: 529035	Craig Lloyd
SF/786	15 September 2020	S11A - Instrument of Appointment & Authorisation (Planning and Environment Act 1987) (August 2020)	Craig Lloyd Cr Leigh Dunscombe

20/71800	23 September 2020	Consent of Lessor to Mortgage of Lease to Bendigo and Adelaide Bank Limited for customer Marysville Holiday Park Pty Ltd as trustee for MHP Unit Trust, premises 1130 Buxton-Marysville Road, Marysville	Craig Lloyd
CONT20/22	24 September 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Yarra Ranges Contracting for Slashing Panel Contract	Craig Lloyd Cr Leigh Dunscombe
CONT20/22	24 September 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Glen McMaster Contracting for Slashing Panel Contract	Craig Lloyd Cr Leigh Dunscombe
CONT20/22	24 September 2020	Formal Instrument of Agreement between Murrindindi Shire Council and ES Hadfield Contractors Pty Ltd for Slashing Panel Contract	Craig Lloyd Cr Leigh Dunscombe
SF/3019	24 September 2020	Sub-Lease between The Hon James Melino, MP, Minister for Education for and on behalf of the Crown and in right of the State of Victoria (Head Landlord) and Murrindindi Shire Council (Sub-Landlord) and Taggerty Community Progress Group Inc (Sub-Tenant) for Premises: 19 Taggerty-Thornton Road, Taggerty, Victoria 3714	Craig Lloyd Cr Leigh Dunscombe
SF/3019	24 September 2020	Lease between The Hon James Melino, MP, Minister for Education for and on behalf of the Crown and in right of the State of Victoria and Murrindindi Shire Council for Premises: 19 Taggerty-Thornton Road, Taggerty, Victoria 3714	Craig Lloyd Cr Leigh Dunscombe
CONT20/22	5 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Fern Mowing and Maintenance Pty Ltd for Slashing Panel Contract	Craig Lloyd Cr Leigh Dunscombe
CONT20/22	5 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Bells Civil Excavations Pty Ltd for Slashing Panel Contract	Craig Lloyd Cr Leigh Dunscombe
DD001/2019/0000193/002	7 October 2020	Section 173 of the Planning and Environment Act 1987 between Murrindindi Shire Council and Hedger Ohana Pty Ltd for Property: Lot 1 on LP126207 and lot 3 on LP132546	Michael Chesworth
CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and INTEGR8 Pty Ltd for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe
CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and ESSTEV Consulting for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe
CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Hodges Facility Management Pty Ltd for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe
CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Xyst Australia Pty Ltd for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe

CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and CT Management Group Pty Ltd for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe
CONT20/24	16 October 2020	Formal Instrument of Agreement between Murrindindi Shire Council and MBMpl Pty Ltd for Consultancy Services Panel	Michael Chesworth Cr Leigh Dunscombe

Officer Recommendation

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

RESOLUTION

Cr M Rae / Cr R Bowles

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

CARRIED UNANIMOUSLY

The meeting was closed at 7:27 pm.

CONFIRMED THIS



CHAIRPERSON

21 October 2020