



MINUTES
of the
ORDINARY MEETING OF COUNCIL
WEDNESDAY 24 JUNE 2020
at
6.00 pm
Conducted via videoconference

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

The proceedings were live streamed for public viewing.

INDEX

1.	PLEDGE AND RECONCILIATION STATEMENT.....	3
2.	APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE	3
3.	COMMUNITY RECOGNITION	3
4.	DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST	3
5.	CONFIRMATION OF MINUTES.....	3
6.	PETITIONS.....	4
7.	PUBLIC PARTICIPATION TIME	4
7.1	Open Forum	4
7.2	Questions of Council	4
8.	OUR PLACE.....	5
8.1	Proposed Combined Permit and Amendment – Amendment C70, Murrindindi Planning Scheme and Planning Permit No 2019/192, Adoption Report.....	5
8.2	3912 Whittlesea-Yea Road Flowerdale – Use and Development of Land for a Dwelling....	9
8.3	47 Halls Flat Road, Alexandra – Change of Use of Existing Outbuilding to a Second Dwelling; and Use of Land for Group Accommodation.....	15
8.4	Road Safety Audit – Gordons Bridge Road, Castella.....	21
8.5	Road Safety Audit – Brooks Cutting Road, Alexandra	24
8.6	Domestic Wastewater Management Plan	29
8.7	Draft Municipal Emergency Management Plan	33
9.	OUR PEOPLE	37
10.	OUR PROSPERITY.....	37
10.1	Regional Tourism Board – Invitation to Join Tourism North East	37
10.2	Great Victorian Rail Trail Strategic Development Plan	39
10.3	Lake Eildon Masterplan	40
11.	OUR PROMISE	43
11.1	Communication Policy	43
11.2	Asset Management Policy Review.....	44
11.3	2020/21 Annual Budget and Strategic Resource Plan Adoption	46
11.4	Proposed Governance Rules 2020 & Governance Local Law 2, 2020.....	54
11.5	Election Period Policy.....	57
11.6	Public Transparency Policy	59
11.7	Council Policy Review	60
12.	NOTICES OF MOTIONS	62
13.	MATTERS DEFERRED FROM PREVIOUS MEETING	62
14.	URGENT BUSINESS	62
15.	COUNCILLOR REPORTS.....	62
15.1	Cr Sandice McAulay	62
15.2	Cr Jackie Ashe	62
15.3	Cr Eric Lording	62
15.4	Cr Charlotte Bisset	63
15.5	Cr Rebecca Bowles	63
15.6	Cr Margaret Rae.....	63

15.7 Cr Leigh Dunscombe – Mayoral Report.....	63
16. CHIEF EXECUTIVE OFFICER REPORT	64
17. ASSEMBLIES OF COUNCILLORS	65
18. SEALING REGISTER	67
19. CONFIDENTIAL ITEMS	68

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 REQUESTS FOR LEAVE OF ABSENCE

Present:

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

In attendance:

Chief Executive Officer: Craig Lloyd

Director Corporate and Shared Services: Michael Chesworth

Director Community Engagement: Shivaun Brown

Director Assets and Development: Vito Albicini

Manager Governance and Risk: Tara Carter

Manager Development Services: Natalie Stewart

Planning Officer: Clara Gartland

3. COMMUNITY RECOGNITION

Nil.

4. DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

Cr C Bisset disclosed an indirect conflict of interest in agenda item 8.1 being the “Proposed Combined Permit and Amendment – Amendment C70, Murrindindi Planning Scheme and Planning Permit No 2019/192, Adoption Report” because of conflicting duties as she is a Manager within Parks Victoria.

5. CONFIRMATION OF MINUTES

- 5.1 Minutes of the Ordinary Meeting of Council held on 27 May 2020.
Minutes of the Confidential Meeting of Council held on 27 May 2020.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 27 May 2020 be confirmed.

RESOLUTION

Cr S McAulay / Cr M Rae

That the minutes of the Ordinary Meeting of Council held on 27 May 2020 be confirmed.

CARRIED UNANIMOUSLY

Officer Recommendation

That the minutes of the Confidential Meeting of Council held on 27 May 2020 be confirmed.

RESOLUTION

Cr S McAulay / Cr M Rae

That the minutes of the Confidential Meeting of Council held on 27 May 2020 be confirmed.

CARRIED UNANIMOUSLY

5.2 Minutes of the Special Meeting of Council held on 10 June 2020.

Officer Recommendation

That the minutes of the Special Meeting of Council held on 10 June 2020 be confirmed.

RESOLUTION

Cr E Lording / Cr C Bisset

That the minutes of the Special Meeting of Council held on 10 June 2020 be confirmed.

CARRIED UNANIMOUSLY

6. PETITIONS

Nil.

The Chairperson declared Public Participation Time.

7. PUBLIC PARTICIPATION TIME**7.1 OPEN FORUM**

Mr Craig Lloyd, CEO read a submission on behalf of Mr Jack Russell regarding the Fixing Rural Roads Funding for the upgrade of High Street, Yea.

Ms Angelina Bell spoke against “47 Halls Flat Road, Alexandra – Change of Use of Existing Outbuilding to a Second Dwelling; and Use of Land for Group Accommodation” (item 8.3 on the Agenda).

Mr Michael Harper spoke in support of “47 Halls Flat Road, Alexandra – Change of Use of Existing Outbuilding to a Second Dwelling; and Use of Land for Group Accommodation” (item 8.3 on the Agenda).

7.2 QUESTIONS OF COUNCIL

The following Questions of Council were submitted by Mr Jack Russell:

1. Why is the 180 metre open drain in Craig Street Yea - that is not self-flushing and the main drain line for central Yea (CBD) so blocked and currently a Bog Reed Thistle threat to our river system and a flood risk?

Council's response - Council addressed the weed situation early this year and is monitoring and will action as required.

2. What funding applications for grants to pipe that open and unmarked section of such essential drain line and as stated in 2013/14 as being urgent?

Photographs taken over years show that the invert for the total length is well below the height of the outlet cross over due to excessive over excavation so what immediate remedy is open to Council to rectify such a risk?

Council's response - Council is always searching for grants that can contribute to delivering our high priority projects.

Our maintenance teams will be attending to minor erosion on the banks by adjusting the batter each side of the outfall. This will be undertaken late to early next year when on site conditions permit. There is also minimal bank up on Craigie Street and nothing holding in the outfall down to the creek.

The Chairperson closed Public Participation Time.

8. OUR PLACE

Cr C Bisset left the meeting at 6:22pm prior to consideration of item 8.1 on the Agenda.

**8.1 PROPOSED COMBINED PERMIT AND AMENDMENT – AMENDMENT C70,
MURRINDINDI PLANNING SCHEME AND PLANNING PERMIT NO 2019/192,
ADOPTION REPORT**

Attachment(s): *Proposed Amendment C70 Explanatory Report (refer Attachment 8.1a)*
Proposed Planning Permit 2019/192 (refer Attachment 8.1b)
Submissions (distributed to Councillors separately)

Land: 5 Plantation Lane, Alexandra
Proposal: Rezoning of land from General Residential 1 to Low Density Residential
Applicant: B & R Creighton
Zoning: General Residential 1 (existing); Low Density Residential (proposed)
Overlays: Bushfire Management

Locality Plan



Purpose

To recommend Council adopt Amendment C70 to allow the rezoning of the land from General Residential 1 to Low Density Residential and the approval of planning permit 1/2019/192/1 'Allow the use and development of the land for a cattery'.

Officer Recommendation

That Council resolve to:

1. adopt Amendment C70 to the Murrindindi Planning Scheme in accordance with section 29 of *The Planning and Environment Act 1987* and submit the amendment to the Minister for Planning for approval.
2. include the following conditions and note on the permit in accordance with the response received from the Department of Environment, Land, Water and Planning;
 - a. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the adjoining Crown land
 - b. Colours for all external building materials should preferably be compatible with the surrounding natural environment (e.g. pale eucalypt, river gum green, siege or saltbush)
 - c. Parks Victoria will not be responsible for any future tree lopping, destruction or removal required on the adjoining Crown land as a result of potential impacts to future developments. Any tree maintenance works undertaken on the adjoining Crown land are subject to additional approvals from Parks Victoria and will be at the private landholder's expense
 - d. The proposed development is not likely to change existing fire protection practices on the adjoining Crown land. Bushfire protection measures, including the siting, design and construction of buildings, vegetation management, water supply and access must be implemented and managed within the property.

Planning Note:

- The landowner must comply with the *Code of Practice for the Operation of Breeding and Rearing Businesses* (2014).

Background

At its meeting on 27 November 2019 Council resolved to prepare and exhibit a combined planning scheme amendment and planning permit to allow the rezoning of the land at 5 Plantation Lane Alexandra from General Residential Zone 1 to Low Density Residential and allow the use and development of the land for a cattery. The amendment was subsequently authorised for exhibition by the Department of Environment, Land, Water and Planning (DELWP) on 2 March 2020 and exhibited in May 2020.

Discussion

The proposed amendment is minor in nature and proposes changes to rezone the land to Low Density Residential to allow a planning permit to be issued for a cattery, a use that is prohibited under the General Residential 1 Zone but may be considered under the Low Density Residential Zone under the planning scheme definition of 'domestic animal boarding'.

The merits of the proposed cattery have been considered and acknowledged in the briefing to prepare the amendment. Overall it is considered that the Low Density Residential Zone is a suitable zone for the land due to the peripheral town location and a low density residential pattern. No further residential subdivision is possible or desirable for the land and a zone reflecting a lower residential density is better suited to a land parcel adjoining public land. The proposed cattery can be readily serviced and accessed to meet Council's environmental health and engineering standards. The proposal also requires registration as a domestic animal business for which an application has been made to Council's Community Safety Unit.

The proposed cattery will be fully contained within an existing shed located at the rear of the subject land, and does not have any dwellings located on adjoining or nearby land. It is considered that the proposed rezoning and cattery will not cause detriment and is suitable.

The amendment has addressed the environmental, social and economic effects and overall will result in positive outcomes for both the landowner and general community.

Three submissions have been received as summarised below:

Department of Environment, Land, Water and Planning

DELWP have not objected to the proposed amendment and planning permit subject to conditions and notes being added to the permit as outlined above in the Officer Recommendation.

Public submissions

Two submissions were received from members of the public. The submissions contained common themes in relation to the potential impact of cats and more broadly, other human activity on the flora and fauna of the reserves which surround the subject site. The submissions highlight the significant natural values that exist in the reserves and their importance to the community.

The submissions also questioned the extent of notification that had been undertaken as part of the exhibition process and whether reserve managers such as Parks Vic, Trust for Nature and other interest groups had been consulted.

The submissions, including the management of the cattery were discussed in detail with the submitters. The Council Officer explained the secure nature of the business and how a planning permit offered the ability to regulate the proposed use of the cattery. It was recognised that the

cattery provides the opportunity for people to leave their cats in a secure environment when they were away from home and that this was a better outcome than potentially leaving them at home unattended for periods of time where their behaviour could not be controlled.

The notification obligations and the process of the amendment going forward were also discussed with the submitters. This information gave some assurance to the submitters with each suggesting that their submissions were more a comment for Council's consideration rather than a specific objection to the proposal. Each submitter also confirmed with the Council Officer that they would not be interested in the matter going to Panels Victoria for further consideration.

It is considered that each of these submissions are resolved and do not require that the Amendment be further considered at a panel hearing.

Conclusion

The proposed combined planning permit and amendment are for a relatively minor local matter. The proposed rezoning will better align with the nature of the land and area and allow consideration of the proposed business on the land.

The proposed cattery is considered to be a compatible use and development for the land that will not cause detriment to any other landowner. The exhibition of the Amendment has not resulted in any unresolved submissions from the public or relevant Government Department.

Council Plan/Strategies/Policies

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

Relevant Legislation

Amendment C70 will make changes to the Murrindindi Planning Scheme, which is administered under the *Planning and Environment Act 1987*.

Financial Implications and Risk

There are no financial implications or risks associated with this report.

The applicants have paid prescribed fees for the request and has committed to pay for future prescribed fees for any adoption and submission of the proposal to the Minister for Planning and if required, any costs for a planning panel.

Conflict of Interest

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

RESOLUTION

Cr M Rae / Cr R Bowles

That Council resolve to:

- 1. adopt Amendment C70 to the Murrindindi Planning Scheme in accordance with section 29 of *The Planning and Environment Act 1987* and submit the amendment to the Minister for Planning for approval.**
- 2. include the following conditions and note on the permit in accordance with the response received from the Department of Environment, Land, Water and Planning;**
 - a. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the adjoining Crown land**

- b. Colours for all external building materials should preferably be compatible with the surrounding natural environment (e.g. pale eucalypt, river gum green, siege or saltbush)
- c. Parks Victoria will not be responsible for any future tree lopping, destruction or removal required on the adjoining Crown land as a result of potential impacts to future developments. Any tree maintenance works undertaken on the adjoining Crown land are subject to additional approvals from Parks Victoria and will be at the private landholder's expense
- d. The proposed development is not likely to change existing fire protection practices on the adjoining Crown land. Bushfire protection measures, including the siting, design and construction of buildings, vegetation management, water supply and access must be implemented and managed within the property.

Planning Note:

- The landowner must comply with the *Code of Practice for the Operation of Breeding and Rearing Businesses (2014)*.

CARRIED UNANIMOUSLY

Cr C Bisset returned to the meeting at 6:27pm.

8.2 3912 WHITTLESEA-YEA ROAD FLOWERDALE – USE AND DEVELOPMENT OF LAND FOR A DWELLING

Attachment(s): *Application Documents (refer Attachment 8.2)*

Land: 3912 Whittlesea-Yea Road, Flowerdale
Proposal: Use and development of land for a dwelling
Applicant: R L Shanks
Zoning: Farming
Overlays: Bushfire Management
Permit Trigger: Section 2 Use in the Farming Zone
Buildings and works for a Section 2 Use and within 100 metres of a watercourse in the Farming Zone
Buildings and works associated with accommodation in the Bushfire Management Overlay

Locality Plan



Purpose

This report recommends that Council refuse to grant a permit for the use and development of land for a dwelling at 3912 Whittlesea-Yea Road, Flowerdale. The proposal does not include sufficient information for the application to be considered.

Officer Recommendation

That Council issue a refusal to grant a permit for the use and development of land for a dwelling at 3912 Whittlesea-Yea Road, Flowerdale (Land in Plan of Consolidation 156724), on the following grounds:

1. The application does not comply with the objectives and strategies of Clauses 13.02-1L and 13.02-1S Bushfire Planning of the Murrindindi Planning Scheme as it does not address the potential risk and demonstrate the required access, water storage and defendable space
2. The application does not comply with the objective and strategies of Clause 14.01-1S Protection of Agricultural Land as the proposal does not provide details relating to any agricultural use of the land or how the subject land and adjoining farming land could be impacted by the use of a dwelling
3. The application does not comply with the Decision Guidelines of Clause 35.07 Farming Zone as the proposed use for a dwelling is not justified by any agricultural activities or propose land management initiatives and improvements
4. The application does not comply with Decision Guidelines and requirements of Clause 44.06 Bushfire Management Overlay and 53.02 Bushfire Planning as the submitted plans does not demonstrate how risk to life can be managed to an acceptable level.
5. The application has not provided sufficient information relating to:
 - a. proposed management of the land, including an appropriate land or farm management plan
 - b. proposed location of a vehicle crossover from Break O'Day Road and internal access

- c. Bushfire risk, including a Bushfire Management Statement
- d. Country Fire Authority's request for additional information.

The Land and Surroundings

The subject site is approximately 13.86 hectares and is irregularly shaped with frontage to Break O'Day Road along the west boundary and frontage to Whittlesea-Yea Road along the north boundary. The land is currently vacant with three water storage dams and some scattered remnant vegetation. There is a gate providing informal entry to the site from Break O'Day Road. Two seasonal watercourses pass through the site, captured by dams, flowing from north-west to south-east along the natural contours of the land.

The adjoining property to the north-west is surrounded by the subject land on two sides and is a relatively small lot, approximately 1.4 hectares, in the farming zone with a single dwelling and associated outbuilding and appears to be used as a hobby farm. The adjoining lots to the east and south are vacant lots used predominately for animal grazing and have similar characteristics as the subject land.

The surrounding landscape details small pockets of cleared land used for agricultural in the valleys, with the nearby hills covered in forest like vegetation, which pose a significant bushfire risk.

Proposal

This application seeks to use and develop the land for a single dwelling, proposed to be located 145 metres from the south boundary and 168 metres from the west boundary, along Break O'Day Road. The location for the dwelling is situated over an existing watercourse. This location is considered inappropriate and would significantly change the natural flow of water across land and has the potential to impact the adjoining property and their access to water for stock.

The proposal is a four-bedroom dwelling with two bathrooms, an external deck on the east elevation and verandah to the west.

The documents submitted with the application did not include any plans to detail the proposed location of a vehicle crossover, internal driveway or location for vehicles to park onsite.

Background

The subject land was directly impacted by the 2009 Bushfires, however the vegetation onsite, and in the surrounding area, seems to have regenerated naturally.

This application is being presented to Council as the application is not supported by the Murrindindi Planning Scheme policy and there is insufficient information upon which to make an assessment.

The applicant has not made contact with Council since 9 September 2019. Numerous attempts have been made by Council to contact the applicant, as detailed in the table below:

Date	Action	Comment
21 August 2019	Request for further information sent to applicant	
5 September 2019	Example (template) Land Management Plan sent to applicant	Was requested by applicant over the phone
6 September 2019	Partial response received	Applicant submitted a written response (see attachments) that did not meet the requirements of the letter sent 21 August 2019
9 September 2019	Property Management Plan submitted	Includes using the land for stock and controlling blackberries; does not provide any details for

		land improvement or justification for a dwelling
12 September 2019	Application was advertised and referred to external and internal authorities	Referrals were requested to determine if there were any other requirements outstanding
18 September 2019	CFA provided a letter to the applicant and Council requesting further information	The applicant did not respond to this request
14 April 2020	CFA request for further information re-sent to applicant	The applicant did not respond to this request
19 May 2020	CFA letter received	Confirming that the application is not able to be assessed without a response to the request for further information

Referral Authority Advice

This application was referred to the Country Fire Authority (CFA) under Section 55 of the *Planning and Environment Act 1987* as a recommending referral authority.

The CFA provided a response to the referral dated 18 September 2019, requesting additional information to allow assessment of the application. The request for information included a Bushfire Hazard Site Assessment, Bushfire Hazard Landscape Assessment and Bushfire Management Statement in accordance with Clause 44.06-3 of the Murrindindi Planning Scheme. CFA also requested a Bushfire Management Plan.

The applicant has not provided a response to this request and therefore CFA has not been able to consider the proposal, which was reiterated in their letter dated 19 May 2020.

Internal Referral Advice

The application was referred internally to Council's Environmental Health Technical Officer for comments in relation to the proposed wastewater system. The Officer advised that wastewater treatment and disposal would need to be in accordance with the submitted Land Capability Assessment which recommended Secondary 20/30 Treatment disposed of via sub-surface irrigation.

The Land Capability Assessment did not detail a proposed location for the disposal of effluent, or the required setbacks from the watercourse. The site plan also failed to include the location of the waste water system. An amendment of the location of the waste water system was requested however never submitted.

The application was also referred internally to Council's Development Engineer who required amended plans to show the location of the vehicle crossover, from Break O'Day Road, to allow assessment.

Community and Stakeholder Consultation

Notice of the application was provided in accordance with the requirements of the *Planning and Environment Act 1987* by sending letters to eight (8) adjoining and nearby property owners. There were no responses received.

Discussion

The key issues in this application are the insufficient information which has been provided and the lack of a justification for why a dwelling is required for the ongoing management of the land or, alternatively how the use of a dwelling will improve the land.

Local Planning Policy Framework

The application has been assessed against the applicable Planning Policy Framework, Zoning, Particular Provisions and Decision Guidelines of the Murrindindi Planning Scheme. The relevant clauses of the planning scheme are discussed below:

Clause 13.02-1L Bushfire Planning

The local bushfire planning policy outlines strategies and requirements for bushfire prone areas within Murrindindi Shire Council.

The following strategies are relevant to this application:

- *Locate, design and manage use and development to reduce the risk to human life, property and community infrastructure from bushfire to an acceptable level.*
- *Implement and maintain necessary bushfire protection measures in conjunction with the ongoing use of the land.*

The proposal has not provided a sufficient response in relation to the bushfire risk. Murrindindi's local policy also requires a minimum of 55,000 litres of water to be stored onsite which includes 10,000L for firefighting purposes by CFA, the application has not provided any detail as to where or how this would occur onsite.

Clause 35.07 Farming Zone

The proposal has not demonstrated how the use and development could support agricultural activities or how the land could be improved through land management initiatives. A Land Management Plan was submitted with the application which describes the land and proposes a five-year schedule of works involving the removal of blackberries and other pest plants. The schedule does not include any improvements in relation to protection of the existing remnant vegetation or works along the watercourses.

The adjoining land to the east, the boundary closest to the proposed dwelling, is currently used for agriculture and could be impacted by the use of a dwelling. A dwelling close to the property boundary could restrict the opportunity of adjoining land to expand and intensify agricultural activities.

The dwelling is proposed to be located in an area that currently has a natural watercourse, the development would greatly impact the water flow across the land and could impact the availability of adjoining land to store water in the existing dam.

Clause 44.06 Bushfire Management Overlay and 53.02 Bushfire Planning

The proposed development for a dwelling is required to comply with the provisions of the Bushfire Management Overlay and Bushfire Planning policy in the Murrindindi Planning Scheme. As the submission has not included the relevant information, CFA and Council have not been able to assess the proposal against the policies and therefore this application cannot be considered.

The subject site is in a valley that was impacted by the 2009 Bushfires, the landscape has mostly revegetated naturally and the forest vegetation on surrounding hills continues to pose a significant bushfire risk.

This application is required to be assessed against the relevant policy to determine if the risk to life can be reduced to an acceptable level.

Conclusion

Council Officers are not satisfied that this application meets the requirements of the *Murrindindi Planning Scheme*. The proposal does not adequately respond to the relevant policy or provide plans including required details for an application to be considered.

Council Plan/Strategies/Policies

This proposal is not consistent with the *Council Plan 2017-2021 Our Place and Our Prosperity* strategic objectives:

- 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment' and
- 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'

Relevant Legislation

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 in relation to this report.

RESOLUTION

Cr S McAulay / Cr M Rae

That Council issue a refusal to grant a permit for the use and development of land for a dwelling at 3912 Whittlesea-Yea Road, Flowerdale (Land in Plan of Consolidation 156724), on the following grounds:

- 1. The application does not comply with the objectives and strategies of Clauses 13.02-1L and 13.02-1S Bushfire Planning of the Murrindindi Planning Scheme as it does not address the potential risk and demonstrate the required access, water storage and defensible space**
- 2. The application does not comply with the objective and strategies of Clause 14.01-1S Protection of Agricultural Land as the proposal does not provide details relating to any agricultural use of the land or how the subject land and adjoining farming land could be impacted by the use of a dwelling**
- 3. The application does not comply with the Decision Guidelines of Clause 35.07 Farming Zone as the proposed use for a dwelling is not justified by any agricultural activities or propose land management initiatives and improvements**
- 4. The application does not comply with Decision Guidelines and requirements of Clause 44.06 Bushfire Management Overlay and 53.02 Bushfire Planning as the submitted plans does not demonstrate how risk to life can be managed to an acceptable level.**
- 5. The application has not provided sufficient information relating to:**
 - a. proposed management of the land, including an appropriate land or farm management plan**
 - b. proposed location of a vehicle crossover from Break O'Day Road and internal access**
 - c. Bushfire risk, including a Bushfire Management Statement**
 - d. Country Fire Authority's request for additional information.**

CARRIED UNANIMOUSLY

8.3 47 HALLS FLAT ROAD, ALEXANDRA – CHANGE OF USE OF EXISTING OUTBUILDING TO A SECOND DWELLING; AND USE OF LAND FOR GROUP ACCOMMODATION

Attachment(s):	<i>Application Documents (refer Attachment 8.3) Submissions (distributed to Councillors separately)</i>
Land:	47 Halls Flat Road, Alexandra 3714
Proposal:	Change of use of existing outbuilding to a second dwelling and use of land for group accommodation
Applicant:	M R Harper
Zoning:	Low Density Residential
Overlays:	None
Trigger:	Clause 32.02 - Use of the land for a second dwelling and group accommodation

Locality Plan



Purpose

This report recommends that a notice of decision to grant a planning permit be issued to allow the change of use of existing outbuilding to a second dwelling and use of land for group accommodation at 47 Halls Flat Road, Alexandra.

The application is being reported to Council as two objections have been received to the proposal. The grounds of objection relate to noise, amenity and traffic impacts.

Council Officers are satisfied that the proposal can be supported with the amenity impacts appropriately mitigated through conditions on a permit that may be issued.

Officer Recommendation:

That Council issue a notice of decision to grant a permit for the change of use of an existing outbuilding to a second dwelling and the use of land for group accommodation at 47 Halls Flat Road, Alexandra (Lot: 1, Plan of Subdivision 731149), subject to the following conditions:

- (1) The layout of the use, as shown on the endorsed plans shall not be altered or modified without the consent in writing of the Responsible Authority

- (2) The use hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the appearance of any building, works, or materials on the land, the emission of noise, light spill, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, or otherwise
- (3) All vehicles used by the guests of the group accommodation must be parked on the subject land at all times to the satisfaction of the Responsible Authority
- (4) No more than four (4) guests may occupy the building used for group accommodation at any time, unless with the prior written consent of the Responsible Authority.

PERMIT EXPIRY

This permit shall expire if the use hereby permitted has not commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before six months after such expiry.

NOTATIONS:

- (1) 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
- (2) A site assessment for determining the bushfire attack level (BAL) in relation to the construction of a building has not been considered as part of this planning permit application.

The Land and Surroundings

The subject site is a 1.47 hectare parcel of land in the Low Density Residential Zone which is not restricted by any overlays and there aren't any watercourses protruding through the site. There is an existing dwelling and outbuilding which is constructed of mud brick and was previously used as a personal workshop for the residents. The outbuilding is located fairly centrally on the lot, with maximum setbacks from each boundary. There is a large dam towards the southern corner of the lot and an internal driveway provides direct access to Halls Flat Road on the north-west boundary. The site is irregularly shaped and shares property boundaries with two adjoining lots.

The adjoining property to the north has an existing dwelling and some outbuildings, the dwelling is located approximately 105 metres to the north of the building proposed to be used for group accommodation. The adjoining land to the south is a larger lot, currently vacant. There are also nearby dwellings to the east, approximately 88 metres and 93 metres from the building proposed to be used for group accommodation.

All surrounding land is within the Low Density Residential Zone, approximately 250 metres from the subject site to the north there is land within the General Residential Zone and approximately 300 metres to the south-west there is land in the Farming Zone. The subject land is approximately 2 kilometres from the town centre of Alexandra and has appropriate access to all relevant services.

Background

The subject building, previously constructed and approved by a Building Permit in October 2000 as a Domestic Outbuilding, did not require a planning permit as it was associated with the existing dwelling.

A Building Permit was approved in September 2018 for alterations and additions to the existing dwelling, including a swimming pool, at this time the Domestic Outbuilding was labelled on the submitted and approved Site Plan as a 'Habitable Outbuilding'. It was determined that a planning permit was not required for a habitable outbuilding used in association with the existing dwelling, this definition allows the outbuilding to be used by residents of the subject land.

In September 2019, advice was provided to the current owners that the habitable outbuilding would not receive a certificate of occupancy until a Planning Permit was granted to use the land for group accommodation. Shortly after this advice, the residents commenced operating as a business and the accommodation (outbuilding) was advertised online. Additional advice was provided in November 2019 from Council's Building Department, clarifying that a Certificate of Occupancy could only be issued once a Planning Permit was approved.

Following on from the above advice, a planning permit application was submitted to Council 27 March 2020.

Proposal

The applicant seeks approval to change the use of the existing domestic outbuilding to a second dwelling and to be able to use the second dwelling for group accommodation.

The outbuilding has all of the required features to be able to meet the requirements of a 'dwelling' under the Planning Scheme. There is also existing infrastructure on the land which is proposed to be used, including the internal driveway and informal gravel car parking and the effluent treatment and disposal system, which has the capacity to be used for the group accommodation.

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 and occupiers;
- notice of the application was displayed on the subject site.

Two submissions were received, from neighbouring residents to the south-west of the subject site. The concerns of the submissions can be summarised as follows:

- Building used for accommodation is close to neighbouring dwellings
- History of loud groups staying, playing music
- Increased traffic along Halls Flat Road
- Amenity impacts to nearby dwellings, from noise and light spill.

Additional concerns were raised in relation to a previous private event held at the property, these comments are not relevant to this planning permit application.

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

- Owners of the land (applicant's) are permanent residents
- Resident's dwelling is less than 50 metres from the subject building and they would be aware of any excessive noise
- Owners believed their accommodation was classified as a Bed and Breakfast which did not require a planning permit
- The listing will be made unavailable until such time a permit may be granted.

The above response was provided to both submitters, with neither objection being withdrawn.

Discussion

Council Officers have assessed the proposed use of the land against the decision guidelines of the *Murrindindi Planning Scheme*. The key issues for this application are;

- amenity noise impacts to surrounding properties
- suitability of the use in relation to surrounding land uses.

The proposal is supported by local and state Planning Policy Framework (PPF) in relation to the tourism benefits to be achieved by the proposed use.

In assessing the application, the applicable PPF were considered including, Clause 13.05 (Noise) and Clause 13.07-1S (Land use compatibility).

Clause 13.05 Noise

The policy addresses noise effects on sensitive land uses. This is achieved by ensuring, 'that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area'.

The proposal includes the use of the land for tourist accommodation, located within an existing building located centrally on the land. The building has reasonable setbacks from adjoining properties, approximately 86 metres from the nearest dwelling to the south-east and 105 metres from the dwelling to the north.

The orientation of the building would also naturally project any noise to the south, towards the existing dwelling onsite.

The owners of the land are full-time residents of the existing dwelling onsite, they will be the first to hear any excessive noise and should be able to ensure that noise is controlled.

Clause 13.07-1S Land use compatibility

This policy aims to, 'safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects'. To achieve this outcome, Council Officers must consider whether the proposed land use is appropriate for the existing functions and character of the area. Land use compatibility concerns can be reduced by directing land uses to appropriate locations and using a range of building design, urban design, operational and land use separation measures.

The surrounding area is characterised by single dwellings with outbuildings, long driveways and some very small scale hobby farming. Generally the landscape is naturally divided by remnant vegetation and landscaping around buildings.

There are a few properties in the area which have already been subdivided, or are in the process of subdivision, which creates properties close to minimum lot size of 1 hectare (under the Schedule to the Low Density Residential Zone). In comparison the subject land is almost 1.5 hectares with fairly significant vegetation close to the road and along the northern boundary.

The area is considered appropriate for small-scale tourist accommodation as there is sufficient land available and the lot is able to contain and treat the wastewater onsite. Amenity impacts to adjoining and nearby properties are likely to be very low and infrequent.

Amenity – Increased traffic on Halls Flat Road

The property has direct access to Halls Flat Road, which is a sealed access road, maintained by Murrindindi Shire Council. The likely increase of traffic could be up to four additional vehicle movements per day. The road is adequate for the small potential increase in traffic.

Group Accommodation in the Low Density Residential Zone

The primary purpose of the Clause 32.02 (Low Density Residential Zone) is to provide for low density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The property has an existing dwelling which was extended and completed in January 2020 (planning permit not required) which included an assessment of the wastewater treatment and disposal system onsite. The existing system was developed to be able to treat and retain additional wastewater from what was previously the outbuilding, Council's Environmental Health Technical Officer has determined that the current system is appropriate to be used for the proposed group accommodation. Reticulated water is available from Halls Flat Road and the existing dwelling and outbuilding have existing connections to the mains supply.

Car Parking for Group Accommodation

Car parking for the proposed use is required to comply with the requirements of Clause 52.06 Car Parking, which does not specify an amount of spaces for group accommodation, 'car parking spaces must be provided to the satisfaction of the Responsible Authority'.

The residents of the existing dwelling have space available on the wide gravel driveway to park vehicles in front of the dwelling, or to park inside the shed north of the dwelling. There is a designated gravel space beside the existing outbuilding which could be used for guests of the proposed group accommodation. It was determined that given the size of the subject land and sufficient gravelled area that car parking spaces were not required to be specified as part of the application.

Tourism and economic growth

The proposed change of use to group accommodation has been considered against the tourism and economic growth planning policy contained within the Murrindindi Planning Scheme. Local and state policy supports increasing tourist development within the municipality.

Clause 02.03 (Strategic Directions) seeks to encourage sustainable growth in tourism, facilitate the development new tourism accommodation options and to encourage small enterprises in tourism.

The proposed group accommodation provides for a small tourist accommodation in a location with appropriate access to the township of Alexandra and surrounding tourist attractions, such as the Rail Trail, Lake Eildon and Cathedral Ranges.

Council Officers are satisfied that the proposal is consistent with the Murrindindi Planning Scheme PPF. The applicant has established that the proposal will have a beneficial impact on the economic growth of the municipality as it will facilitate the growth of tourism to the municipality.

Conclusion

Council Officers are satisfied that the proposal is consistent with provisions of the Murrindindi Planning Scheme. This report assesses the proposed change of use of the existing outbuilding to be used for group accommodation. The proposal will contribute to a diversified economy by providing a small scale accommodation tourist experience.

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021* Our Place and Our Prosperity strategic objectives:

- 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment'
- 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.
- 'work with our businesses, regional partners and communities to support a diverse visitor experience that promotes our natural assets, and a vibrant range of events'.

Relevant Legislation

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

Financial Implications and Risk

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

Conflict of Interest

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

RESOLUTION

Cr M Rae / Cr E Lording

That Council issue a notice of decision to grant a permit for the change of use of an existing outbuilding to a second dwelling and the use of land for group accommodation at 47 Halls Flat Road, Alexandra (Lot: 1, Plan of Subdivision 731149), subject to the following conditions:

- (1) The layout of the use, as shown on the endorsed plans shall not be altered or modified without the consent in writing of the Responsible Authority**
- (2) The use hereby permitted shall not cause nuisance or injury to, or prejudicially affect the amenity of the locality, by reason of the appearance of any building, works, or materials on the land, the emission of noise, light spill, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, or otherwise**
- (3) All vehicles used by the guests of the group accommodation must be parked on the subject land at all times to the satisfaction of the Responsible Authority**
- (4) No more than four (4) guests may occupy the building used for group accommodation at any time, unless with the prior written consent of the Responsible Authority.**
- (5) A landscape plan prepared 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 plan must be drawn to a scale with dimensions and show:
 - a) an area screen planting measuring 30 metres long and 3 metres wide along the south-western property boundary commencing 110 metres from the Halls Flat Road property boundary, the screen is to achieve a minimum mature height of 5 metres.**
 - b) a schedule of all proposed trees and shrubs to be planted in the area specified in 'a.' above.**
 - c) the location of each species to be planted as set out the schedule required by 'b.' above.****

This planting is to create an appropriate buffer between the building proposed to be used for Group Accommodation and the neighbouring dwelling at 59 Halls Flat Road, Alexandra and must be of sufficient density to ensure that this is achieved.

Planting and all associated necessary works must be implemented prior to the commencement of the use and with maintenance works carried out for two years.

Photographic evidence of the plantings must be submitted to Council within three months of the completion of the landscaping, to the satisfaction of the Responsible Authority

PERMIT EXPIRY

This permit shall expire if the use hereby permitted has not commenced within two (2) years of the date hereof, or any extension of such period the Responsible Authority may allow in writing, on an application made before six months after such expiry.

NOTATIONS:

- (1) 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**
- (2) A site assessment for determining the bushfire attack level (BAL) in relation to the construction of a building has not been considered as part of this planning permit application.**

CARRIED UNANIMOUSLY

8.4 ROAD SAFETY AUDIT – GORDONS BRIDGE ROAD, CASTELLA

Attachment(s): Road Safety Audit – Gordons Bridge Road (refer Attachment 8.4)

Purpose

This report provides Council with a further response to the petition tabled at the Ordinary Meeting of Council, 23 October, 2019. The petitioners requested an upgrade and seal of Gordons Bridge Road or at least between Melba Highway and Moore Court. As part of the resolution a road safety audit was to be undertaken of Gordons Bridge Road between Melba Highway and Moore Court. This report advises of the outcomes of that audit.

Officer Recommendation

That Council:

1. note the findings of the audit
2. authorise Officers to rectify immediate actions that relate to improved signage and guide posts by the end of August 2020
3. authorise Officers to consider all capital works actions identified by the audit that relate to installing chevron alignment markers, protective barrier systems, pavement marking and sealing works as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year
4. request that the Manager Community Assets write to the convenors of this petition advising them of the actions.

Background

A petition was tabled to Council at its Ordinary Meeting of 23 October, 2019. The petition was submitted by Harry Braun and was signed by twenty people.

The submitter advised of safety concerns on Gordons Bridge Road, Castella from the Melba Highway intersection to Moore Court. The petitioners were requesting the upgrade and sealing of Gordons Bridge Road, at least between Melba Highway and Moore Court.

As the petition highlights concerns about the safety of the road for the road users, it was recommended that an independent road safety audit be undertaken of the road between Melba

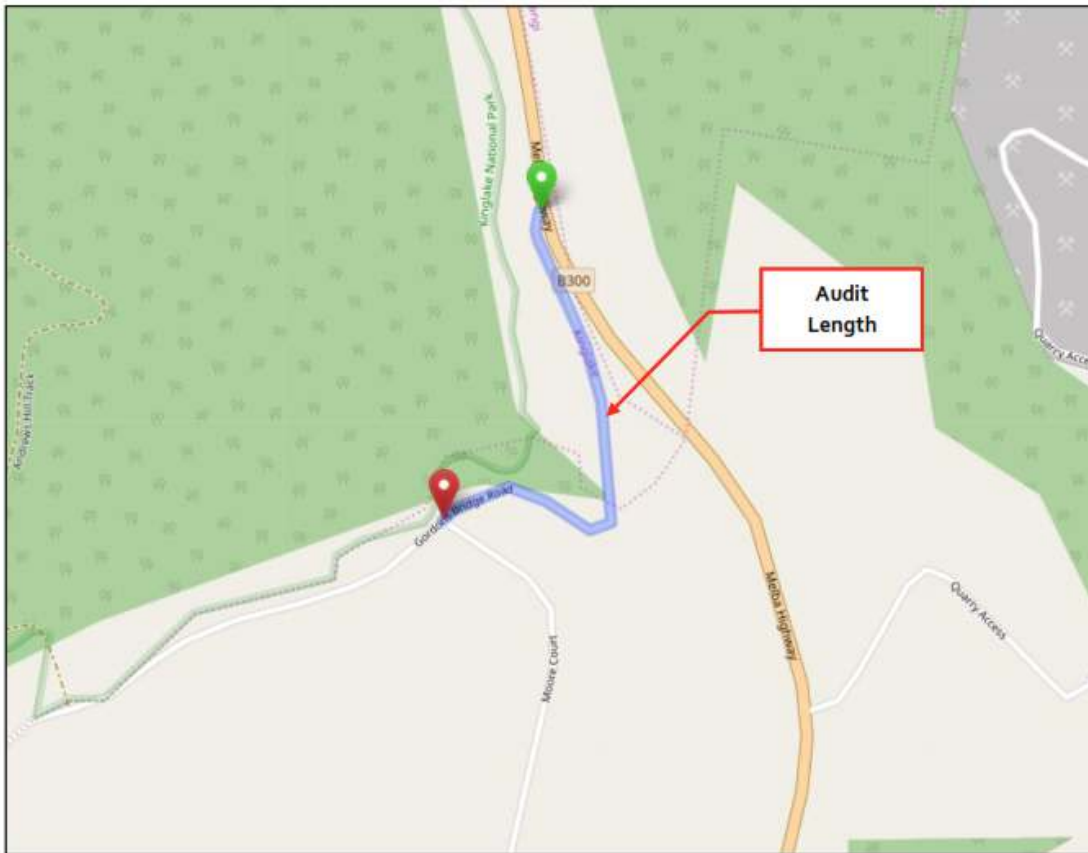
Highway and Moore Court. The audit was to consider the traffic, speed, function and surface of the road to ensure safe travel for the classification of the road as an access road and to provide recommended actions.

Discussion

An independent review of the existing road was undertaken by Safe System Solution to identify any safety or performance concerns. As part of this review, the safety for road users was considered. The review made comment of road safety issues and provided recommendations for safety improvements.

This audit was completed on 20 February, 2020. (Attachment 8.4).

The area of the audit was;



As a result of the audit a number of recommendations have been made. These recommendations were assessed against a risk matrix with a level of risk assigned to each recommendation. The audit does not provide any recommendations to seal the road. The following is a summary of the recommendations, the risk rating and action to be taken. Full details of these items including photos are included in Attachment 8.4.

Audit Findings	Level of Risk	Recommendation	Action
A number of temporary signs have come free of their mountings. As a result, motorists may not be alerted to change in road conditions.	Low	If temporary signs are still applicable, consider re-mounting the signs and ensure that the signs are facing oncoming traffic so as to maximise visibility, particularly in low light conditions.	These are used during road maintenance so will be removed.

<p>The bridge over the Yea River features a single lane. Motorists traveling along Gordons Bridge Road may not be aware that they have to give way to oncoming traffic at this location, due to the lack of signage.</p>	<p>Low</p>	<p>Consider installing narrow bridge warning signs and one lane signs on both approaches to the bridge to alert motorists to the narrow road width.</p>	<p>These works will be undertaken and completed by August 2020</p>
<p>There are multiple sections of the road that feature guide posts at non-standard spacing, while some locations do not have any guideposts at all.</p>	<p>Medium</p>	<p>Consider installing guideposts along road and at curve locations.</p>	<p>These works will be undertaken and completed by August 2020</p>
<p>Gordons Bridge Road east of Moore Court features a number of sharp curves in quick succession, which are poorly delineated.</p>	<p>Medium</p>	<ol style="list-style-type: none"> 1. Consider installing a protective barrier system along the outside of the curve. 2. Consider installing Chevron Alignment Markers (CAMs) along the outside of the curve to provide additional delineation to alert motorists to the steep verge and other hazards. 3. Consider installing guideposts along the road and at curve locations. 	<ol style="list-style-type: none"> 1. This item will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year. 2. These works will be undertaken and completed by August 2020 3. These works will be undertaken and completed by August 2020
<p>A number of potholes along the route.</p>	<p>Low</p>	<p>Consider in-filling the major potholes as soon as practical. Monitor and review the surface conditions periodically and take remediation works where required.</p>	<p>This is already monitored and repaired as part of ongoing maintenance and inspection regime as per the Road Management Plan requirements. This is ongoing.</p>
<p>The existing bell mouth seal at the Melba Highway and Gordons Bridge Road intersection is in poor condition. It was observed that gravel and loose debris is being tracked from Gordons Bridge Road (unsealed) into brake areas and the intersection. Additionally, the intersection pavement marking is badly worn.</p>	<p>Medium</p>	<p>Consider the following intersection treatments:</p> <ul style="list-style-type: none"> • Extending the seal along Gordons Bridge Road and resealing at the intersection • Reinstating the pavement parking at the intersection to improve delineation. 	<p>This is a joint responsibility between Regional Roads Victoria and Council. Contact will be made with Regional Roads Victoria to negotiate co-contribution for the seal.</p>
<p>At the bridge location, type B barriers have been installed across the structure, however the existing barriers are short in length. Additionally, the existing barriers do not have an approach terminal or departure terminal.</p>	<p>Medium</p>	<p>Consider the following barrier improvements:</p> <ul style="list-style-type: none"> • Extending the barriers for the approach and departure • Flaring the barriers and terminals • Installing Gating Redirective Energy Absorbing Terminals (GREAT) for each approach 	<p>This item will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year.</p>

		<ul style="list-style-type: none">• Install approved trailing terminals on approach and departures	
--	--	------------------------------------------------------------------------------------------------------------------	--

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* Our Place strategy to 'enhance community safety, resilience and liveability through improved planning, community engagement, and a fair and transparent approach to compliance'.

Relevant Legislation

The relevant legislation is *Road Management Act 2004* - Code of Practice Operational Responsibility for Public Roads.

Financial Implications and Risk

There will be a cost to undertake the works identified in this report to be undertaken over the coming months, however this cost will be managed within the Community Assets operational budget.

Council has recently been advised by the Federal Government that we will receive \$1,083,272 through the Local Road and Community Infrastructure Grant Program for the 2020/2021 financial year. It is recommended that funding for the remaining works be considered as part of the Local Road and Community Infrastructure Grant Program for the 2020/2021 financial year.

Conflict of Interest

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

Community and Stakeholder Consultation

Internal consultation with Council Infrastructure Operations and Asset Management Departments has been carried out in response to these works.

Council Officers will write to the convenors of this petition advising them of Councils actions.

RESOLUTION

Cr R Bowles / Cr M Rae

That Council:

- 1. note the findings of the audit**
- 2. authorise Officers to rectify immediate actions that relate to improved signage and guide posts by the end of August 2020**
- 3. authorise Officers to consider all capital works actions identified by the audit that relate to installing chevron alignment markers, protective barrier systems, pavement marking and sealing works as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year**
- 4. request that the Manager Community Assets write to the convenors of this petition advising them of the actions.**

CARRIED UNANIMOUSLY

8.5 ROAD SAFETY AUDIT – BROOKS CUTTING ROAD, ALEXANDRA

Attachment(s): Road Safety Audit – Brooks Cutting Road (refer Attachment 8.5)

Purpose

This report provides Council with a further response to the petition tabled at the Ordinary Meeting of Council, 27 November, 2019. The petitioners have requested the sealing of the first 1.5 kilometres of the road, or that at least a major upgrade be undertaken. As part of the

resolution, a road safety audit was to be undertaken of Brooks Cutting Road between Swann Road and the camping ground. This report advises of the outcomes of that audit.

Officer Recommendation

That Council:

1. note the findings of the audit
2. authorise Officers to rectify immediate actions that relate to improved signage and guide posts by the end of August 2020
3. authorise Officers to consider all capital works actions identified by the audit that relate to protective barrier systems, fixing culverts, concrete channel repairs and a major re-sheet of the gravel road as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year
4. request that the Manager Community Assets write to the convenors of this petition advising them of these actions.

Background

A petition was tabled to Council at its Ordinary Meeting of 27 November, 2019. The petition was submitted by Jim and Paula Inness and was signed by eight people.

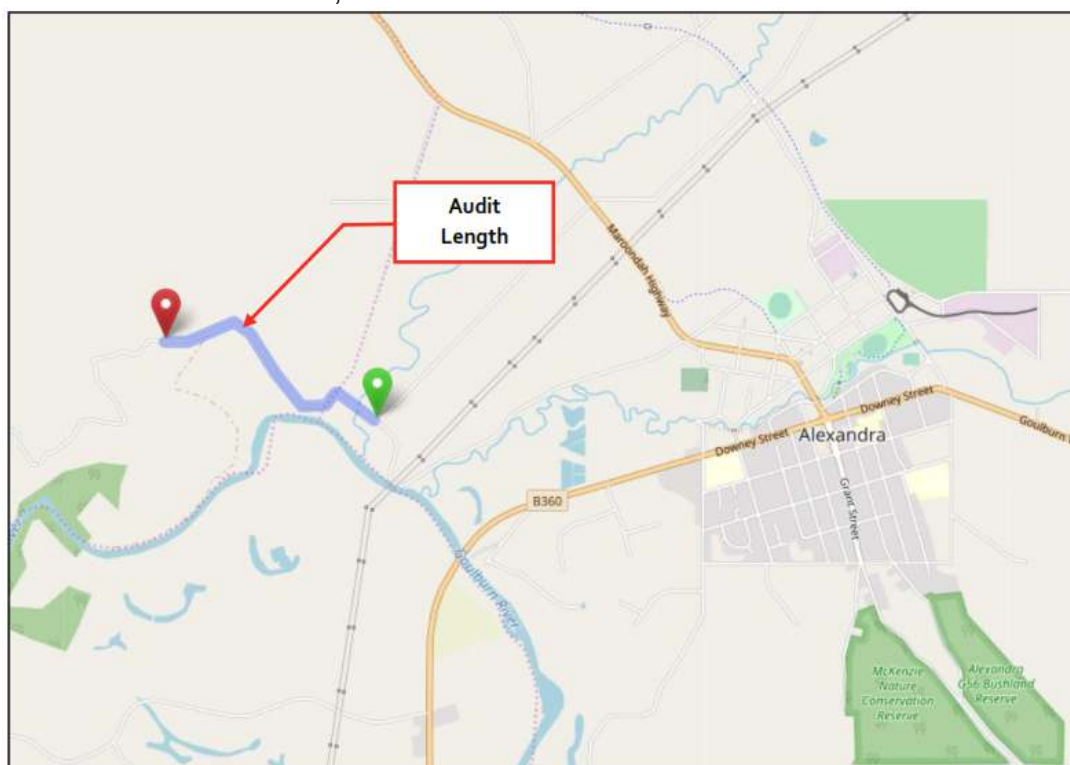
The submitter has advised of safety concerns on Brooks Cutting Road, Alexandra particularly for large vehicles including caravans. As a result, it was recommended that an independent road safety audit be undertaken of Brooks Cutting Road between Swann Road and the camping ground. This audit was to consider the traffic, speed, function and surface of the road to ensure safe travel for the classification of the road being an access road and to provide recommended actions.

Discussion

An independent review of the existing road was undertaken by Safe System Solution to identify any safety or performance concerns. As part of this review, the safety for road users is considered. The review provided comments on road safety issues and recommended opportunities for road safety improvement.

This audit was completed on 20 February, 2020. (Attachment 8.5).

The area of the audit was;



As a result of the audit a number of recommendations have been made. These recommendations have also been assessed against a risk matrix with a level of risk assigned to each recommendation. The audit does not provide any recommendations to seal the road.

The following is a summary of the recommendations, the risk rating and action to be taken. Full details of these items including photos are included in Attachment 8.5.

Audit Findings	Level of Risk	Recommendation	Action
There are a number of curves along the route that may not be easily perceived by oncoming motorists. This is due to the vertical geometry of the road, vegetation and lack of signage and poor delineation. This problem is exacerbated in low light conditions, where the lack of street lighting and retro-reflective delineation results in severely reduced visibility. Coupled with the high speed nature of the road, motorists that are not aware of upcoming curves have an increased likelihood of running off the road.	High	Consider <ul style="list-style-type: none"> • installing Chevron Alignment Markers (CAMs) along sub-standard curves. • Installing curve warning signs on approaches to curves 	These works will be undertaken and completed by August 2020
There are multiple sections of the road that feature guide posts at non-standard spacing, while some	Medium	Consider installing guideposts along route.	These works will be undertaken and completed by August 2020

locations do not have any guideposts at all.			
The width marker on the left side of the bridge facing northbound traffic is partially obscured by vegetation.	Low	Consider trimming vegetation for visibility.	These works will be undertaken and completed by August 2020
The T-intersection at Swann Road, Brooks Cutting Road and Binns-McRaes Road is signed with two unidirectional hazard markers. Given the high speed nature of Swann Road (80km) and lack of any other warning signs, these narrow markers offer limited visibility. In addition, the hazard marker pointing toward Brooks Cutting Road is not retro reflective.	Low	Consider replacing both hazard markers with two standard retro-reflective unidirectional hazard boards.	These works will be undertaken and completed by August 2020
The bridge over the Johnson Creek features width hazard markers on all four sides and a narrow width that only allows a single vehicle to cross the bridge at one time. However there is no signage that alerts motorists to the narrowing of the bridge.	Low	Consider installing narrow bridge warning signs and one lane signs on both approaches to the bridge.	These works will be undertaken and completed by August 2020
There is an open concrete drainage channel along the north side of the road that begins just south of the Brooks River Reserve Campground access and extends approximately 120m southeast. As the location of the channel is in close proximity to the road providing little margin for error.	Low	Consider the following intersection treatments: <ol style="list-style-type: none"> 1. Covering the channel with concrete, creating a closed channel draining system 2. Providing additional guideposts along the route section to alert motorists to the channel. 	<ol style="list-style-type: none"> 1. This item will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year. 2. These works will be undertaken by August 2020
There is a number of existing culverts along the side of the road and at private access points that have a vertical faced culvert end wall or none at all. Vehicles may collide with these.	Medium	Consider installing driveable end walls at existing culverts.	This item will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year.
At Johnson Creek bridge type B barriers have been installed across the structure to prevent vehicles from driving off the bridge, however the existing barriers are short in length. Additionally, the existing barriers do not have an approach terminal or departure terminal.	Medium	Consider the following barrier improvements: <ol style="list-style-type: none"> 1. Extending the barriers for the approach and departures. 2. Flaring the barriers and terminals. 3. Installing Gating Redirective Energy Absorbing Terminals (GREAT) for each approach. 4. Installing approved trailing terminals on departures 	This item will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year.

Following the completion of the audit, some residents requested a further meeting on site to discuss some further concerns. As a result, the following additional works are planned:

- Minor excavation works into the embankment to move the invert to a drain away from the edge of the road pavement at a narrow stretch of Brooks Cutting Road
- Removal of suckers along bend causing site issues
- Repairs to a drain where water is currently going around rather than through.

This road is also listed on the gravel resheeting program for a major resheet during the 2021/2022 financial year. However, it would be better if all recommended rectification works as well as the resheeting works are conducted during the same year.

Council has recently been advised by the Federal Government that it will receive \$1,083,272 through the Local Road and Community Infrastructure grant for the 2020/2021 financial year. It is recommended that funding for all of the works be considered as part of this Local Road and Community Infrastructure grant program for 2020/2021 financial year.

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* Our Place strategy to 'enhance community safety, resilience and liveability through improved planning, community engagement, and a fair and transparent approach to compliance'.

Relevant Legislation

The relevant legislation is *Road Management Act 2004* - Code of Practice Operational Responsibility for Public Roads.

Financial Implications and Risk

There will be a cost to undertake the works identified in this report to be undertaken over the coming months, however this cost will be managed within the Community Assets operational budget.

Council has recently been advised by the Federal Government that we will receive \$1,083,272 through the Local Road and Community Infrastructure Grant Program for the 2020/2021 financial year. It is recommended that funding for the remaining works will be considered as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year.

Conflict of Interest

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

Community and Stakeholder Consultation

Internal consultation with Council Infrastructure Operations and Asset Management Departments has been carried out in response to these works.

Council offices will write to the convenors of this petition advising them of council's actions.

RESOLUTION

Cr C Bisset / Cr E Lording

That Council:

- 1. note the findings of the audit**
- 2. authorise Officers to rectify immediate actions that relate to improved signage and guide posts by the end of August 2020**
- 3. authorise Officers to consider all capital works actions identified by the audit that relate to protective barrier systems, fixing culverts, concrete channel repairs and a**

- major re-sheet of the gravel road as part of the Local Road and Community Infrastructure grant funded program for 2020/2021 financial year
4. request that the Manager Community Assets write to the convenors of this petition advising them of these actions.

CARRIED UNANIMOUSLY

8.6 DOMESTIC WASTEWATER MANAGEMENT PLAN

Attachment(s): *Domestic Wastewater Management Plan (refer Attachment 8.6)*

Purpose

This report presents the draft Domestic Wastewater Management Plan 2020 - 2024 and seeks Council's support to publicly seek community input for the draft Plan.

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

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

Officer Recommendation

That Council:

1. note the attached draft 'Domestic Wastewater Management Plan (DWMP) 2020-2024'
2. note that the DWMP will be released for public comment on 1 July 2020 in line with the requirements of section 223 of the *Local Government Act 1989* for 28 days
3. note that submissions under section 223 will be accepted until close of business 31 July 2020
4. call a Special Meeting for the purpose of hearing submissions on the DWMP made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting
5. request Officers to prepare a further report to Council on the outcomes of the consultation process and endorsement of the DWMP by September 2020.

Background

Council are required to prepare a Domestic Wastewater Management Plan under the State Environment Protection Policy (Waters of Victoria). This DWMP must assess domestic wastewater risks in the municipality and develop prioritised actions to address potential impacts.

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

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

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

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

Discussion

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

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

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

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

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

Domestic Wastewater Management Action Plan

<p>Action 1</p> <p>High Priority</p> <p>Develop Funding Models for On-site Wastewater Oversight / Compliance Program and Implement (refer to Section 6.1.1)</p>	<ol style="list-style-type: none"> 1. Evaluate potential funding models and make recommendation to MSC. 2. Seek approval for funding model 3. Implementation (prioritised based on On-site System Inspection data analysis and risk). 	<p>DWMP Year 1</p> <p>DWMP Year 1</p> <p>DWMP Year 2</p>
<p>Action 2</p> <p>High Priority</p> <p>Pilot alternative wastewater management strategies for</p>	<ol style="list-style-type: none"> 1. Design a suitable Pilot Project 2. Develop and implement monitoring and evaluation system/program 	<p>DWMP Year 1</p>

<p>Flowerdale and/or Kinglake and Thornton</p>	<ol style="list-style-type: none"> 3. Engagement between Council, Victorian Government Agencies and Community Stakeholders to identify potential funding and management opportunities 4. Pursue grants and funding made available to implement an alternative wastewater management pilot study. Requires development of a business case to demonstrate how this scheme may be implemented. 	<p>DWMP Year 1-2</p> <p>DWMP Year 3-5?</p>
<p>Action 3</p> <p>High Priority</p> <p>Establish Minimum Standards for Septic Tank and Planning Permit Applications</p>	<ol style="list-style-type: none"> 1. Refine, finalise and adopt the Minimum Standards Tables in Appendix B. 2. Engage with neighbouring Councils to work towards consistent septic tank and planning permit application standards 3. Conduct Consultant and Installer Information Sessions 4. Implement and Update as Required. 	<p>DWMP Finalisation</p> <p>DWMP Year 1</p> <p>DWMP Year 1</p>
<p>Action 4</p> <p>High Priority</p> <p>DWM Information Collection and Management</p>	<ol style="list-style-type: none"> 1. Investigate developing user group to facilitate the integration of Open Office Health Manager wastewater management system data with Council GIS system 2. Create a baseline Septic Tank Permit GIS mapping layer 3. Establish procedure for direct input of all new Permits' data as they are approved. 	<p>DWMP Year 1</p>
<p>Action 5</p> <p>High Priority</p> <p>Education and engagement program</p>	<ol style="list-style-type: none"> 1. Develop a Stakeholder Engagement Plan, which outlines how stakeholders are to work to together to better manage domestic wastewater impacts. 2. Develop and deliver wastewater management system maintenances and good land management practices education material via Council's website, pops up and printed information. 3. Promote wastewater management education and septic system data availability to all relevant community members. 4. Develop and implement documentation to enable these community members to obtain information on properties they have interest in and status of a potential wastewater management system for the site. 5. Develop and deliver information guide on how to consolidate lots. 	<p>DWMP Finalisation</p> <p>DWMP Year 1</p>
<p>Action 6</p> <p>Low Priority</p>	<ol style="list-style-type: none"> 1. Evaluate potential for an on-going water quality monitoring program in high risk areas. 	<p>DWMP Year 3</p>

DWM Impact Monitoring Program		
Action 7	1. On-going evaluation against Action Plan	Annually
Low Priority	2. Adapt DWMP Actions as required based on available funding and previous action outcomes.	Annually
DWMP Action Plan Review	3. Full DWMP Review	DWMP Year 5

Council Plan/Strategies/Policies

This report is consistent with the *Council Plan 2017-2021 Our Place and Our Prosperity* strategic objectives:

- 'we will maintain and enhance places to be attractive and liveable, in balance with our natural environment'
- 'through good land use planning enhance the liveability, prosperity and rural character of our Shire'.

Relevant Legislation

- State Environment Protection Policy (Waters)
- EPA Code of Practice: On-site Wastewater Management (2016)
- *Environment Protection Amendment Act (2018)*
- *Public Health & Wellbeing Act 2008*
- *Local Government Act 2020 (formerly Local Government Act 1989)*
- *Water Act 1989*
- *Planning and Environment Act 1987.*

Financial Implications and Risk

This project has been delivered through a \$30,000 contribution from Council.

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

Conflict of Interest

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

Community and Stakeholder Consultation

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

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

Public consultation however, should be sought on the draft DWMP before Council adopts the Plan. Until Council approves communication processes associated with the *Local Government Act 2020*, the community consultation process of the *Local Government Act 1986* remain active. These are contained within section 223 of the 1986 Act which requires that we conduct a 28 day public consultation period for any public document.

It is recommended that the draft DWMP is released for public comment. Officer further recommend for a S223 public consultation period from Wednesday 1 July to Friday 31 July 2020. Copies of the MEMP will be available for people to browse in on Council's webpage and Council service centres during the exhibition period.

RESOLUTION

Cr E Lording / Cr M Rae

That Council:

- 1. note the attached draft 'Domestic Wastewater Management Plan (DWMP) 2020-2024'**
- 2. note that the DWMP will be released for public comment on 1 July 2020 in line with the requirements of section 223 of the *Local Government Act 1989* for 28 days**
- 3. note that submissions under section 223 will be accepted until close of business 31 July 2020**
- 4. call a Special Meeting for the purpose of hearing submissions on the DWMP made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting**
- 5. request Officers to prepare a further report to Council on the outcomes of the consultation process and endorsement of the DWMP by September 2020.**

CARRIED UNANIMOUSLY

8.7 DRAFT MUNICIPAL EMERGENCY MANAGEMENT PLAN

Attachment(s): Murrindindi Shire Council – Municipal Emergency Management Plan (refer Attachment 8.7)

Purpose

This report summarises the key changes to the Municipal Emergency Management Plan (MEMP) including the changes expected in the *Emergency Management Legislation Amendment Act 2018*. The new Act will commence at the municipal level on the 1 December 2020.

This report also presents the revised draft Municipal Emergency Management Plan (MEMP) and seeks Council's support to publicly consult on the draft plan.

Officer Recommendation

That Council:

- 1. note the draft Municipal Emergency Management Plan (MEMP)**
- 2. note that the MEMP will be released for public comment on 1 July 2020 in line with the requirements of section 223 of the *Local Government Act 1989* for 28 days**
- 3. note that submissions under section 223 will be accepted until close of business 31 July 2020**
- 4. call a Special Meeting for the purpose of hearing submissions on the MEMP made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting**
- 5. request Officers prepare a further report to Council on the outcomes of the consultation process and endorsement of the MEMP**

Background

Role of Local Government in Emergency Management

The *Emergency Management Act 1986* and the *Local Government Act 1989* recently replaced by the *Local Government Act 2020*, identifies councils across the state as playing a critical role in Victoria's emergency management arrangements and systems. Councils have emergency management responsibilities as they are the closest level of government to their

communities and have access to specialised local knowledge about the environmental and demographic features of their municipalities.

Municipal Emergency Management Planning Committee

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

It is not the MEMPC's role to manage emergencies. This is the responsibility of the agencies and personnel identified under the response and recovery arrangements in the *Emergency Management Manual Victoria*, the *Emergency Management Act 1986* and *2013*, and the *Country Fire Authority Act 1958*.

The MEMPC is required to prepare the Municipal Emergency Management Plan (MEMP), which documents response and recovery operational arrangements, and to ensure that all the subjects listed in the Plan's outline are investigated and adequately provided for.

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

- assessing and reviewing hazards and risks facing the community;
- producing the MEMP for consideration by Council;
- reviewing and updating the Plan annually, including reviewing risks, with responsibility for this task delegated to the MEMPC Executive Officer;
- every three years, conducting a review of the risks examined in the Community Emergency Risk Analysis (CERA) processes (undertaken February 2018); and
- arranging regular tests/exercises of an emergency scenario.

MEMP Audit – Statutory Review Requirements

Every three years Section 21A of the *Emergency Management Act 1986* requires that the MEMP be audited by the State Emergency Service. This audit assesses whether the plan complies with relevant statutory requirements. The audit for the Murrindindi Shire Council is scheduled to occur on 9 October 2020. It is important to note that new audits under the *Emergency Management Act 2013* do not apply to plans audited before 1 December 2020.

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

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

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

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

The CERA process provides a new and clear risk management framework for considering and improving the safety and resilience of community from hazards and emergencies.

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

The resulting CERA process forms an integral part of the new “all hazards” MEMP. A copy of the CERA workbook is available on request.

Discussion

Changes to the Plan

The plan includes a number of distinct changes including:

- providing detailed information on how council will coordinate the local delivery of community relief and recovery
- reviewing the relief and recovery arrangements including relief centre locations
- aligning with the latest requirements of the Emergency Management Manual Victoria
- aligning with the audit requirements of Emergency Management Victoria (EMV) and Victoria SES
- providing a much more comprehensive introductory section that details demographic, topography, environmental and emergency trends and history in the Murrindindi Shire
- embracing new directions including an ‘all hazards’ approach to dealing with emergencies
- incorporating the use of “Crisisworks” as the main tool in record management for Council’s response to an emergency
- detailing the key emergency management roles and functions undertaken by Council during an emergency
- demonstrating Council’s ongoing commitment to uphold the community’s values and expectations in relation to emergency management
- making clear and easy to understand statements on the use of Council resources and processes for emergency cost recovery.

Legislative Change

The plan also attempts to set out strategies for expected changes from the *Emergency Management Planning Legislation Amendment Bill 2018* due to take effect on 1 December 2020 at the municipal level. However, the audit processes for this version of the plan are still contained within the *1986 Act*. At the next audit in 2023, Council’s MEMP will be expected to fully comply with the new requirements.

Full detail of the changes in not is known as the “planning guidelines” (which guide the preparation of MEMPs under the new act) have not been released. One of the key changes that we do know about is that the plan will no longer be required to be adopted by Council – it will move from a “Council owned” plan to a “committee owned” plan. The chair of the committee will still be chosen by Council and it suggested that a Councillor continue in that role as they are currently well received by both the committee and general public.

Another key change is the move to a “self-assurance” framework for plan audit rather than having SES undertake the audit. Essentially the new plan in 2023 will need to be self-audited by the committee. A self-assurance statement will then signed by the chair on behalf of the committee stating that the committee feel the plan adequately addresses the mitigation, response and recovery phases of emergency within the Murrindindi Shire. The plan will then pass through a regional process where the Regional Emergency Management Planning Committee will provide comment on the self-assurance process.

From December 1 however, the big change is for the committee and not the plan. As soon as is practicable after that date, a “new” MEMPC will be formed under the new arrangements. This executive MEMPC (members identified below) will determine the makeup of the new MEMPC and if any sub-committees are required due to the Shire’s risk profile. It is expected that the new MEMPC will determine that we have a MEMPC with a very similar makeup to its present constituents.

Community representatives will from December 1 be a requirement on the committee – The Murrindindi Shire Council MEMPC has had community representation for over 2 years.

Once formed the new MEMPC will determine the need for sub-committees. Again, it is expected that they will determine that we require a Municipal Fire Management Planning Committee due to the municipality’s exposure to bushfire risk. If the current COVID-19 pandemic is still active at that date it can also be expected that the MEMPC will determine that a Pandemic Committee is still required.

Once the new planning guidelines are released at the municipal level, a further briefing note will be prepared for Council summarising the changes.

The *Emergency Management Act 2013* will also have some changes on emergency management staffing at Council. The role of the Municipal Emergency Resources Officer (MERO) is changed under the new legislation and replaced with the Municipal Emergency Management Officer (MEMO). The key difference in the role is a step away from coordinating “resources” to coordinating “activities”. Officers expect the role of the MEMO at Murrindindi Shire Council to be undertaken in a very similar way to how things are currently done.

The other key responsibility change is for the Municipal Recovery Manager (MRM) which up until now has not been a legislative requirement. Under the new *Act* having a MRMs will be a legislative requirement. MRMs will also have increased responsibilities under the new *Act* including sourcing external (to Council) resources that will be required in the recovery process. This traditionally would have been done by MEROs. Murrindindi Shire Council have had three MRMs in place for a number of years, who are all trained and experienced staff.

Council Plan/Strategies/Policies

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

Relevant Legislation

Local Government Act 1989

Local Government Act 2020

Emergency Management Act 1986

Emergency Management Act 2013

Emergency Management Legislation Planning Amendment Act 2018.

Financial Implications and Risk

Nil.

Conflict of Interest

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

Community and Stakeholder Consultation

Until Council adopts engagement processes associated with the *Local Government Act 2020*, the community consultation process of the *Local Government Act 1989* remain active. These

are contained within section 223 of the 1989 Act which requires that we conduct a 28 day public consultation period for any public document.

Officer recommendation is for a S223 public consultation period from Wednesday 1 July to Friday 31 July. The following table summarises advertisement and media planned. Copies of the MEMP will also be available for people to browse in Council service centres during the exhibition period.

Publication	Editions
Alexandra Standard	1, 8 and 15 July
Yea Chronicle	1, 8 and 15 July
Marysville Triangle News	1, 8 and 15 July
Other Media	Display from 1 to 31 July
Social Media	Promote feedback opportunities online via Council website and Facebook page
Radio/UGFM	Promote feedback opportunities available
Council Offices/Libraries	Print copies as requested

RESOLUTION

Cr R Bowles / Cr M Rae

That Council:

1. **note the draft Municipal Emergency Management Plan (MEMP)**
2. **note that the MEMP will be released for public comment on 1 July 2020 in line with the requirements of section 223 of the *Local Government Act 1989* for 28 days**
3. **note that submissions under section 223 will be accepted until close of business 31 July 2020**
4. **call a Special Meeting for the purpose of hearing submissions on the MEMP made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting**
5. **request Officers prepare a further report to Council on the outcomes of the consultation process and endorsement of the MEMP**

CARRIED UNANIMOUSLY

9. OUR PEOPLE

10. OUR PROSPERITY

10.1 REGIONAL TOURISM BOARD – INVITATION TO JOIN TOURISM NORTH EAST

*Attachment(s): Tourism North East – Memorandum of Understanding (refer Attachment 10.1a)
2019 Regional Tourism Review – Discussion Paper (refer Attachment 10.1b)*

Purpose

The purpose of this report is to seek Council's endorsement of the Memorandum of Understanding (MOU) (Attachment 10.1a) provided by Tourism North East as an invitation to join the Regional Tourism Board.

Officer Recommendation

That Council:

1. endorse the Tourism North East Memorandum of Understanding
2. request the CEO proceed with the application to the board of Tourism North East.

Background

In 2019, Council withdrew from the Goulburn River Valley Tourism, a regional partnership between City of Greater Shepparton, Mitchell Shire Council and Strathbogie Shire Council. The Partnership had delivered some successes in its time, however the nature of the group (not included in the State Government's framework of regional tourism partnerships) meant that it had struggled to access the funding and support required to drive a strong regional tourism campaign.

In 2019, the State Government conducted a Regional Tourism Review to find new ways to grow tourism and support regional Victoria. Murrindindi Shire Council, along with others, participated in this review. We advocated for better inclusion of councils that sit between established tourism regions – to ensure that businesses could be included in other regions for campaign purposes, and that Council could play a strong role in the activation and support of our important tourism based businesses.

Discussion

Through the delivery of the 2019 Regional Tourism Review – Discussion Paper (Attachment 10.1b) and further consultation, an invitation has been extended from Tourism North East to Murrindindi Shire Council to join the board. While COVID-19 has affected the State Government's ability to finalise the review and formalise the new Regional Tourism Board structures, the invitation has been endorsed by Visit Victoria.

Tourism North East is a well-established Regional Tourism Board, well known for its campaigns and activities that support priority projects that align with:

- Cycle tourism
- Food, wine and beer
- Snow
- Nature-based tourism
- Arts and cultural heritage.

Of particular note are the See High Country, Ride High Country Walk High Country and Feast High Country campaigns that have marketed the region as an area with rich experiential attributes, a coordinated approach to increasing visitation and repeat visitation, and a commitment to ensuring businesses have the skills and support to capture the significant benefits of the visitation.

The Memorandum of Understanding is attached for Council's endorsement.

Relevant Legislation

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

Financial Implications and Risk

In signing the Memorandum of Understanding, Council will be committing to a three-year agreement, at a cost of \$41,800 (including GST) per annum. This is an administration cost only. Further budget is required for participation in any industry and product development programs, marketing campaigns and website, content or other digital support. Council will be fully briefed on these elements before any commitments are made.

Conflict of Interest

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

Community and Stakeholder Consultation

The State Government undertook a significant engagement and consultation program in the delivery of the Discussion Paper. Further, the MSC 2019 – 2024 Tourism and Events Strategy recommended that Council establish a closer relationship with Tourism North East and Yarra Ranges Tourism to support marketing and industry development activities for destinations aligned with those areas. This may be through an MOU or other agreement to allow flexibility to buy into programs such as Ride High Country. This recommendation was made after significant industry consultation during the development of the strategy.

RESOLUTION**Cr J Ashe / Cr E Lording****That Council:**

- 1. endorse the Tourism North East Memorandum of Understanding**
- 2. request the CEO proceed with the application to the board of Tourism North East.**

CARRIED UNANIMOUSLY**10.2 GREAT VICTORIAN RAIL TRAIL STRATEGIC DEVELOPMENT PLAN**

*Attachment(s): Great Victorian Rail Trail Strategic Development Plan (refer Attachment 10.2a)
Great Victorian Rail Trail 3-Year Financial Action Plan (refer Attachment 10.2b)*

Purpose

The purpose of this report is to seek Council endorsement of the Great Victorian Rail Trail Strategic Development Plan and to note the 3 Year Financial Action Plan for consideration in future budget processes for the implementation of Development Plan.

Officer Recommendation

That Council:

1. endorse the Great Victorian Rail Trail Strategic Development Plan, and
2. note the Great Victorian Rail Trail 3-Year Financial Action Plan.

Background

The Great Victorian Rail Trail (GVRT) is a 134km recreational trail that follows the old railway through Mansfield, Murrindindi and Mitchell Shires.

A marketing committee made up of representatives from Murrindindi, Mansfield and Mitchell Shire Council, currently undertakes trail promotion. While the overall trail currently attracts 74,000 visitors per annum, there is opportunity to activate it further to realise its full tourism potential.

To support this aim, the Great Victorian Rail Trail Strategic Development Plan has been created to guide the trail in transitioning from an asset into a signature tourism experience. This plan, developed in late 2019 by Tourism North East and Urban Enterprise included consultation with relevant stakeholders to develop the plan. Engagement activities included Council engagement and two industry workshops.

Discussion

The GVRT Strategic Development Plan includes a 3-year action plan of eighteen projects.

These projects fall into four categories:

- Improve and innovate the trail experience to provide a premium visitor offering

- Activate the trail with a new range of market leading products
- Foster engagement and collaboration to optimise positive trail outcomes
- Support demand driving activities that stimulate awareness and conversion.

Within the eighteen projects, six require support to deliver them by Council officers across the three partner Councils or in kind support from a Regional Tourism Board or Visit Victoria. The remainder of the projects require financial support to implement them, beyond the current contribution provided by each Council.

This financial support will be delivered by a combination of grant funding to be collaboratively sourced by the three Councils and an increased budgetary contribution from each Council over a 3-year period. As such, a financial action plan outlining the projects and forecast contribution has been developed to support the delivery of these projects. This action plan is included as an attachment for Council's noting, the projects would be delivered as government funding becomes available, and would require a decision of Council at that time.

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* Our Prosperity strategic objective 'in partnership with the community we will promote an environment in which business and community can thrive'. It also supports the recommendations of the *Tourism & Events Strategy 2019 – 2025*.

Relevant Legislation

There are no legislative implications associated with this briefing.

Financial Implications and Risk

The total cost for Council to implement the core actions contained within the strategy is approximately \$250,000 over a three to five year period. The Strategy provides indicative costs for actions, and these will be further considered as part of the annual Council Budget process; estimates will be further refined as grant opportunities arise.

Conflict of Interest

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

Community and Stakeholder Consultation

Significant engagement and consultation were undertaken to create this Strategy. Individual and group stakeholder workshops were undertaken, and officers and councillors from each of the three Council areas consulted.

RESOLUTION

Cr J Ashe / Cr R Bowles

That Council:

- 1. endorse the Great Victorian Rail Trail Strategic Development Plan, and**
- 2. note the Great Victorian Rail Trail 3-Year Financial Action Plan.**

CARRIED UNANIMOUSLY

10.3 LAKE EILDON MASTERPLAN

*Attachment(s): Lake Eildon Masterplan – Business Case (refer Attachment 10.3a)
Lake Eildon Masterplan – Accommodation Investment Business Case (refer Attachment 10.3b)
Lake Eildon Masterplan – Premier NTB Precincts Business Case*

(refer Attachment 10.3c)
Lake Eildon Masterplan - Sewer System Investment Business Case (refer Attachment 10.3d)
Lake Eildon Masterplan – Skyline Road Precinct Business Case (refer Attachment 10.3e)

Purpose

The purpose of this report is to recommend Council's adoption of the Lake Eildon Masterplan.

Officer Recommendation

That Council adopt the 2020 Lake Eildon Masterplan.

Background

The Lake Eildon Masterplan has been delivered by Regional Development Victoria, Murrindindi Shire Council, Mansfield Shire Council, Goulburn Murray Water and Tourism North East. Urban Enterprise was engaged to develop the Masterplan with the working title of 'Activating Lake Eildon'.

Discussion

The Lake Eildon Masterplan has been developed to establish a shared vision for the activation of Lake Eildon, identifying priority tourism and recreation developments within an environmentally sustainable framework that optimises economic outcomes for the region.

The objectives of the Masterplan are to:

- Attract Lifestyle Leader market segments to the region;
- Improve the experience of current water-based and nature-based visitors;
- Grow visitor yield through investment in accommodation, food and beverage product and nature based tours and experiences;
- Improve the general amenity of the region, in particular the key towns and villages;
- Focus investment to create a critical mass of product at key visitor nodes;
- Support improved activation of and access to the Lake;
- Deliver improved governance and management of visitor services, tourism infrastructure, marketing and investment attraction.

The report notes that the Lake Eildon region has suffered from a lack of investment over the past two decades, due to a range of challenges including severe long-term drought, inconsistent governance due to multiple land managers, unsuitable land zoning for development, and a lack of supporting infrastructure to facilitate investment.

The development of the Masterplan has included analysis of Federal, State and Local strategies and policies to understand the current strategic context of Lake Eildon and the wider region. An analysis of the existing visitor economy was undertaken which established that the region receives approximately 900,000 visitors per annum. This is largely driven by overnight camping, caravanning and holiday homes. 87% of visitors are visiting for nature related purposes, and represent a low yielding visitation, with an average spend per trip of \$153 (by comparison, visitors to the High Country spend, on average, \$340 per trip).

The report notes that 'strengthening the primary and secondary nature-based assets of the Lake Eildon region, as well as building on identified opportunities, will be key to the development of the region as a high quality nature-based destination'.

Through the development of the Masterplan it was established that the region lacks quality commercial accommodation that would provide maximum economic benefit from the high levels of visitation.

The Masterplan highlights an opportunity to revise the governance framework, to specifically address long-term issues associated with the complexity of multiple land managers with a lack of resources. Any governance framework should seek to manage ongoing infrastructure improvements, visitor servicing, marketing and investment facilitation.

The Lake Eildon Masterplan highlights a series of prioritised projects that meet the following criteria:

- Large scale/game-changer
- Enabling infrastructure and investment
- Expands regional product offer
- Improves awareness and perception of the region
- Aligns to high-value target markets
- Increases visitor yield
- Seasonal dispersal
- Increases visitation
- Improves community liveability and lifestyle attractiveness.

The following projects have been identified as 'game-changers' for the Lake Eildon region, as they fulfil a critical product or experience gap in the region, and will help to support further investment in tourism. These projects have been developed into Business Cases to provide strategic justification for investment. These projects include:

Premier Nature-Based Precincts at Mt Pinniger (Eildon) and Fry Bay (Goughs Bay)

Development of nature-based precincts will create visitor destinations with high-quality trails and treetop experiences, outdoor activities, integrated dining facilities at key vantage points, low-impact eco-accommodation, and development of iconic walking trails.

Skyline Road Tourist Precinct

Capitalising on the immersive views of Lake Eildon from Skyline Road, the development of the Skyline Road Tourist Precinct will include formalisation of the Great Lake Touring Route, boutique food and dining experiences, architectural look out points, and experiential accommodation overlooking Lake Eildon.

Large-scale Accommodation Investment

The development of large-scale accommodation in Goughs Bay and Eildon will fulfil a critical gap in commercial accommodation and conferencing and events facilities, appeal to a broad market, and provide key entertainment, dining and leisure facilities that are currently lacking within the region. Large-scale integrated accommodation will also promote off-peak visitation to the region.

Sewerage System Investment

Investment in sewerage infrastructure will help to build the visitor nodes of Goughs Bay and Jerusalem Creek into key visitor destinations, by unlocking development potential through the removal of infrastructure barriers that can often deter potential investors, as well as improving environmental outcomes.

Details for each of these projects are included in the attachments to this paper.

The Lake Eildon Masterplan prioritises investment across the region, and will ensure that funding is provided to areas that have both the greatest potential for return on investment, and also meet development objectives that will enhance tourism outcomes for the region.

Council Plan/Strategies/Policies

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

Relevant Legislation

There are no legislative implications associated with this briefing.

Financial Implications and Risk

The Masterplan highlights a range of high profile projects for delivery. These projects will be contingent on other government funding, officers will alert Council to funding opportunities as they arise. Officers will use the Masterplan to advocate to both State and Federal Governments about the importance of the highlighted projects.

Conflict of Interest

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

Community and Stakeholder Consultation

The engagement and consultation undertaken to create the report was comprehensive and included a range of tourist surveys and stakeholder workshops.

RESOLUTION

Cr J Ashe / Cr M Rae

That Council adopt the 2020 Lake Eildon Masterplan.

CARRIED UNANIMOUSLY

11. OUR PROMISE**11.1 COMMUNICATION POLICY**

Attachment(s): Draft Communication Policy (refer Attachment 11.1)

Purpose

This Report presents the Communication Policy for adoption (Attachment 11.1).

Officer Recommendation

That Council adopts the revised Communication Policy as contained in Attachment 11.1.

Background

The Communication and Social Media Policy was adopted by Council in March 2017 and was due for review this year.

The revised Communication Policy reflects changes to how, and by what means, Council communicates and also reflects best practice across the sector.

It is guided by the work completed as part of the Communication Strategy in mid-2019. It is also informed by the work and initial findings that are emerging in the creation of a Social Media Strategy, which will ultimately assist with operational implementation of social media across the organisation (due for completion by 30 June).

Councillors will note the draft Policy no longer includes an explicit reference to 'Social Media' in the title, given that is now simply a normalised channel of communication for Council.

Discussion

Council's approach to external communication has continued to mature since adoption of the 2017 Communication and Social Media Policy. Social media and use of multiple communication methods and platforms have become 'business as usual' across the organisation.

In parallel, Council has also improved its systems to ensure staff are clear on roles, responsibilities and processes, including rollout of a formalised system to ensure staff are proactively alerting the Communications Team to matters that need to be communicated.

Council has also recently finalised a *Murrindindi Shire Council Style Guide 2020*, which sets required standards for language, tone and structure in preparing material for publication. This will be rolled out to staff together with the revised Communication Policy as a package, following adoption of the draft Policy by Council.

The draft Policy provides:

- updated guidance on communication principles, goals and standards
- clarity around media and platforms used by Council to communicate
- processes for lodging and clearing requests for external communications
- detail about roles and responsibilities for communicating and spokespersons
- advice to Councillors and staff about conduct online, including safety, privacy and reputation.

Council Plan/Strategies/Policies

This Policy supports and underpins a range of strategies in the *Council Plan 2017-2021*, including the 'Our Promise' strategy to expand our communication and two-way engagement with the community.

Relevant Legislation

Nil.

Financial Implications and Risk

There are no financial or risk considerations regarding the hearing of submissions.

Conflict of Interest

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

Community and Stakeholder Consultation

This Policy follows, and is informed by, consultation with staff and external stakeholders through the creation of Council's Communication Strategy and Social Media Strategy.

RESOLUTION

Cr E Lording / Cr S McAulay

That Council adopts the revised Communication Policy as contained in Attachment 11.1.

CARRIED UNANIMOUSLY

11.2 ASSET MANAGEMENT POLICY REVIEW

Attachment(s): Draft Policy – Asset Management May 2020 (refer Attachment 11.2)

Purpose

This report seeks Council's adoption of the revised Asset Management Policy (Attachment 11.2).

Officer Recommendation

That Council adopts the revised Asset Management Policy as contained in *Attachment 11.2*.

Background

The purpose for this policy is to facilitate, assist and drive the organisation to achieve a position of sustainable infrastructure that meets the needs of the community as well as:

- Understand that assets only exist to support the provision of services for the Community
- Providing Council's commitment to manage and care for its assets in a way that meets the needs of the Community
- Outlining the importance of asset management within the organisation
- Setting out a broad framework for the implementation of asset management in a structured and coordinated manner.

Discussion

Council is committed to ensuring that all Council assets are appropriately managed and relevant to community needs. This Policy is intended to:

- Establish a framework to ensure that asset management is undertaken in a structured, coordinated, cost effective and financially sustainable manner;
- Guide the ongoing review and update of Council's Asset Management Strategy and Asset Management Plans;
- Ensure Council budgets include discretionary and non-discretionary elements;
- Budgets are set such that appropriate levels of non-discretionary funding is made available for renewal, maintenance and operation of existing assets ahead of discretionary funding for new assets and asset upgrades to ensure ongoing provision of existing levels of services; and
- Guide Council's decision making with respect to Life Cycle Costing, the Capital Works Program, Long Term Financial Plan, Service Reviews and Annual Budgets.

A total review of the policy has been completed with a whole new policy developed. The new policy will set the strategic direction for the organisation moving forward.

This policy will:

- provide a better link between service planning and asset planning,
- clarifies officers roles and responsibilities in ensuring the care of Council assets under their control,
- provides a whole of organisation approach in strategic asset management,
- provides clearer direction in the defining of discretionary and non-discretionary funding,
- provides for lifecycle management.

Council Plan/Strategies/Policies

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

Relevant Legislation

- *Local Government Act*
- *Road Management Act.*

Financial Implications and Risk

The adoption of a robust asset management policy seeks to reduce the overall financial burden on Council by establishing a framework that requires 'whole of life' management of assets and as such provide the most sustainable infrastructure that is appropriate for the services it supports.

Application of this policy has an impact on Council resources required to develop the asset strategy and asset management plans in order to achieve core asset management competency.

In the longer term, the impact of this policy on future budgets will be the appropriate allocation of financial resources to the management of assets in order that service levels can be maintained to best support delivery of services.

Conflict of Interest

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

Community and Stakeholder Consultation

There was no requirement for community consultation in the review of this Policy.

RESOLUTION

Cr M Rae / Cr R Bowles

That Council adopts the revised Asset Management Policy as contained in *Attachment 11.2*.

CARRIED UNANIMOUSLY

11.3 2020/21 ANNUAL BUDGET AND STRATEGIC RESOURCE PLAN ADOPTION

*Attachment(s): 2020/21 Annual Budget (refer Attachment 11.3a)
Strategic Resource Plan 2020/21 Review (refer Attachment 11.3b)*

Purpose

The purpose of this report is to present the 2020/21 Annual Budget and Strategic Resource Plan 2020/21 for adoption by Council.

Officer Recommendation

That Council:

1. having heard and considered public submissions on the draft 2020/21 Annual Budget, accept the officer's recommendation for each submission outlined in the body of this report
2. notify submitters of Council's decision noting that responses will be issued by the Manager Business Services
3. adopt the 2020/21 Annual Budget (Attachment 11.3a) and Strategic Resource Plan 2020/21 (Attachment 11.3b) noting the following change to the exhibited draft Annual Budget:
 - rates in the dollar and property valuation figures have been updated following the receipt of the final revaluation data from the Valuer-General Victoria
4. authorise the Chief Executive Officer to give public notice of this decision to adopt the Budget, in accordance with section 130(2) of the *Local Government Act 1989* (the *Act*)
5. note that a copy of the adopted 2020/21 Budget will be submitted to the Minister for Local Government and copies made available for inspection by the public in accordance with Sections 130(4) and 130(9) of the *Act*
6. confirm the differential rates, municipal charge and waste service charges as detailed in the 2020/21 Budget per Attachment 11.3a
7. authorise the rates officers of Council to levy and recover the differential rates so declared in accordance with the *Act*
8. note the due date for the full payment of rates is 15 February 2021 and the due dates for rate instalments will be as follows:
 - Instalment 1: 30 September 2020

- Instalment 2: 30 November 2020
- Instalment 3: 28 February 2021
- Instalment 4: 31 May 2021.

Background

At the 6 May 2020 Special Council Meeting, Council endorsed the draft 2020/21 Annual Budget for the purposes of public exhibition in accordance with Sections 129 and 223 of the *Local Government Act 1989* (the Act).

Budget documents were made available on Council's website and submissions were sought from the public. The four-week public exhibition and submission process commenced on 7 May 2020 and was advertised in the relevant newspapers. The submission period closed on 3 June 2020.

An acknowledgement was sent to each submitter, confirming receipt of their submission and informing them of the opportunity to attend the Special Meeting of Council on the 10 June 2020 to speak to their submission if they wished. One person spoke to their submission at the Special Meeting.

Discussion

The Budget details the resource requirements and project priorities that are in accordance with the key strategic objectives that have been set in the *Council Plan 2017-2021*.

The Budget has been prepared on the principles of responsible financial management to achieve an operating result that ensures and maintains long term financial sustainability.

In response to the COVID-19 pandemic, the direction set by Council in framing the budget for 2020/21 was to balance the need to reduce as much as possible the financial impacts on the community at this critical time, whilst at the same time meeting the need to continue and in some cases enhance critical services in response to government directives and to support the community's longer term recovery from this crisis.

Given these are unprecedented times and following briefings with Council, the Budget includes the unprecedented step of a 0% property rate rise for the 2020/21 year, with the only variations ratepayers will see on their rate notice being attributable to changes in property valuations (as set by the Victorian State Government) as at 1 January 2020, waste and recycling charges (based on cost recovery) including the landfill levy, and the Fire Services Property Levy, with both levies set by the State Government, not Council.

Further, for the 2020/21 year the 25% premium paid by commercial and industrial property owners under the commercial/industrial differential rate has been removed in recognition of the need to support business recovery in our Shire over the coming 12 months.

Whilst recognising this will reduce Council's income over the longer term, with an approximately \$5million reduction in predicted rate revenue over 10 years, this is still considered a prudent step due to the severity of the current crisis, Council's current relatively sound financial position and the ability to manage the effects of this reduction in revenue through future savings, deferral of non-essential spending, the re-prioritisation of expenditure and the availability of discretionary reserves.

The budget also includes a substantial COVID-19 pandemic relief and recovery package, by drawing down on \$500,000 remaining from the 2009 bushfire government assistance funds, provided by the State Government to Council to support its ongoing operations and which is currently held in reserve. These funds will be made available for initiatives to support community and business recovery in our Shire during the 2020/21 financial year.

For the 2020/21 year, Council will spend \$46.40 million to deliver services and improve infrastructure. This includes an expanded \$11.68 million Capital Works Program to help stimulate economic and community recovery.

Highlights of the Capital Works Program include:

- \$3.86 million on roads and paths including reseals, re-sheeting, footpath renewals and improvements to unsealed roads
- \$175,000 to improve safety at the Kinglake West Primary School crossing and surrounds
- \$479,000 on Marysville Swimming Pool renewal works
- \$160,000 on Kinglake Public Toilet Renovation (Aitken Crescent)
- \$350,000 on a new public toilet in Kinglake Memorial Reserve
- \$45,000 on solar hot water showers for male and female amenity blocks at Eildon and Marysville swimming pools
- \$40,000 to replace bi fold doors at Yea Recreation Reserve Clubrooms
- \$189,000 to improve connectivity to Kellock Lodge (William Street to Johnston Street, with connection to Leckie Park)
- \$45,000 for additional shade sails at the Yea Swimming Pool
- \$100,000 for the extension of the footpath in Falls Road, Marysville (Stage 1 – Gallipoli Park to Goulds Terrace)
- \$50,000 for bridge renewal at the entrance to the Yea Caravan Park.

Other new initiatives to be funded in the 2020/21 Budget include:

- provision for free public entry to our Swimming Pools in Alexandra, Eildon, Marysville and Yea and a one year trial of late-night pool openings on Fridays and Saturdays at our busiest Swimming Pools in Alexandra and Yea to promote greater utilisation of these important facilities
- the much-needed addition of an arborist to Council's staff and a \$100,000 increase to funding for tree works across the Shire, reflecting increased need given recent storm events and changing climate patterns
- funding to implement the new Murrindindi Shire Tourism and Events Strategy, which will help us support and re-energise this crucial sector when pandemic-related restrictions are eventually eased
- funding to strengthen our ability to effectively manage waste and improve recycling in the community in light of new State Government policy directions for Victoria's waste and recycling sector
- funding set aside to support the conduct of Council elections scheduled for October 2020 and the training and support of newly elected councillors.

Public Submissions

Eight submissions were received in relation to the draft Budget. All submissions were presented for Council's consideration at the Special Meeting of Council on 10 June 2020. A summary of the submissions received and associated officer recommendations is included in the table below:

No.	Summary of submission	Officer recommendation
1	Request for Council to seal Grandview Cres, Kinglake <ul style="list-style-type: none"> • Paying high rates and living on a dirt road. 	That Council: <ul style="list-style-type: none"> • Review the current condition of Grandview Cres, and if deemed appropriate, a business case proposal for treatment to the road will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget.
2	Request for Council to seal Buxton Rise, Buxton <ul style="list-style-type: none"> • The unsealed section is about 250 – 300 metres long and sits between sealed sections of about 150 – 200 metres at each end • Each year the unsealed section is spread with new gravel and each winter or during heavy summer rains the surface washes to form deep ruts • In the dry of summer the road becomes a very dusty stretch • Sealing the unsealed section would be better value than having to resurface the same on an annual or twice yearly basis. 	That Council: <ul style="list-style-type: none"> • Review the current condition of Buxton Rise, Buxton and if deemed appropriate, a business case proposal for treatment to the road will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget.
3	In support of Submission 2 - request for Council to seal Buxton Rise, Buxton <ul style="list-style-type: none"> • Feels it is dangerous when the corrosion causes ruts in the road - tends to drive on the wrong side to avoid damaging run-flat tyres if they hit it hard • When walking along the road, other cars do the same thing and could end up getting hit as the dust in the summer not only blocks views, they wear it • Car is constantly dirty from the dust in the summer and the mud splashes in the winter • Pay high enough rates not to have it sealed. The rates only cover their waste disposal, as they don't even have street lights. 	That Council: <ul style="list-style-type: none"> • Review the current condition of Buxton Rise, Buxton and if deemed appropriate, a business case proposal for treatment to the road will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget.
4	Request for funding for Lake Eildon Master Plan <ul style="list-style-type: none"> • Notices that has been no funds allocated to any aspects of the Lake Eildon Master Plan • Thought in a post COVID-19 world Mansfield would be actively promoting local tourism to encourage economic activity in the area • Recently purchased a property in the shire and was hoping to develop it for tourist related activities • It would be a good idea to start aspects of this plan while the government is incentivising jobs and handing out funds 	That Council: <ul style="list-style-type: none"> • Inform the submitter that as the Masterplan has not been endorsed by Council yet (June Ordinary Meeting), we cannot recommend a funding allocation. • Note: <ul style="list-style-type: none"> ○ Officers have been advocating to State Government for funding to deliver projects within the Masterplan ○ If external funding was to become available, Officers would seek a Council allocation to support the projects.

No.	Summary of submission	Officer recommendation
	<ul style="list-style-type: none"> • Aspects of the masterplan including the sealing of roads in the Skyline Road tourist precinct and the sewerage system investment • Could provide a much needed boost to jobs short term and promote economic growth through implementation of the masterplan long term. 	
5	<p>Request to finish or rebuild the bridge across the Yea River at Glenburn</p> <ul style="list-style-type: none"> • The present structure is about forty years old • The alignment could be better • It is only one lane wide although they have had people try to pass them on it • The bridge is frighteningly dangerous, just count the skid marks • The traffic density has increased manifold since the bridge was started, indeed the flow of Tradies over it, at morning and evening peaks is considerable, well worth a traffic count • If it is decided to merely build the extra lane the piles are already there waiting. They believe additional concrete beams were taken away years ago for other works • This bridge previously called Draper's bridge after a Glenburn pioneering family, serves quite a large catchment including Glenburn and the Melba Highway hence Melbourne and Yea, Alexandra and places north on one side and Break o' Day road. On the western side the road serves not only Break o' Day Road and Wall's Road, Fanning's Road and Break o' Day areas but is used by residents of Flowerdale, Strath Creek, Hazeldene, Junction Hill, Spring Valley and some other areas for personal and commercial traffic. Examples of the commercial traffic are the large quantities of gravel transported and the large number of log trucks carting both hardwood and pine in season. 	<p>That Council:</p> <ul style="list-style-type: none"> • Inform the submitter that the project for upgrade works on the bridge is in Council's Infrastructure program for future funding consideration by Council. A business case proposal for the upgrades to the bridge however, will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget • Note that Council has also submitted a funding application to the Federal Government for grant funding for the upgrades to the Bridge • Note that Council will continue to advocate for grant funding to complete works.
6	<p>Request to upgrade the single lane bridge on Break O'Day Road across the Yea River</p> <ul style="list-style-type: none"> • Break O'Day Road is an arterial road serving residents and businesses of the eastern suburbs of Melbourne wishing to access Broadford and the Hume Freeway, as well as local and regional residents • Council Bridge Repair and Replacement Program developed in 	<p>That Council:</p> <ul style="list-style-type: none"> • Inform the submitter that the project for upgrade works on the bridge is in Council's Infrastructure program for future funding consideration by Council. A business case proposal for the upgrades to the bridge however, will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget

No.	Summary of submission	Officer recommendation
	<p>approximately 2006 appears to have used a ranking system which considered only load limits and did not take in consideration the volume of traffic, use and safety of road users. The Break O'Day Road Bridge was not included in that Program</p> <ul style="list-style-type: none"> • More recent advice from Council is that the bridge is in good condition and does not warrant work • This analysis does not acknowledge the status of the road as an arterial road. Visitors to the area do not expect to come across a single lane bridge with poor sight distance to vehicles travelling from the west. In spite of adequate advisory and statutory signs, there are many "near misses", as evidenced by the braking skid marks on the road • Bridge needs to be widened and re-aligned to provide for better sighting of approaching traffic • Work should be carried out in conjunction with the reconfiguration of Break O'Day Road intersection with Melba Highway • Urges Council to address the anomaly of the Break O'Day Road Bridge and to work closely with Regional Roads Victoria to improve the intersection of Melba Highway with Break O'Day Road. 	<ul style="list-style-type: none"> • Note that Council has also submitted a funding application to the Federal Government for grant funding for the upgrades to the Bridge • Note that Council will continue to advocate for grant funding to complete works.
7	<p>Request the sealing of Cheviot Road Limestone be considered by Council before the Annual Budget is adopted in its final form.</p>	<p>That Council :</p> <ul style="list-style-type: none"> • Inform the submitter that this item was considered as part of 2020/21 draft budget deliberations, however was not included in the proposed budget. However, a business case proposal for treatment to the road will be prepared as part of funding considerations for the development of the 2021/22 draft capital works budget • Inform the submitter that Council is also advocating for grant funding to treat this road.
8	<p>Request to install safety lighting at the Extons Road/Kinglake-Whittlesea Road 'T' intersection</p> <ul style="list-style-type: none"> • The "T" intersection of Extons Road with the Kinglake-Whittlesea Road is a death trap • There is no street lighting at this intersection other than a single Fairy Light suspended in mid-air and too small to be observed by passing traffic and which disappears entirely in the daily fog • The lighting is required at that intersection and on Extons Road to help parents deliver their children 	<p>That Council:</p> <ul style="list-style-type: none"> • Inform the submitter that Council will write to VicRoads to request lighting at the Extons Road/Kinglake-Whittlesea Road 'T' intersection.

No.	Summary of submission	Officer recommendation
	safely to the Middle Kinglake Primary School and also to help occupiers of the Community Centre as well as visitors to the Kinglake Football Ground.	

Strategic Resource Plan review

In considering the proposed final budget for 2020/21, the Strategic Resource Plan (SRP) and long term financial plan have been adjusted to accommodate the changes made for the next financial year.

Key financial assumptions that underpin the longer term financial plan are as follows:

- operating within annual rate cap increases of 2% from 2021/22, which is forecast to remain constant over the life of the SRP. The Minister for Local Government sets the rate cap annually and the SRP will be modified based on annual determinations
- fees and charges revenue to increase by 2% per annum
- no new borrowings to be undertaken by Council in the next 10 years
- cost of goods and services to increase by 2% per annum
- revenue received from grants (for either capital or operating purposes) only included where the source of funds is certain, or reasonably assumed to continue over the life of the plan (e.g. Roads to Recovery or Financial Assistance Grants)
- Council's permanent staffing establishment is forecast to remain relatively stable over the life of the SRP
- a strong focus maintained on balancing Council's asset renewal gap over the life of the SRP.

It is noted that on current assumptions, renewal expenditure will not fully meet renewal requirements over the next 10 years, which will see the infrastructure renewal gap increase. Council is continuing to invest in improved strategic asset management systems and planning, and this combined with enhanced strategic procurement is expected to slow growth in the renewal gap over the ten-year life of the plan.

Council reviews the SRP on an annual basis and therefore improvements to the management of Council's asset renewal requirements will involve a continual review of the current assumptions. This annual review also enables Council to consider other priorities and initiatives in the context of Council's financial position.

Council Plan/Strategies/Policies

The adoption of the Budget allocates the necessary resource to deliver the initiatives and objectives detailed in the *Council Plan 2017-2021* for the upcoming financial year which is consistent with the *Council Plan 2017-2021* strategy under Our Promise to 'maintain Council's financial sustainability through sound financial and asset management'.

Relevant Legislation

The adoption of the Budget is a statutory requirement of the *Local Government Act 1989* and sets the financial framework in which Council will operate for the 2020/21 financial year.

Financial Implications and Risk

Adoption of the Budget and the annual review of the Strategic Resource Plan is an essential part of effective corporate governance and has been prepared to ensure any long term financial risks to Council are minimised.

The 2020/21 Budget is fiscally responsible in its scope of discretionary spending. The Budget details how Council can manage its proposed 0% rate rise, whilst providing a responsible and viable financial plan for the ensuing year. Whilst it is recognised that there is a longer term impact in loss of approximately \$5million in rate revenue over 10 years associated with this decision, Council's current sound financial position, its holding of discretionary cash reserves and prudent expenditure management over time will minimise any serious longer term financial impacts.

Conflict of Interest

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

Community and Stakeholder Consultation

The draft Budget was made available on Council's website from 7 May 2020 and advertised for public exhibition in a range of publications (see table below), with written submissions sought by 12 pm on 3 June 2020.

Medium	Publishing date
Newspapers:	
• Alexandra Standard	13 May 2020
• Yea Chronicle	13 May 2020
• Marysville Triangle	15 May 2020
• Local Paper (Online)	13 May 2020
Digital:	
• Council website – www.murrindindi.vic.gov.au	7 May 2020
• Council Facebook page	7 May 2020

RESOLUTION

Cr R Bowles / Cr E Lording

That Council:

1. **having heard and considered public submissions on the draft 2020/21 Annual Budget, accept the officer's recommendation for each submission outlined in the body of this report**
2. **notify submitters of Council's decision noting that responses will be issued by the Manager Business Services**
3. **adopt the 2020/21 Annual Budget (Attachment 11.3a) and Strategic Resource Plan 2020/21 (Attachment 11.3b) noting the following change to the exhibited draft Annual Budget:**
 - **rates in the dollar and property valuation figures have been updated following the receipt of the final revaluation data from the Valuer-General Victoria**
4. **authorise the Chief Executive Officer to give public notice of this decision to adopt the Budget, in accordance with section 130(2) of the *Local Government Act 1989* (the Act)**
5. **note that a copy of the adopted 2020/21 Budget will be submitted to the Minister for Local Government and copies made available for inspection by the public in accordance with Sections 130(4) and 130(9) of the Act**
6. **confirm the differential rates, municipal charge and waste service charges as detailed in the 2020/21 Budget per Attachment 11.3a**
7. **authorise the rates officers of Council to levy and recover the differential rates so declared in accordance with the Act**

8. note the due date for the full payment of rates is 15 February 2021 and the due dates for rate instalments will be as follows:

- Instalment 1: 30 September 2020
- Instalment 2: 30 November 2020
- Instalment 3: 28 February 2021
- Instalment 4: 31 May 2021.

CARRIED UNANIMOUSLY

11.4 PROPOSED GOVERNANCE RULES 2020 & GOVERNANCE LOCAL LAW 2, 2020

*Attachment(s): Proposed Governance Rules 2020 (refer Attachment 11.4a)
Proposed Governance Local Law 2, 2020 (refer Attachment 11.4b)*

Purpose

The purpose of this report is to seek Council's endorsement to undertake a public consultation process for the proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020.

This incorporates a recommendation to commence a statutory public process to create a new Governance Local Law, required under the *Local Government Act 1989 (the Act)* and commencement of a community engagement process for the creation of the Governance Rules under the new *Local Government Act 2020*.

Officer Recommendation

That Council:

1. Pursuant to section 60 of the *Local Government Act 2020*, release the proposed Governance Rules 2020 (Attachment 11.4a) for public exhibition and the receiving of submissions
2. Pursuant to Part 5 of the *Local Government Act 1989* propose to make the Governance Local Law 2, 2020 (Attachment 11.4b)
3. Note the Governance Local Law 2, 2020 has been substantially reduced due to the proposed Governance Rules 2020 and now only includes:
 - i. The use of the Common Seal
 - ii. Penalties associated with the use of the Common Seal
 - iii. Penalties associated with the Conduct provisions under the Governance Rules 2020
4. Note that both the proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 will be released under section 223 of the *Local Government Act 1989* for public submissions from 1 July 2020 to 31 July 2020
5. call a Special Meeting for the purpose of hearing submissions on the proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting
6. note that in accordance with section 223 of *Local Government Act 1989* any person who has made a written submission and has requested to be heard in support of the written

submission is entitled to appear in person, or by a person acting on his or her behalf, before a Special Meeting of the Council.

Background

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

Section 60 of the *2020 Act* requires each council to adopt Governance Rules for the conduct of council and delegated committee meetings.

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

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

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

In addition to the conduct of meetings, the Governance Rules must address:

- The form and availability of meeting records
- The election of the Mayor and Deputy Mayor
- The appointment of an Acting Mayor
- An election period policy
- The procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee at a council meeting, a delegated committee meeting or at a meeting under the auspices of Council
- The procedure for the disclosure of a conflict of interest by a member of council staff advising a meeting, when providing information or advice with respect to a matter that will require a decision of the council or decision to be made under delegation.

Discussion

Proposed Governance Rules 2020

The *2020 Act* has been developed with a principles approach to legislating the local government sector. This is evident in section 9 where the *2020 Act* defines the overarching governance principles which Council should give effect to when conducting its role:

- a) Council decisions are to be made and actions taken in accordance with the relevant law
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued
- f) collaboration with other Councils and Governments and statutory bodies is to be sought
- g) the ongoing financial viability of the Council is to be ensured
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making
- i) the transparency of Council decisions, actions and information is to be ensured.

Section 60 of the *2020 Act* requires Council to adopt a set of Governance Rules which is essentially the rules by which it will conduct meetings as a Council and the various processes Councillors must adhere to in the decision making process.

The proposed Governance Rules 2020 (Attachment 11.4a) have been developed in conjunction with a sector wide consultation process conducted by Local Government Victoria. This process provided Council with guidance regarding good governance, legislative compliance and sector best practice.

The proposed Governance Rules 2020 have incorporated some of the current practices of Council which have been found to be effective, including community participation.

Some of the areas of change from the current practices include:

- Special meetings have been replaced by 'unscheduled Meetings' and are now incorporated into the Governance Rules (previously regulated by specific provisions of the *1989 Act*)
- The *2020 Act* and the Governance Rules give more authority to the Chairperson, including acting on disorderly conduct and in the acceptance of motions
- The CEO has new powers in the areas of fixing the date, time and agenda of meetings and enabling the postponement of a meeting
- The description of Conflicts of Interest has changed under the *2020 Act* and the process for declaring must be included in the Governance Rules
- The addition of specific time limits for the meeting, including the provision for extensions.
- The requirement for Delegated Committees to operate under the Governance Rules, but for Council to decide whether the Community Asset Committees will operate under the Rules or different governance requirements
- The ability for Council's to hold Joint Council Meetings
- The incorporation of the Election Period Policy.

Proposed Governance Local Law 2, 2020

The Governance Rules essentially replace the majority of current Governance Local Law content, however the use of the Common Seal is still required to be governed by a Local Law.

The new *Act* does not allow for the Governance Rules to incorporate penalties. Therefore it is proposed that penalties associated with the both the misuse of the common seal and disorderly conduct at a Council Meeting to remain within the Governance Local Law.

The purpose of the proposed Governance Local Law 2, 2020 (Attachment 11.4b) is to enable these provisions.

Council Plan/Strategies/Policies

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

Relevant Legislation

The proposed Governance Rules 2020 are a requirement of the *Local Government Act 2020*. The process for adopting the proposed Governance Local Law 2, 2020 is governed by *Local Government Act 1989*. The public consultation process is being proposed under section 223 of the *Local Government Act 1989*.

Financial Implications and Risk

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

Conflict of Interest

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

Community and Stakeholder Consultation

The proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 are required to be released for community engagement, it is proposed that Council release these documents under section 223 of the former *Local Government Act 1989* for a public consultation period of 1 July to 30 July 2020.

RESOLUTION

Cr M Rae / Cr S McAulay

That Council:

1. pursuant to section 60 of the *Local Government Act 2020*, release the proposed Governance Rules 2020 (Attachment 11.4a) for public exhibition and the receiving of submissions
2. pursuant to Part 5 of the *Local Government Act 1989* propose to make the Governance Local Law 2, 2020 (Attachment 11.4b)
3. note the Governance Local Law 2, 2020 has been substantially reduced due to the proposed Governance Rules 2020 and now only includes:
 - i. The use of the Common Seal
 - ii. Penalties associated with the use of the Common Seal
 - iii. Penalties associated with the Conduct provisions under the Governance Rules 2020
4. note that both the proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 will be released under section 223 of the *Local Government Act 1989* for public submissions from 1 July 2020 to 31 July 2020
5. call a Special Meeting for the purpose of hearing submissions on the proposed Governance Rules 2020 and the proposed Governance Local Law 2, 2020 made in accordance with Section 223 of the *Local Government Act 1989* on Wednesday 5 August 2020 commencing at 6 pm and held as a virtual meeting
6. note that in accordance with section 223 of *Local Government Act 1989* any person who has made a written submission and has requested to be heard in support of the written submission is entitled to appear in person, or by a person acting on his or her behalf, before a Special Meeting of the Council.

CARRIED UNANIMOUSLY

11.5 ELECTION PERIOD POLICY

Attachment(s): Election Period Policy (refer Attachment 11.5)

Purpose

The purpose of this report is for Council to adopt the revised Election Period Policy in line with the *Local Government Act 2020*.

Officer Recommendation

That Council adopt the revised Election Period Policy as shown in Attachment 11.5.

Background

Council's Election Period Policy (the Policy) was adopted by Council in November 2019 under the requirements of the *Local Government Act 1989*. In April 2020 the *Local Government Act*

2020 was enacted. The provisions for election period have changed slightly and therefore the Policy has been reviewed in line with the new legislation.

The Governance Rules must incorporate the Election Period Policy under the *Local Government Act 2020*. Therefore this Policy will be included in the final Governance Rules 2020 as an appendix.

The Election Period (formerly referred to care-taker period) is defined under *section 3(1)* of the *Act*, and means the period that starts at the time that nominations close on Nomination Day and ends at 6pm on Election Day. For the 2020 council elections, the election period is from 22 September 2020 to 24 October 2020.

Discussion

The Policy, detailed at Attachment 11.5, ensures that the elections for Murrindindi Shire Council are conducted in a manner that is fair and equitable and are publicly transparent. It draws upon well-established democratic principles and good governance practices to ensure that there is clarity in processes for everyone.

The Policy governs a wide variety of issues that include:

- significant decisions
- community engagement processes
- use of Council resources
- access to information
- communication, including the content of media releases
- content of Council publications
- assistance to candidates for the forthcoming elections.

The Policy particularly highlights the restrictions on Council's decision making abilities during the caretaker period and the ways that Council can engage and communicate with the community during this period.

Under section 69 of the *Local Government Act 2020*, the following is prohibited during the election period:

- a) decisions regarding the appointment or remuneration of the Chief Executive Officer but not to the appointment of or remuneration of an Acting Chief Executive Officer
- b) decisions committing Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (see below)
- c) decisions on items which Council considers could be reasonably deferred until the next Council is in place
- d) decisions the Council considers should not be made during an election period
- e) decisions that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

The descriptions of prohibited decisions focus on using the test "is the decision committing the new Council unnecessarily".

Division 9 of the *Local Government Act 2020* includes penalties relating to the Election Period and misuse of Council resources to support a candidate's campaign, for either a sitting Councillor or a member of Council staff. The Election Period Policy supports these legislated requirements.

The Policy provides the framework to ensure that day to day business can still be achieved during the Election Period whilst ensuring that the Election result is not impacted by the actions of Council, sitting Councillors or members of Council staff.

Council Plan/Strategies/Policies

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

Relevant Legislation

This Policy adheres to the requirements under the *Local Government Act 2020*.

Financial Implications and Risk

There are no financial implications associated with this policy

Conflict of Interest

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

Community and Stakeholder Consultation

There was no external consultation required in the review of this Policy.

RESOLUTION**Cr M Rae / Cr E Lording**

That Council adopt the revised Election Period Policy as shown in Attachment 11.5.

CARRIED UNANIMOUSLY

11.6 PUBLIC TRANSPARENCY POLICY

Attachment(s): Public Transparency Policy (refer Attachment 11.6)

Purpose

The purpose of this report is to seek Council's adoption of the proposed Transparency Policy under the *Local Government Act 2020*.

Officer Recommendation

That Council adopt the Public Transparency Policy contained in Attachment 11.6.

Background

The newly enacted *Local Government Act 2020* (the Act) includes reforms that reflect an increased emphasis on transparency and accountability.

This includes:

- general transparency principles to which councils must give effect
- a requirement for each council to adopt a public transparency policy, and
- new provisions for defining and dealing with confidential information.

Council is required under section 57 of the Act to adopt a Transparency Policy by 1 September 2020.

Discussion

The Public Transparency Principles under section 57 of the Act are as follows:

Council decision making processes must be transparent except when the council is dealing with information that is confidential by virtue of this Act or any other Act;

Council information must be publicly available unless:

- *the information is confidential by virtue of this Act or any other Act; or*

- *public availability of the information would be contrary to the public interest;*

Council information must be understandable and accessible to members of the municipal community;

Public awareness of the availability of council information must be facilitated.

The objective of Council's Public Transparency Policy is to formalise its support for transparency in its decision-making processes and the availability of council information.

This Policy aligns with the principles of the *Freedom of Information Act 1984*, but also attempts to reduce the requests under FOI by making documentation and information readily available to the public so long as it would not be deemed confidential or would not be in the best interest of the public or Council to release.

The Policy outlines specific types of information and documents that will be made available and also the principles of access Council is committed to. It defines the types of confidential information which will not be released and provides Council the ability to use a common-sense approach in restricting access to documents that would not be deemed to be in the interest of the public as a whole (not just individual considerations).

Council Plan/Strategies/Policies

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

Relevant Legislation

The Transparency Policy is legislated under section 57 of the *Local Government Act 2020*. This Policy also refers to and supports the *Freedom of Information Act 1984*.

Financial Implications and Risk

There are no direct financial implications or risks associated with this Policy.

Conflict of Interest

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

Community and Stakeholder Consultation

Local Government Victoria has undertaken sector wide engagement regarding elements of the *Local Government Act 2020* implementation. A working group was formed to draft a Transparency Policy for use within the sector, which was approved by the legal team working for Local Government Victoria. Council has adapted this draft Policy to suit our needs.

RESOLUTION

Cr M Rae / Cr E Lording

That Council adopt the Public Transparency Policy contained in Attachment 11.6.

CARRIED UNANIMOUSLY

11.7 COUNCIL POLICY REVIEW

Purpose

The purpose of this report is to recommend the rescission of six policies which are no longer required at a Council level.

Officer Recommendation

That Council:

1. rescind the Street and Public Lighting Policy

2. rescind the Environment Policy
3. rescind the Vehicle Crossings Policy
4. rescind the Works Permits Policy
5. rescind the Capital Works Expenditure Policy
6. rescind the Township Entrance and Community Event Frames Guidelines.

Background

Council has committed to ensuring that all Council Policies are up to date and are reviewed in a timely manner. As part of this commitment officers have reviewed six policies and are recommending that they are rescinded by Council.

Discussion

Council has two levels of policies, Council and Organisational. Council policies are adopted by Council itself, are publicly available and are aimed at addressing a legislated or strategic need. Organisational policies are approved by the Chief Executive Officer and are operational in nature, setting the requirements of Council in achieving service delivery and compliance.

As part of a comprehensive review of policies at both levels, officers have assessed the need for the policy, the purpose and then identified whether the policy should remain as a Council policy.

The following policies have been reviewed and have been identified as operational in focus and therefore an organisational Policy:

1. Street and Public Lighting Policy
2. Environment Policy
3. Capital Works Expenditure Policy
4. Township Entrance and Community Event Frames Guidelines.

Each of these policies have been replaced by an organisational policy adopted by the CEO, targeted at an operational level meeting similar targeted outcomes.

Further to the review of the above four policies, two policies were reviewed by Officers and the requirement for these policies has been superseded by the recently adopted Community Local Law 1, 2020. These are:

1. Vehicle Crossings Policy
2. Works Permits Policy.

Whilst it is proposed to rescind the six policies at a Council level, the policy objectives and Council's commitment will remain in the organisational policies and the Community Local Law.

Council Plan/Strategies/Policies

This Policy update supports the *Council Plan 2017-2021 Our Promise* strategic objective to ensure we deliver the best possible outcomes in all that we do.

Relevant Legislation

Council Policies are adopted to either support Council's strategic direction, obligation to the community or display our commitment to legislated responsibilities. Each policy references the legislated responsibilities where applicable.

Financial Implications and Risk

Ensuring policies are reviewed in a timely manner and reflect Council's legislated obligations is a key control in managing risk, both strategic and operational.

Conflict of Interest

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

Community and Stakeholder Consultation

The policies outlined in this report did not require external consultation as part of the review.

RESOLUTION**Cr S McAulay / Cr C Bisset****That Council:**

1. rescind the Street and Public Lighting Policy
2. rescind the Environment Policy
3. rescind the Vehicle Crossings Policy
4. rescind the Works Permits Policy
5. rescind the Capital Works Expenditure Policy
6. rescind the Township Entrance and Community Event Frames Guidelines.

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**

No report.

15.2 CR JACKIE ASHE

No formal report month but more of a reflection time for myself. I just wanted to take the opportunity to thank all of the teams across Council for all that they're doing during these extremely difficult times. It's great to see a communication policy and to also reflect on how far we have come, especially with social media. I would like to thank the communications team but again thank you to everyone for what they're doing.

I would also like to thank the community for their uptake. It's been amazing to see their interest with the online forums that have been going on lately. Thank you everyone in the community for learning the new technology that we're all using (Zoom) and for making the best of it.

15.3 CR ERIC LORDING

Below is the status of our infrastructure builds in the Murrindindi shire:

- High street, Yea – Road Safety Improvements – Construction works have commenced and will continue for 12 weeks. Works will include some landscaping works including the planting of Crepe Myrtle down High Street

- The final stage of consultation for the Kinglake Streetscape will commence in July. Works in Aitkin Crescent including concreting, stormwater, footpath, kerb and channel have been completed. The pavement works have been delayed due to weather conditions. There is only one week of construction remaining and this will be completed once we receive favourable weather conditions
- Eildon Floating Cities – Works have commenced on bulk earthworks and toilet block demolition. Electrical and sewer works have been completed
- Rehabilitation works are currently underway on Break O’Day Road, Glenburn and these works are nearing completion
- Gravel Road Re-sheeting Program – Works are nearing completion with the final works in Burgess Road, Yarck and Middle Creek Road, Yarck about to commence
- Sealing of section of Wilhelmina Falls Road, Murrindindi has commenced
- Rubicon Road – Widening of section between Taggerty-Thornton Road to Rubicon township has been completed. Contractors are now working on the Township to Blue Range Road section. Once these works have been completed a final seal will be applied to all sections
- Back Eildon Road – Works are well underway. Areas of the road have been widened with stabilisation and then final seal to occur
- King Parrot Creek Road – Works have commenced and are underway
- Yea Caravan Park – Fire service works are due to commence tomorrow (25/6). This will ensure works are completed prior to the fire season.

In addition our Roads and Parks team have completed the repair and grading of the Yea Spur Road, Flowerdale. Further works will be undertaken later in the year prior to the summer period.

15.4 CR CHARLOTTE BISSET

No report.

15.5 CR REBECCA BOWLES

I would just like to say a few condolences for community members that have passed over the last couple of months. I have known these community members for a very long time. Condolences to Dick Cox and his family, Malcolm White and his family, Justin Jenkins and his family and Rob Chaffe and his family.

15.6 CR MARGARET RAE

No formal report this month, but I wanted to endorse Councillor Bowles comments and also add the name of Hans Schonekas to the list. Hans has been a great contributor to the community particularly in the historical space and around many community things. We have lost many dear people recently and we acknowledge them tonight.

15.7 CR LEIGH DUNSCOMBE – MAYORAL REPORT

First of all please accept my apologies for my absence at last month’s meeting due to a minor medical procedure and my thanks to Cr Rae for taking the reins. Fortunately, there was nothing too serious found and a quick follow up procedure should see me fighting fit. I would however, like to take this opportunity to encourage everyone over 49 to take the free bowel cancer screening test when you get it. It’s a simple test and if required a simple procedure that could save your life. Don’t let these COVID 19 restrictions cause you to neglect your health. Now looking at tonight’s agenda it should be obvious that the work of council doesn’t stop – in fact quite the opposite. I don’t recall a fuller meeting agenda throughout my entire time as a

Councillor and to do it under the current circumstances really is a credit to all officers and staff. And it's not only the business as usual stuff that is keeping them busy, COVID 19 has inspired and necessitated a whole range of additional activities that council staff have been asked to implement across the entire organization, there is increased cleaning of public toilets, access management at our parks and gardens, implementation of our many new community support programs, such as our book butler service or Dindi Link, Dindi Directory and now Dindi shop websites.

Not to forget Dindi Live which has been streaming the talents of our local artists and musicians directly into people's homes each week over the past 5 weeks. We have run online community recovery forums with community event organizers and groups, a local business workshop with our local traders and tomorrow night we will gain the perspectives of the general population. The information and ideas gathered from these workshops will play an important role in the recovery phase of this Pandemic.

And it doesn't stop there, we have a new Local Business and Tourism Committee, a COVID-19 Emergency Management Committee and a whole range of State and Federal Government stimulus initiatives to consider, all while navigating the annual budget, unfamiliar technology and working arrangements and the fears and concerns that we all share. Not to mention the introduction of a new *Local Government Act* and Governance Rules or the massive amount of work that is to come as a result of this year's Local Council Elections. Anyone who thinks that COVID-19 is a cake walk obviously doesn't work for Council.

So as far as a response goes to this pandemic I think it is fair to say that Murrindindi has led the way, so to my fellow Councillors, Craig, Directors, Officers and Staff – I Say Thank You, to the Volunteers helping with our support programs and those serving on our various committees and to all those who have taken the time to participate and contribute in our recovery workshops – Thank You. And to everyone within our communities that are heeding the advice and making the sacrifices to keep us all safe. I Say Thank You. There is a long road ahead of us but together, we will get there.

16. CHIEF EXECUTIVE OFFICER REPORT

As we are now aware, the number of new cases, particularly those being traced back to being community and family transmissions has seen an increase in recent times. Unfortunately some foreshadowed easing of restrictions did not occur at the Direction of the Chief Health Officer.

We know that this will cause some additional disruption, financial impacts and strain on individuals, businesses and families.

Now more than ever we need to make sure that we follow strictly the advice and directions of the Chief Health Officer.

As a community we have seen excellent adherence to advice to social distance, maintain good hygiene, avoid crowds, and now avoid some areas of Melbourne that have been particularly impacted.

Please continue to follow the rules and we will be able to maintain low case numbers, illness and fatalities in our community.

We have continued to advocate for and work hard for our community. We have received good support for the State and Federal Governments to date, but we continue to urge both levels of Government to do more to support rural areas recover.

I would like to join Councillors in thanking our staff involved in preparing this year's budget. In adopting the budget tonight we join a very small number of Councils who have maintained

average rates with no increase. Thank you in particular to our Finance and Capital Works teams for their efforts in the development of this very important budget.

I would also like to welcome 31 new Council staff to the team. These staff, fully funded by the State Governments Working for Victoria program. Our parks and gardens are looking great and we are already receiving lots of positive comments about this work. Further works will be undertaken during the next six months to clean up areas, repaint street furniture and generally bring a shine to our Shire as we head towards the summer. The remaining 10 staff will be joining us shortly.

17. ASSEMBLIES OF COUNCILLORS

Purpose

This report presents the records of assemblies of Councillors for 27 May 2020 to 19 June 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 27 May 2020 to 19 June 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 27 May 2020 to 17 June 2020:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	27 May 2020
Matters Discussed:	<ol style="list-style-type: none"> 1. 413 Burgess Road, Yarck – Use and Development of Land for Purpose of a Single Dwelling 2. 102 Falls Road, Marysville – Use and Development of the Land for the Purpose of Six (6) Dwellings 3. 3625 Maroondah Highway, Acheron – Amendment to Planning Permit 2016/33 4. Community Planning Update – Community Plans and Grants 5. Delay and Changes in the Local Government Power Purchasing Agreement (LG PPA) 6. Murrindindi Shire Council Business & Tourism Advisory Committee 7. Procurement Policy Annual Review 2020 8. Equal Opportunity Policy 9. Community Engagement Policy Review 2020 10. Audit and Risk Advisory Committee Minutes 11. CONT19/26 – Supply and Delivery of Back Hoe

	12. Tender CONT20/6 – Wilhelmina Falls Road, Murrindindi Sealing Works 13. Variation and Contract Extension – Contract 16/24 – Council Facilities Cleaning Services 14. Variation - Contact 19/22 – Rubicon Road – Route Improvement			
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, C Gartland, N Stewart			
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
3	Cr S McAulay	No	No, as there was no discussion or debate by Councillors	Not applicable

Meeting Name/Type	Briefing Session
Meeting Date:	3 June 2020 via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. Local Government Act 2020 (Maddocks Information Session) 2. Considerations for Membership – New Audit and Risk Committee 3. Asset Management Policy Review 4. Capital Works Monthly Update – May 2020 5. Road Safety Audit – Gordons Bridge Road, Castella 6. Road Safety Audit – Brooks Cutting Road, Alexandra
Councillor Attendees:	Cr C Bissett, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, C Lintott
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Briefing Session – via Videoconference
Meeting Date:	10 June 2020
Matters Discussed:	<ol style="list-style-type: none"> 1. 47 Halls Flat Road, Alexandra - Change of Use of Existing Outbuilding to a Second Dwelling; and Use of Land for Group Accommodation 2. 3912 Whittlesea-Yea Road, Flowerdale - Use and Development of Land for a Dwelling 3. Proposed Combined Permit and Amendment - Amendment C70, Murrindindi Planning Scheme and Planning Permit No 2019/192, Adoption Report 4. Domestic Wastewater Management Plan 5. Communication Policy 6. Transparency Policy 7. Pre-briefing - Budget Submissions
Councillor Attendees:	Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, N Stewart, N Grey, G Haylock, J Rabel
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Workshop Session – via Videoconference
Meeting Date:	17 June 2020
Matters Discussed:	1. Management of Residual Waste

	2. Closed Landfills Update 3. Governance Rules (Including Election Period Policy) – Local Government Act 2020 & Governance Local Law revocation process 4. 969 Goulburn Valley Highway THORNTON (9 objectors) 5. Community Energy Co-Design – Submission to Helen Haines 6. Draft Municipal Emergency Management Plan			
Councillor Attendees:	Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, T Carter, N Stewart, C Gartland, C Price			
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
1	Cr E Lording	No	Yes	Before discussion

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 S McAulay / Cr M Rae

That Council receives and notes the record of assemblies of Councillors for 27 May 2020 to 19 June 2020.

CARRIED UNANIMOUSLY

18. SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT19/31	29 May 2020	Deed of Agreement between Murrindindi Shire Council and Goulburn Valley Region Water Corporation for High Street Yea - Road Safety Improvements (RRV)	Craig Lloyd
SF/316	12 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Anthony John Leigh for Lot: 10 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Robert James Mears for Lot: 13 PS: 529035	Craig Lloyd

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Pasquale Francesco Costantino for Lot: 4 PS: 347126	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Jillian Kaye Smith for Lot: 6 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Cameron James Edgar and Scott David Edgar for Lot: 7 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Keith Bruce Harris for Lot: 8 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Orest Boris Wessely and Suzanne Joy Ritchie for Lot: 14 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Orest Boris Wessely and Suzanne Joy Ritchie for Lot: 15 PS: 529035	Craig Lloyd
SF/316	15 June 2020	Rubicon Village Septic Tank Installation and Inspection Agreement between Murrindindi Shire Council and Orest Boris Wessely and Suzanne Joy Ritchie for Lot: 16 PS: 529035	Craig Lloyd

RESOLUTION

Cr E Lording / Cr M Rae

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

CARRIED UNANIMOUSLY**19. CONFIDENTIAL ITEMS**

Nil.

Meeting closed at 7:45pm.

24 June 2020

CONFIRMED THIS**CHAIRPERSON**
