



Murrindindi
Shire Council

Scheduled Meeting of Council

Agenda

Wednesday 26 August 2026
Yea Council Chambers
15 The Semi Circle Yea
6.00pm

Scheduled Meeting of Council

Agenda

Councillors

Mayor Cr Damien Gallagher
Deputy Mayor Cr Anita Carr
Cr Paul Hildebrand
Cr Sandice McAulay
Cr Sue Carpenter
Cr Eric Lording

Officers

Chief Executive Officer: Livia Bonazzi
Director People & Corporate Performance: Michael Chesworth
Director Community & Development: Andrew Paxton
Director Sustainability & Infrastructure: Kim O'Connor
Manager Governance and Risk: Amanda Vogt

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1. ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE**1.1. ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

1.2. COUNCILLORS' PLEDGE

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

2. PROCEDURAL MATTERS**2.1. PRIVACY NOTE**

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

2.2. APOLOGIES AND REQUEST FOR PLANNED LEAVE**2.3. DISCLOSURE OF INTEREST OR CONFLICT OF INTEREST**

In accordance with section 130 (1)(a) of the *Local Government Act 2020* Councillors are required to disclose any "conflict of interest" in respect of a matter to be considered at a Council Meeting.

Disclosure must occur immediately before the matter is considered or discussed.

2.4. CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 22 July 2026.

RECOMMENDATION

That Council confirm the minutes of the 22 July 2026 Council Meeting.

2.5. PETITIONS

Petitions received will be tabled at the Scheduled Meeting of Council.

2.6. COMMUNITY RECOGNITION

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

2.7. MATTERS DEFERRED FROM PREVIOUS MEETING

Council may resolve to defer a matter to a future meeting for consideration for various reasons. Where a matter has been previously deferred it will be tabled for consideration under this section.

2.8. URGENT BUSINESS

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

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

3. PUBLIC PARTICIPATION

3.1. OPEN FORUM

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

3.2. QUESTIONS OF COUNCIL

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

4. REPORTS - COMMUNITY & DEVELOPMENT GROUP

4.1 Grants and Sponsorships – Quarterly Allocations

Department	Community Wellbeing
Approved by	Andrew Paxton, Director Community Development
Presenter	Cr E Lording
Portfolio	Community Wellbeing
Purpose	For Decision
Attachment(s)	Nil

Executive Summary

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

This report presents applications received between May and July 2026 and seeks Council endorsement of recommended grant allocations, alongside noting grants awarded under delegation, with the Panel Assessment Report for consideration.

RECOMMENDATION

That Council:

1. Note the following Quick Response grants awarded under delegation:

- a. Flowerdale Men's Shed – Stay Safe, Stay Connected Shed Wi-Fi Upgrade Initiative - \$646
- b. Eildon Golf Club – Replacement of Furniture, Chairs in the Club House - \$1,800
- c. Rotary Club of Yea – Garden Expo 2026 - \$1,500
- d. Thornton Eildon District Football & Netball Club – End of Season Day Sponsors Function - \$650
- e. Rotary Club of Kinglake Ranges – Youth Showcase Night - \$500
- f. Alexandra Primary School – Boite Chorus Performance Opportunity at the Melbourne Town Hall for Young Singers from Murrindindi Shire - \$2,500
- g. Alexandra and District Dog Obedience Club Inc – Shipping Container Storage - \$2,000
- h. Yea Arts Inc – Sarah Belkner Concert and Artist in Residence Weekend - \$2,000
- i. Alexandra Secondary College – Production I'm Big, You're Little - \$1,000
- j. Buxton Progress Association Inc. - Buxton Hall Disabled Parking Space - \$1,000
- k. Marysville Information and Regional Artspace – Marysville Art Show 2026 - \$2,500
- l. Flowerdale Community House – 2026 Flowerdale Quilt Show - \$500

2. Endorse the allocation of funding for the following Project grants, as recommended by the Grants and Sponsorship Assessment Panel:

- a. Mange Management Inc – Protecting Murrindindi's Wombats from the Suffering and Fatal Impact of Sarcoptic Mange - \$5,000
- b. Kinglake Ranges Neighbourhood House – Food Share - \$4,000

3. Endorse the allocation of funding for the following Sponsorship grant, as recommended by the Grants and Sponsorship Assessment Panel:

- a. Triangle Arts Group Inc – Music in The Park 2027 - \$3,500

4. Endorse the allocation of funding for the following Local (Multi) Events grant as recommended by the Grants and Sponsorship Assessment Panel:

- a. Rotary Club of Alexandra – Rotary Community Events Program for Alexandra and Murrindindi - \$10,000

Background

The Grants and Sponsorship program provides the opportunity for not-for-profit community groups and organisations, social enterprises and individuals to seek funding from Council to support events, activities and projects that align with the 2025-2029 Council Plan. The funding streams provided under the program are:

- Quick Response
- Sponsorships
- Community Projects and Events
- Local Events
- Events of Major Significance
- Special Purpose.

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

Discussion

- 1) The Grants Panel has assessed the following Quick Response Grant applications received during May, June and July and these have been awarded under delegated authority for Council noting:
- a) Flowerdale Men's Shed – Stay Safe, Stay Connected Shed Wi-Fi Upgrade Initiative.
 - Quick Response Grant of \$646 requested and awarded.
 - b) Eildon Golf Club – Replacement of Furniture, Chairs in the Club House.
 - Quick Response Grant of \$1,800 requested and awarded.
 - c) Rotary Club of Yea – Garden Expo 2026.
 - Quick Response Grant of \$2,500 requested, \$1,500 awarded.
 - d) Thornton Eildon District Football & Netball Club - End of Season Sponsors Day Function.
 - Quick Response Grant of \$650 requested and awarded.
 - e) Rotary Club of Kinglake Ranges – The Youth Showcase Night.
 - Quick Response Grant of \$500 requested and awarded.
 - f) Alexandra Primary School – Boite Chorus Performance Opportunity at the Melbourne Town Hall for Young Singers from Murrindindi Shire.
 - Quick Response Grant of \$2,500 requested and awarded.

- g) Alexandra and District Dog Obedience Club Inc – Shipping Container Storage.
 - Quick Response Grant of \$2,000 requested and awarded.
 - h) Yea Arts Inc – Sarah Belkner Concert and Artist in Residence Weekend.
 - Quick Response Grant of \$2,500 requested, \$2,000 awarded.
 - i) Alexandra Secondary College – Production I'm Big-You're Little.
 - Quick Response Grant of \$2,500 requested, \$1,000 awarded.
 - j) Buxton Progress Association Inc – Buxton Hall Disabled Parking Space.
 - Quick Response Grant of \$1,454 requested, \$1,000 awarded.
 - k) Marysville Information and Regional Artspace – Marysville Art Show 2026.
 - Quick Response Grant of \$2,500 requested and awarded.
 - l) Flowerdale Community House – 2026 Flowerdale Quilt Show.
 - Quick Response Grant of \$1,000 requested, \$500 awarded.
- 2) The grants panel has assessed the following Project Grant applications and recommend that Council endorse the proposed funding allocations:
- a) Mange Management Inc – Protecting Murrindindi's Wombats from the suffering and Fatal Impact of Sarcoptic Mange.
 - Project Grant of \$5,000 requested, \$5,000 recommended for Council endorsement.
 - b) Kinglake Ranges Neighbourhood House – Food Share.
 - Project Grant of \$4,000 requested, \$4,000 recommended for Council endorsement.
- 3) The grants panel has assessed the following Sponsorship Grant applications and recommend Council endorse:
- a) Triangle Arts Group Inc – Music in The Park 2027.
 - Sponsorship Grant of \$5,000 requested, \$3,500 recommended for Council endorsement.
- 4) The grants panel has assessed the following Annual Multi Event Grant application and recommend Council endorse:
- a) Rotary Club of Alexandra – Rotary Community Events Program for Alexandra and Murrindindi.
 - Local Events Gant of \$14,000 requested, \$10,000 recommended for Council endorsement.

Council Plan/Strategies/Policies

This report supports delivery of the *Council Plan 2025-2029* Health, Wellbeing and Active Living strategic direction including:

- provide practical support to community volunteers, clubs and organisations to deliver local services, programs and wellbeing outcomes.
- recognise and strengthen the vital role of volunteers in community life by coordinating support, celebrating contributions and creating conditions where volunteering can thrive across generations.

- increase participation in arts, music and cultural activities by supporting local talent, and seeking opportunities to plan and attract external funding for creative programs and community space.
- strengthen the visitor economy through destination development, local events, nature and culture-based tourism, in partnership with Tourism Northeast.
- partner with local sports clubs and community organisations to harness their volunteer strengths, knowledge and commitment, empowering them to maintain and improve facilities, lead initiatives and access funding beyond Council.

Relevant Legislation

There are no legislative considerations to this report.

Financial Summary

Council has a budget allocation of \$194,000 to support and enable the community grants program through the financial year. The following table provides an overview of the program funding allocation for 2026-2027, year to date.

Grant Stream	Allocations for Council endorsement August 2026	Financial Year to date Allocations 2026/27
Quick Response Grants	\$0	\$4,000
Sponsorship Grants	\$3,500	\$0
Community Projects Grants	\$9,000	\$0
Individual Sponsorship	\$0	\$0
Local Events Grants	\$10,000	\$0
Events of Major Significance Grants	\$0	\$0
Special Purpose Grants	\$0	\$0
TOTAL	\$22,500	\$4,000

Conflict of Interest

There were two conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

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

4.2. Planning Scheme Review 2026

Department	Economic Development
Approved by	Andrew Paxton, Director Community and Development
Presenter	Cr S Carpenter
Portfolio	Sustainable Population Growth and Land Use Planning
Purpose	For Decision

- Attachment(s)
1. Murrindindi Planning Scheme Review Report 2026
 2. Marked up planning scheme ordinance

Executive Summary

Murrindindi Shire Council is required to undertake a review of their planning scheme for alignment with current State Government Policy and to incorporate any changes as part of the four-yearly review of the Murrindindi Planning Scheme in accordance with the *Planning and Environment Act 1987* (the Act). This review has been completed by an independent consultant and supported by the State Government, and the review is captured in the Murrindindi Planning Scheme Review Report 2026 for Council consideration.

The report finds that the local planning scheme is generally performing well and can be further improved by a range of actions over the coming period. Initial implementation via a planning scheme amendment will bring the Murrindindi Planning Scheme up to date across multiple policy areas, while subsequent strategic planning work will address emerging issues and respond to State Government planning reforms and policy direction.

RECOMMENDATION

That Council:

1. **Approve the Planning Scheme Review Report 2026 and lodge it with the Minister for Planning in accordance with Section 12B of the *Planning and Environment Act 1987*; and**
2. **Request Authorisation from the Minister for Planning to prepare an Amendment to the Murrindindi Planning Scheme to implement the recommendations of the Planning Scheme Review Report 2026 and authorise officers to finalise amendment documentation in consultation with the Department of Transport and Planning.**

Background

The *Planning and Environment Act 1987* (the Act) establishes a four-year cycle for reviewing planning schemes. Council is nominally required to review the Murrindindi Planning Scheme within 12 months of the prescribed date for adopting its four-year Council Plan; i.e. by 30 June 2026.

The Victorian Government, through the Regional Planning Hub, provided funding and administrative support for this 2026 Review and engaged an independent consultant to undertake the work. The independent consultant, who is a highly-credentialled planning expert with a deep understanding of both the Victorian planning system and the challenges of small rural and regional councils in managing their local planning schemes undertook the review and prepared the Planning Scheme Review Report 2026.

Discussion

This review has been undertaken in the context of a relatively short timespan since the last review (adopted 2023), which is yet to be fully implemented. Amendment C73 (approved in November 2025) made numerous 'policy neutral' changes recommended by the 2023 Review. A subsequent amendment to implement the more complex and potentially contentious recommendations from the 2023 Review was planned but had not reached the authorisation stage when significant changes were made to the state planning context by the introduction of

Plan for Victoria in December 2025. This amendment was therefore deferred while the new context was evaluated through the 2026 Review.

The independent review by Schemology included a 'health check' that assessed the performance of the Murrindindi Planning Scheme and Council's Statutory Planning functions. It also assessed the local scheme in the context of recent State Government policy directions and updates to state and regional policy provisions. Consultation with Council teams and referral agencies was also undertaken.

The Murrindindi Planning Scheme Review 2026 Report has now been completed. It captures the review process and provides a comprehensive set of findings and recommendations.

Key findings and recommendations

The Report's findings and recommendations comprise a practical and manageable work program for Statutory Planning functions and Strategic Planning projects over the coming period. It also identifies some longer-range priorities that can be brought forward if resources and opportunities allow. Some of the key findings are:

- The Murrindindi Planning Scheme is generally operating well.
- Statutory Planning functions are generally performing better than similar councils including the number of days to process applications, the cost to process applications and VCAT outcomes.
- There has been a significant amount of State Government planning reform since the last review and refinements are required to the scheme, including responding to new bushfire provisions, *Plan for Victoria* and reform to the residential codes.
- A number of rural issues, including residential uses in the agricultural zones, require a comprehensive approach in order to be addressed thoroughly.

Recommendations are grouped as follows:

- Planning Scheme recommendations
- Further strategic work recommendations
- Process improvement recommendations
- Advocacy and further consultation recommendations

Some of the recommendations of the 2026 Review can be implemented in the short term through a Planning Scheme Amendment. Schemology has prepared detailed documentation (ordinance) for this amendment that incorporates and updates some of the incomplete recommendations of the 2023 Review. It is recommended that Council request authorisation from the Minister for Planning to formally prepare the amendment in conjunction with adopting the Planning Scheme Review Report so that this first item of implementation can proceed in a timely manner.

Key items of recommended further strategic work include:

- Prepare an amendment or addendum to the Murrindindi Housing and Settlement Strategy 2022 to respond to directions in *Plan for Victoria* and municipal housing targets.
- Complete the implementation of the Yea Structure Plan 2025 and prepare and implement a structure plan for Alexandra, with structure planning for Marysville a subsequent priority.
- Prepare a comprehensive Rural Land Strategy – potentially in parts to address a range of issues.
- Incorporate the Murrindindi Shire Residential Design Guidelines into the planning scheme.
- Implement the planning recommendations of the municipal Industrial Land Strategy (including the Yea Sale Yards) once complete.

Recommended process improvements may involve Council, the Victorian government or referral agencies. They focus on improving processes associated with data collection and analysis (such as planning permits), application processing and referrals, and communication.

Advocacy recommendations cover areas that mostly fall outside Council's authority. Priorities include:

- A regional approach to significant landscape assessments.
- Working with the Catchment Management Authorities to update and implement flood mapping.
- Working with the Department of Transport and Planning to identify a realistic housing capacity for the Shire and resolve a perceived anomaly between the Murrindindi Housing and Settlement Strategy capacity assessment in 2022 and the State Government capacity assessment (using different methodology and timeframes) in 2026.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategies to:

- facilitate well-designed, sustainable development through responsive and efficient land use planning;
- ensure town structure plans and planning policies reflect local character and future needs; and
- use data, evidence and design-led thinking to guide long-term planning decisions.

It also supports the *Economic Development, Local Jobs and Skills* strategy to enable land use and zoning that supports commercial, industrial and agricultural innovation.

Relevant Legislation

Section 12B of the *Planning and Environment Act 1987* prescribes that a planning authority (council) must review its planning scheme 'no later than one year after each date by which it is required to approve a Council Plan'. It also prescribes the objectives and key elements of a review.

Financial and Risk Implications

The project carries negligible financial risk to Council as it is externally funded and supported, including consultant management, through the Regional Planning Hub. Council's contribution is in-kind via internal staff time costs that are covered within the operational budget.

While failure to complete a prescribed review or submit it to the Minister for Planning does not carry a risk of formal penalties, there are some risks to Council in missing the opportunity for continuous improvement that a review presents. These include working with an underperforming planning scheme resulting in slower planning decisions and unnecessary burdens on the Statutory Planning team, as well as delays in identifying and implementing priorities in Council's strategic agenda.

Conflict of Interest

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

Community, Stakeholder and Communication Consultation

Consultation has been undertaken with internal teams who use the planning scheme most frequently, as well as with external referral authorities and agencies.

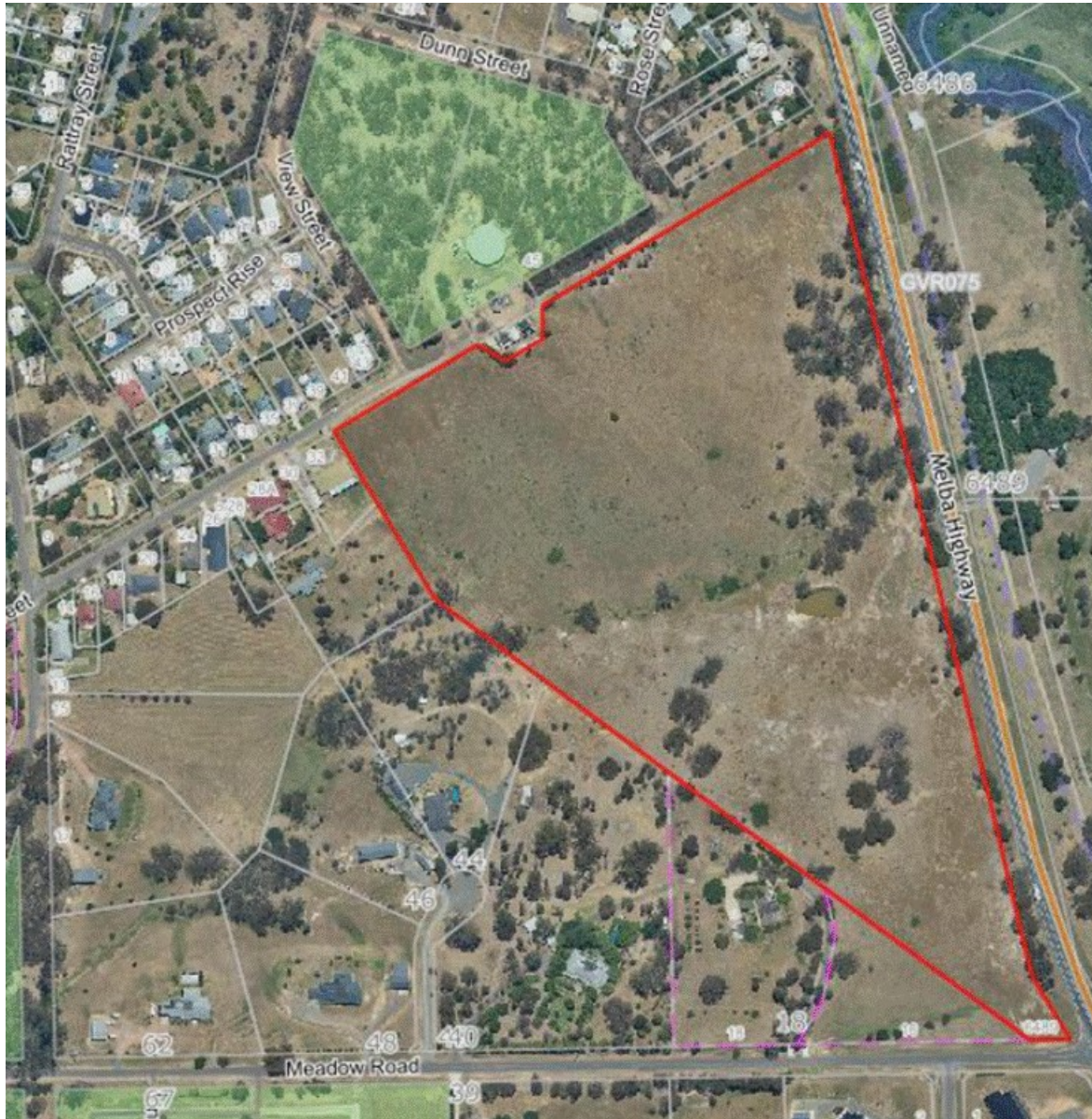
Broader community engagement for the review itself has not been undertaken, as it is an independent review of a technical nature. There will be a community engagement process at a subsequent stage when proposed changes to the Planning Scheme are exhibited via an amendment to implement the Review; this provides an opportunity for community input via submissions.

4.3. Planning Application - 6489 Melba Highway, Yea

Department	Development Services Development Services
Approved by	Andrew Paxton, Director Community Development
Presenter	Cr S Carpenter
Portfolio	Sustainable Population Growth and Land Use Planning
Purpose	For Decision
Attachment(s)	1. Smith Street Development Plan - Draft Development Plan [4.4.1 - 8 pages] 2. Smith Street Development Plan - Applicant Report [4.4.2 - 14 pages] 3. Smith Street Development Plan - Title [4.4.3 - 4 pages] 4. Smith Street Development Plan - Native Vegetation Assessment Report [4.4.4 - 76 pages] 5. Smith Street Development Plan - Traffic [4.4.5 - 10 pages]

Locality Plan





Executive Summary

This report recommends that Council approve the Development Plan at 6489 Melba Highway, Yea 3717 attached to this report.

The site is described as 6489 Melba Highway, Yea or Lot 1 on Title Plan 558411C. The site is located approximately 1.5 kilometres southeast of Yea township and has an area of approximately 11.84 hectares. The land is currently vacant and is in the Low Density Residential Zone and is affected by the Development Plan Overlay. The topography of the land is undulating and falls from Smith Street to the Melba Highway. There is a depression running in an west-east direction in the middle of the site where a waterway is located.

Access to the site is available from Smith Street and Meadow Road. Surrounding parcels to the south and west are developed for residential purposes on larger parcels of land. North of the site is standard residential development, the Goulburn Valley Water Treatment Facility and nature reserve. East of the site, on the opposite side of the Melba Highway is the Great Victorian Rail Trail and agricultural land.

The development plan proposed includes the construction of a new internal road and will provide up to 22 lots. The Development Plan application has been advertised to adjoining landowners and relevant referral authorities. External agencies have provided general comments for inclusion in the Development Plan. No written submissions were received from adjoining landowners.

This report recommends that Council approve the submitted development plan for the land located at 6489 Melba Highway, Yea.

RECOMMENDATION

That Council approve the Development Plan (Smith Street Development Plan) for 6489 Melba Highway, YEA 3717 in accordance with Schedule 2 to the Development Plan Overlay in the Murrindindi Planning Scheme

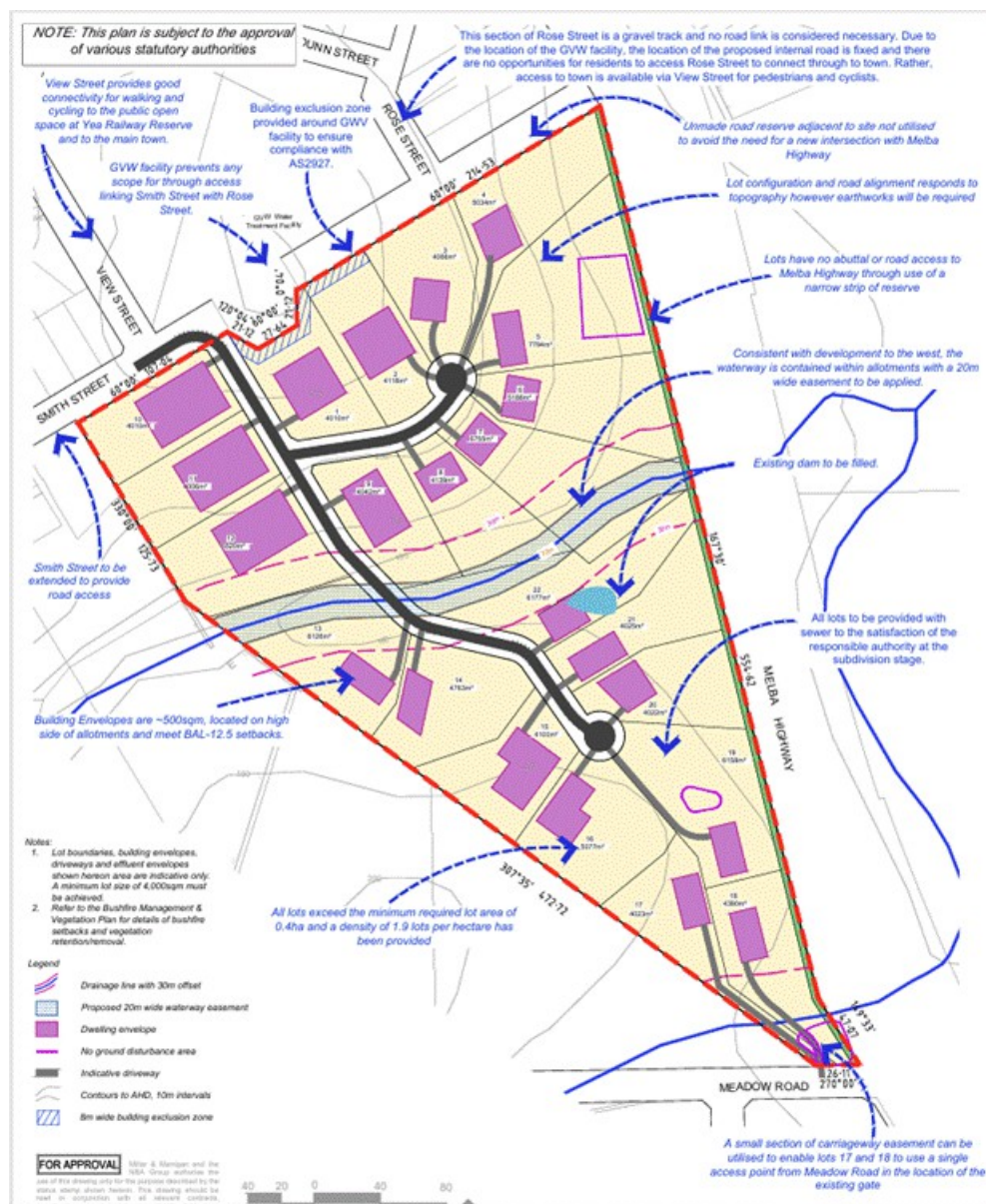
Background

The subject land abuts Melba Highway, Smith Street and Meadow Road and is 11.84 hectares in area, adjoining the southeastern corner of Yea, approximately 1.2km from the town centre using the existing road network. The site is accessible from Smith Street. The topography of the land is undulating and falls from Smith Street to the Melba Highway and Smith Street. There is a depression running in an east-west direction in the middle of the site where a waterway is located.

The land was zoned Low Density Residential Zone under Amendment C14 in July 2006 and has a Development Plan Overlay applying to it. Minimum lot sizes of 0.4 hectares applied to the land when it was first rezoned.

Electricity, water and sewer are available to the land. Road access is available from Smith Street and Meadow Road. The site has frontage to Melba Highway and Dunn Street however access is not practically available. New drainage infrastructure will be required to manage runoff between proposed and existing lots as well as into the adjacent road network. This is in addition to the upgrades required to existing infrastructure.

The Development Plan overlay (DPO) requires that prior to the approval of any development for individual parcels of land, an overall development plan be approved to guide the coordination of subdivision, servicing and development for the overall area. The proposed development plan provides for the creation of 22 lots as shown in the plan below:



Authority Submissions

1. Goulburn Murray Water (GMW):

No objection. A waterway determination would confirm whether the minor and major drainage lines are waterways. GMW requires a 30 metre building setback from any waterways.

Goulburn Murray Water had also specified requirements for onsite wastewater management systems. While these conditions were achieved under earlier versions of the plan, these are no longer required as the lots will be connected to reticulated sewerage.

2. Goulburn Valley Water:

No objection. The site is within the Yea Sewer and Water supply districts. Reticulated Water and Sewer will need to be provided to all lots.

The site adjoins the Water Treatment Plant which operates 24 hours per day and includes unloading and storage of dangerous chemicals, vehicular movements, operating mechanical equipment and 24-hour lighting. A Section 173 agreement will be required which recognises these issues.

3. Goulburn Broken Catchment Management Authority (GBCMA)

No flood data available. Waterways and surrounds need to be protected from encroachment. In many instances, the GBCMA encourages waterway riparian areas to be restored/enhanced with native vegetation species. The proposed subdivision should avoid new lot boundaries through the waterways with new lot boundaries having a minimum of 30 metres measured from the top of the bank of the waterways.

4. Department of Energy, Environment and Climate Action (DEECA):

No objection. Retention of native vegetation is to be seriously considered. As part of the documentation prepared as part of this approval, the applicant has prepared an assessment of the existing vegetation on site. This has concluded that the development will not result in the loss of vegetation as a result of development and has been provided to the department.

Public Notice

The proposed development plan was advertised through the following methods for a period of 4 weeks:

- Sign on Site
- Letters to adjoining landowners.

No submissions were received.

Compliance with Planning Controls and Policy

The proposed development plan meets the provisions and strategic directions of the Murrindindi Planning Scheme, in particular the Low Density Residential Zone and Development Plan Overlay 2, the Yea Framework Plan, Vision and Clause 02.03, Housing. No substantive changes have been made since consultation. The resultant lots will be more than 0.4 hectares in area and will not require a planning permit for the development of individual lots for a single dwelling. Accordingly, at the subdivision stage, each lot will be subject to a Section 173 Agreement that sets out building exclusion zones, protection of vegetation and other design criteria.

The proposed development plan provides a suitable layout and performance measures for the full layout and of the land. Approval of the plan is now recommended, including an expiry of 15 years to allow sufficient time for completion of the proposal.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to facilitate well-designed, sustainable development through responsive and efficient land use planning.

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to align growth planning with infrastructure, transport and service capacity.

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to use data, evidence and design-led thinking to guide long-term planning decisions.

This report supports the Healthy Natural Environment and Climate-Resilient Future strategy to embed climate adaptation and resilience in land use planning and infrastructure delivery.

Relevant Legislation

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

Financial and Risk Implications

There are no financial implications or risks associated with the consideration of this application for a Development Plan.

Conflict of Interest

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

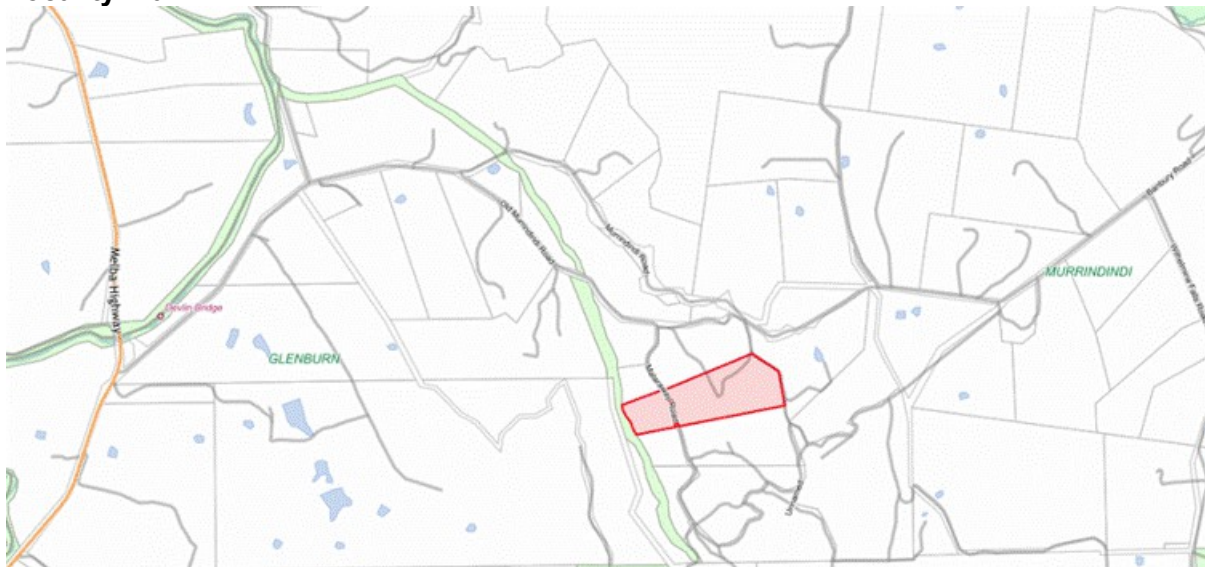
Community, Stakeholder and Communication Consultation

External community or stakeholder consultation was not applicable.

4.4. Planning Application - 30 Malaraway Road, Glenburn

Department	Development Services
Approved by	A Paxton, Director Community and Development
Presenter	Cr S Carpenter
Portfolio	Sustainable Population Growth and Land Use Planning
Purpose	For Decision
Attachment(s)	1. 30 Malaraway Road, Glenburn - Native Vegetation Assessment [4.5.1 - 44 pages] 2. 30 Malaraway Road, Glenburn - DEECA NVRR [4.5.2 - 12 pages] 3. 30 Malaraway Road, Glenburn - Land Management Plan Revised [4.5.3 - 27 pages] 4. 30 Malaraway Road, Glenburn - Proposed Dwelling- Shedding [4.5.4 - 5 pages] 5. 30 Malaraway Road, Glenburn - Application Submission Proposal [4.5.5 - 23 pages] 6. 30 Malaraway Road, Glenburn - Application Form [4.5.6 - 4 pages]

Land: 30 Malaraway Road, GLENBURN 3717
Proposal: Two lot subdivision (house lot excision), use and development of land for a dwelling and removal of native vegetation
Applicant: Ruth Parfett
Zoning: Farming Zone
Overlays: Erosion Management Overlay (EMO)
Bushfire Management Overlay (BMO)
Triggers: 44.01-2 (Erosion Management Overlay): Construct a building or construct or carry out works
44.01-5 (Erosion Management Overlay): Subdivide Land
52.17-1 (Native Vegetation): Remove, destroy or lop native vegetation
35.07-4 (Farming Zone): Construct a building within 100m of a waterway, wetlands or designated flood plain
35.07-4 (Farming Zone): Buildings and works associated with a Section 2 use
35.07-3 (Farming Zone): Subdivide land
35.07-1 (Farming Zone): Use land for two dwellings

Locality Plan:

Executive Summary

This report recommends that a refusal to grant a permit be issued for a two lot subdivision (house lot excision), use and development of land for a dwelling and removal of native vegetation at 30 Malaraway Road, GLENBURN 3717.

An application has been received for a two-lot subdivision (house lot excision), use and development of land for a dwelling and removal of native vegetation at 30 Malaraway Road, Glenburn under the provisions of the Murrindindi Planning Scheme.

The land is in the Farming Zone and is subject to the Bushfire Management Overlay. A planning permit is required for the subdivision of land and the use and development of a dwelling under the provisions of both the zone and the overlay. A planning permit is required for the removal of native vegetation under Clause 52.17 of the Murrindindi Planning Scheme.

The application proposes to subdivide the land into two lots by retaining the existing dwelling on Lot 1 (4.57 Hectares) and creating a balance lot (Lot 2) of 15.45 hectares. The application proposes the construction of a dwelling on Lot 2. The dwelling on Lot 2 is proposed to be constructed to support a future equine business to support up to 6 horses on the land. As part of the construction of the dwelling, the application proposes the clearing of approximately 3 hectares of vegetation to create defendable space.

The application also proposes some minor clearing beyond the defendable space.

The application fails to meet the objective of Clause 14.01-1L of the Murrindindi Planning Scheme, which seeks to limit house lot excision, is inconsistent with the purpose and decision guidelines of the Farming Zone as well as inconsistent with the Bushfire Management Overlay and the native vegetation objectives within the Planning Policy Framework.

RECOMMENDATION

That Council

Issue a Refusal to grant a planning permit for a two lot subdivision (house lot excision), use and development of land for a dwelling and removal of native vegetation at 30 Malaraway Road, Glenburn (Lot 3, PS402370), based on the following grounds:

- 1. The proposal fails to meet the objective of Clause 14.01-1L of the Murrindindi Planning Scheme, which seeks to limit house lot existions**
- 2. The proposal does not meet the relevant objectives at Clause 12.01-1S and Clause 12.01-2S of the Murrindindi Planning Scheme as the proposal will result in excessive vegetation losses with limited to no environmental benefit.**
- 3. The application fails to meet the objective of Clause 13.02-1S as the proposed dwelling and additional lot in an area of high bushfire risk**
- 4. The application is inconsistent with the purpose and decision guidelines of the Farming Zone**
- 5. The application is inconsistent with the purpose and decision guidelines of the Bushfire Management Overlay.**

The Land and Surrounds

The subject land is located approximately 350 metres from the start of Malaraway Road. The land is 20 hectares in area across two parts. The two parts of the land are separated by the Malaraway Road road reserve and is bound by the Break O' Day Creek on the western side of Malaraway Road.

The land contains a single dwelling and outbuilding on the western part of the property. The land is heavily vegetated, particularly on the eastern side of the road. The land slopes down towards the Break O'Day Creek.

Surrounding properties are similarly developed with dwellings and associated shedding and in two parts bisected by the Malaraway Road road reserve.

The land is in the Farming Zone and is affected by the Bushfire Management Overlay.

Background

Subdivision

The land in its current form was created through an earlier subdivision with titles issued in 2000 as shown in the plan of subdivision below:

Dwelling

Planning Permit 2003/303 was issued on 13 November 2003 for the existing dwelling on the subject land

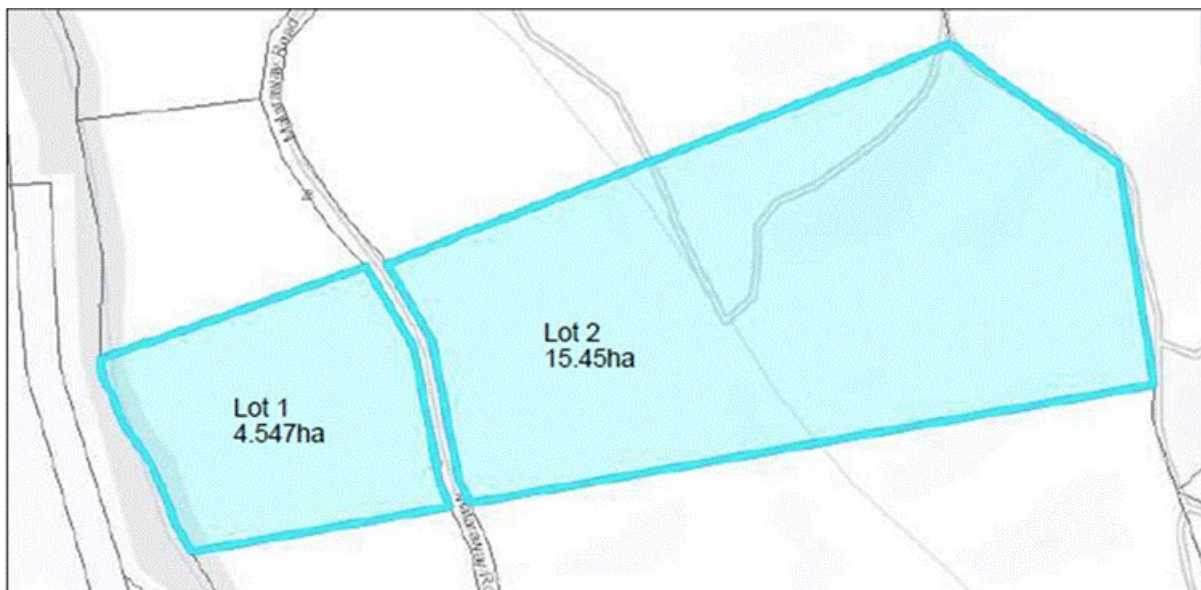
Proposal

The application is for a two lot subdivision of the land, use and development of land for a dwelling and the removal of native vegetation.

Two Lot Subdivision

The Subdivision will be configured as follows:

- Lot 1 - 4.547 Hectares
- Lot 2 - 15.45 Hectares



Lot 1 will contain the existing dwelling, buildings and infrastructure on the land.

The proposed dwelling and vegetation removal is proposed within Lot 2.

Use and Development of a Dwelling

The application proposes the use and development of proposed Lot 2 for a dwelling. The proposed dwelling will be located approximately 200m from the frontage of the proposed lot and 130m from the northern boundary.

The applicant has prepared a Bushfire Management Plan for a dwelling which suggests a Bushfire Attack Level of BAL12.5 requiring 98m defendable space in all directions. This will require the clearing of approximately 3 Hectares of land.

The dwelling will measure 25m long and 6m wide and will be a shed type construction using the bays for a combination of living spaces, domestic and agricultural storage. The dwelling component of the building contains one bedroom, one bathroom and separate kitchen/living areas.

The dwelling is to be constructed to support an equine business with up to 6 horses being contained on the property. The defendable space is to be used to support the equine business and associated paddocks and infrastructure.

Removal of Native Vegetation

The vegetation removal required to support the proposal is contained within three small patches on the property as shown in the image below:

2. Aerial photograph showing mapped native vegetation



The vegetation removal required to create defendable space to meet the bushfire requirements is exempt from permit requirements under Clause 52.12-1 of the Murrindindi Planning Scheme.

Cultural Heritage Management Plan

The site is in an area of cultural sensitivity as defined by the *Aboriginal Heritage Regulations 2018* however no part of the proposal is considered a 'high impact activity' by the regulations. Consequently, a Cultural Heritage Management Plan is not required.

Community and Stakeholder Consultation

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

- By letter to surrounding properties.
- By letter to Department of Energy, Environment and Climate Action (DEECA), Goulburn Murray Water (GMW) and Agriculture Victoria.

No objections to the applications have been received.

Referrals

The application was referred to the Country Fire Authority (CFA) under Section 55 of the Planning and Environment Act 1987.

The CFA have requested further information related to the consistency of documentation and justification of the proposal which has been provided and referred.

Discussion

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

Clause 02.02 – Vision

The Murrindindi Planning Scheme outlines the overall vision for the municipality. This includes:

- Council seeks to enhance the liveability, amenity and quality of life in the municipality.
- Council will facilitate sustainable population and economic growth.
- The municipal rate base will be actively grown through sound planning, support for continued economic development and protection of the natural and built environment.
- A strong economy will attract people to the municipality, creating further opportunities for lifestyle choice, business investment and prosperity.
- Increased economic growth and investment will enhance population growth, employment and social and cultural benefits for the municipality.
- Residential growth will be provided in established townships and settlements with existing communities and infrastructure, where natural environment is protected and a high level of community safety is achieved.

Clause 02.03 – Natural Resource Management

The agricultural sector in Murrindindi Shire is diverse, economically significant and has potential to expand. Agricultural activities include beef and sheep grazing, horticulture, cropping, vegetable growing, aquaculture, forestry, and niche products.

The Goulburn River valley and tributaries is a fertile valley of high agricultural quality. The Kinglake Ranges has high quality soils and agricultural value.

Favourable climatic and environmental conditions and proximity to the Melbourne market have seen the recent development of intensive agricultural industries, including an expansion of the viticultural, stone fruit, berries, vegetables, and turf production.

Agricultural land is under increasing pressure for conversion into non-agricultural uses.

Council aims to protect the viability of agricultural land and waterways by:

- Protecting high quality agricultural land for ongoing agricultural use.
- Protecting rural land for productive agricultural uses and compatible rural uses.
- Ensuring that the use and development of rural land protects and enhances agricultural potential and the productive capacity of the land and surrounding land.
- Supporting existing agricultural production activities, including beef and sheep grazing, horticulture, cropping, vegetable growing, aquaculture, timber production and niche products.
- Supporting emerging agricultural industries that are compatible with existing agricultural practices, including horticulture, intensive animal production, agroforestry, farm gate agricultural sales, boutique, niche agriculture, agricultural processing, value adding industries and carbon farming.
- Supporting the evolution of agriculture in response to improved practices and climate change.
- Ensuring that agricultural land is not developed for primarily residential purposes. the fragmentation of rural land into lots incapable of productive agricultural and rural use.
- Protecting water catchments from inappropriate use and development, particularly the Goulburn River valley and its tributaries.

Clause 12.01-1S – Protection of Biodiversity

Objective

- To protect and enhance Victoria's biodiversity.

Strategies

- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:
 - Cumulative impacts.
 - Fragmentation of habitat.
 - The spread of pest plants, animals and pathogens into natural ecosystems.
 - Avoid impacts of land use and development on important areas of biodiversity.

Clause 12.01-2S – Native Vegetation Management

Objective

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies

- Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Energy, Environment and Climate Action, 2025):
 - o Avoid the removal, destruction or lopping of native vegetation.
 - o Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 - o Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

The proposal relies on the creation of defensible space to facilitate the proposed development and use of the land.

While exemptions are intended to allow certain activities to occur without the need for a planning permit, their use in the context of future development can create perceptions that vegetation is being removed to simplify or strengthen a subsequent application.

This can undermine confidence in the planning process and reduce opportunities to properly consider avoidance and minimisation measures.

Native vegetation contributes to the environmental, landscape and biodiversity values of a site. Where vegetation is removed under an exemption, there is a risk that important habitat, canopy cover or ecological connections may be lost without the level of scrutiny that would normally apply through a planning permit assessment. In some cases, vegetation removal can alter the development constraints of a site, resulting in a proposal appearing more suitable for development than may have been the case had the vegetation remained.

The use of exemptions to facilitate development also creates challenges for transparency and community confidence. Even where vegetation removal is technically exempt, the cumulative impact of this approach can lead to broader environmental consequences and may conflict with strategic objectives aimed at protecting biodiversity and maintaining landscape character.

For these reasons, caution should be exercised when relying on native vegetation exemptions in association with development proposals. Consideration should be given to whether the vegetation removal is genuinely required for the exempt purpose, and whether the removal could prejudice the proper assessment of future development outcomes.

The proposal has utilised the exemption to create defensible space by siting the dwelling in the centre of the proposed agricultural area. While the existing vegetation on the site is dense and could be considered a monoculture, it is considered that the loss of vegetation is excessive for the proposal.

The siting of the proposed dwelling to avoid and minimise the removal of vegetation has not occurred.

The application fails to meet the objectives listed in the clause above and it is not considered appropriate to clear land to facilitate agriculture of this nature.

Clause 13.02-1S Bushfire Planning

Objective

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

Clause 14.01-1S Protection of Agricultural Land

Objective

- To protect the state's agricultural base by preserving productive farmland.

Clause 14.01-2S Sustainable Agricultural Land Use

Objective

- To encourage sustainable agricultural land use.

Clause 14.01-2R Agricultural Productivity – Hume

Objective

- To encourage sustainable agricultural land use.

The proposal will result in excessive negative amenity impacts on the surrounding agricultural land.

Furthermore, the scale of the proposed use and associated works will not contribute to the maintenance or progression of agricultural land value.

Overall, the impacts of the proposal do not protect improved function of the agricultural site. The negative impacts on the amenity to the surrounding community is representative from the objections that have been received.

The proposed subdivision does not contribute to the economy of agricultural land uses of the area which has been identified as being of high production value.

The area is not identified for subdivision; nor is any land in the surrounding area. This is consistent with the overall desire to maintain land uses to agricultural and farming uses. The proposal does not comply with local policy for the following reasons:

The proposal will not enhance the site's ability to be productive agricultural land. In addition to the state policy within the Murrindindi Planning Scheme, the following local policy is highly relevant to the assessment of this application:

Clause 14.01-1L Dwelling Excisions in Rural Areas

Objective

- To limit excisions of existing dwellings in rural areas.

The following strategies have been considered as relevant to this application:

- Discourage subdivision that is likely to lead to a concentration of lots that would change the general use and character and limit the productive capacity of the land.

It is considered that the proposed subdivision is likely to lead to a change in the characteristics of the use of the land. While the area could be generally characterised as a mix of residential and agricultural uses, the land is zoned for agricultural purposes.

- Maintain an adequate distance around a dwelling to limit impacts of agricultural activity having regard to the nature of the activity, its potential for impact and opportunity for mitigation measures.

The existing dwelling will be able to meet the minimum setback requirement of 30 metres from agricultural activity only by clearing existing agriculturally used land. The proposed dwelling will be centrally located in the centre of the site and can meet this setback distance however this is not generally considered to be appropriate for siting of buildings in the Farming Zone.

- Discourage subdivision within proclaimed water supply catchment areas to protect water quantity and quality.

There is no proclaimed water supply catchment area.

- Demonstrate sustainable use of the land, consideration of environmental constraints and protection and enhancement of the natural environment.

The application fails to demonstrate that the proposed subdivision meets this strategy of Clause 14.01-1L:

- Support small lot subdivisions or any excision of an existing dwelling that either:
 - Protects and maintains the productive agricultural capacity of land.
 - Supports farm consolidation.
 - Supports the conservation of an identified heritage place to which the Heritage Overlay applies.

It is considered that the proposed subdivision does not enhance the capacity of the land in its current form. The proposal relies on excessive clearing and change to the site to facilitate an agricultural use of limited improvement.

The application does not support farm consolidation.

Policy Guidelines

The policy guidelines included in Clause 14.01-1L have been considered as part of the assessment of this application and is detailed below. These are guidelines only and it should not be assumed that meeting the guidelines within this clause equates to meeting the objective of this provision.

- Limiting excisions so that no more than one lot may be excised from any lot that existed on 6 May 1999.

No lots have been excised for the subject site. The current lot was created in 2000.

- Discourage excisions of existing dwellings in rural areas unless they:
 - Will have a relationship with and will be required for the continuing operation of the rural use of the land.
 - Are compatible with and will not have an adverse impact on the potential for farming and other rural land uses on the land, adjoining land and the general area.
 - Will meet the principle of 'right to farm' in rural areas, where existing agricultural and rural uses in the area have a legal right to continue.

The applicant wishes to reside in the existing dwelling and sell the balance lot. While in the short term, amenity issues may be understood so as not to limit the operation of the farm into the future in the longer term the proposal may lead to an adverse impact on the potential for farming on both the balance lot and adjoining agricultural parcel into the future.

The proposal is considered to be inconsistent and incompatible with surrounding uses and development.

- Encourage an excision of an existing dwelling to provide:
 - A maximum area of 2 hectares for the lot with the existing house located on it.

This is not met

- An area of at least 40 hectares for the balance of the land. The proposed Lot 2 (the balance lot) will be 42.32 ha, in accordance with this policy guideline.

This is not met.

- A minimum setback of 30 metres from the dwelling on the land to be excised from any agricultural activity or rural industry on any adjoining land.

The dwelling to be excised meets this setback.

Clause 16.01-3S Rural residential development

Objective

- To identify land suitable for rural residential development.

Strategies

- Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.

The proposed dwelling is located in a remote rural area where access to essential infrastructure, community facilities and services is limited. The site is not connected to reticulated sewerage, water, gas or other urban services, requiring reliance on on-site servicing arrangements.

In addition, residents may have limited access to community services and facilities such as schools, childcare, health care, aged care, public transport, recreation facilities and social support services. Emergency service response times may be longer and access during natural hazard events such as bushfire, flooding or severe weather may be constrained. The establishment of a new dwelling in such circumstances can result in inefficient servicing outcomes, increased demands on public resources, and a greater reliance on private vehicle travel to access employment, education and community services.

Such outcomes are generally inconsistent with strategic planning objectives that seek to direct residential development to locations with established infrastructure, services and community facilities.

Farming Zone

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

The site is not suitable for the use and development of the land for a dwelling and subdivision, when balancing competing objectives of the applicable planning controls and therefore its refusal is warranted.

In terms of the use of the land for accommodation, the application proposes a second dwelling on the proposed new lot (1 dwelling per lot). The approval of a dwelling must be considered with regard to the purpose and decision guidelines of the zone and the competing objectives of the other applicable planning controls. The concern, while not directly the use of the site for a dwelling, is the risk to the surrounding natural environment by the use and development of the dwelling being as a result of the vegetation removal required for bushfire purposes and the reliance of this removal to facilitate the agricultural use required by the Farming Zone.

An assessment of the whole proposal against the decision guidelines of the Farming Zone is detailed below:

General issues	Comments
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal is not consistent with the relevant provisions of the Municipal Planning Strategy and the Planning Policy Framework for the reasons listed above.
Any Regional Catchment Strategy and associated plan applying to the land.	N/A

The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	Both proposed parcels are able to accommodate the existing and proposed uses, including wastewater and other infrastructure.
How the use or development relates to sustainable land management.	The proposal is not considered to be a sustainable use of the land. The proposal requires extensive vegetation clearing to facilitate the proposed development while ignoring any environmental values the site may possess.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The site is not suitable for further subdivision.
How the use and development makes use of existing infrastructure and services.	The application makes no use of existing infrastructure and proposes the removal of vegetation and establishment of the site for an equine business of up to 6 horses on the site.
Agricultural issues and the impacts from non-agricultural uses	Comments
Whether the use or development will support and enhance agricultural production.	The proposes to clear the site to establish an equine business, the agricultural capacity of the site being up to six horses is considered to be of a scale expected in a Rural Living Zone rather than a substantive agricultural use of the property.
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	While the application proposes to reintroduce agriculture to the land, this requires the removal of more than 3 hectares of vegetation to support it.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	Surrounding land is not used for agriculture and is similar in terms of vegetation cover and character.
The capacity of the site to sustain the agricultural use.	Once removed, there will be a considerable task to maintain the established pastures and managing regrowth and encroachment of burgan into the defensible space, which is also the area of the site to be used for agriculture.
Any integrated land management plan prepared for the site.	The applicant has prepared a land/farm management plan for the proposal.
Whether Rural worker accommodation is necessary having regard to: • The nature and scale of the agricultural use. • The accessibility to residential areas and existing accommodation, and the remoteness of the location.	N/A
The duration of the use of the land for Rural worker accommodation.	N/A

Accommodation issues	Comments
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	By using exemptions provided for in the planning scheme, the applicant is proposing to reestablish the use of land for agriculture to support a dwelling on the site.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	Surrounding land is not used for agriculture however should surrounding properties develop as the subject land is proposed to, this could become an issue into the future.
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	It is considered highly unlikely that surrounding properties would be utilised at an agricultural scale that would be inhibited by a dwelling on the subject land.
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	Dwellings on Malaraway Road are concentrated to the western side of the road near the Break O'Day Creek.
The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to: • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.	N/A
The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	N/A
Environmental issues	Comments
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	As discussed previously in this report, the application will have a significant impact on the natural environment. While most of the vegetation proposed to be removed is exempt from permit requirements, this is the result of strategic siting (in this instance only) and constructing to a lower standard than could reasonably be expected on this site.

The impact of the use or development on the flora and fauna on the site and its surrounds.	As mentioned previously in this report, the application will have a substantial impact on flora and fauna on the site. While there may be some benefits to managing pest plants and animals and reducing bushfire risk, this does not sufficiently offset the resultant impact.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	While there may be some benefits to managing pest plants and animals and reducing bushfire risk, this does not sufficiently offset the resultant impact.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	As proposed, effluent for the existing and proposed dwelling can be contained within their respective lots.
Design and siting issues	Comments
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	The new buildings are located centrally on the proposed Lot 2 with the cleared area surrounding the site to be used for defensible space to also be used for agriculture. The dwelling has been sited to maximise the area of land that can be cleared for agriculture.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	The proposed building will be constructed of corrugated iron in a dark colour to minimise visual impact of the proposed development however it is considered that the substantial vegetation removal required to facilitate the development will have a significant adverse impact on the land and surrounding area.
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	The clearing of the site to facilitate the development will have a substantial impact on the character and appearance of the area.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	All infrastructure will need to be provided to the land including driveways, water supply and on-site wastewater. A power pole is already located on the land.
Whether the use and development will require traffic management measures.	No
The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to: • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or	N/A

• An incorporated document approving a wind energy facility; or • A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.	
The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	N/A

Overall, the proposed subdivision and use and development of the land for a dwelling will compromise the future health of the surrounding environment and does not minimise any future risk to important environmental features. The proposed agricultural use of the land relies heavily on the removal of vegetation and is not substantial enough to justify the need for two dwellings on the land as it currently is. The proposal is at odds with a number of the decision guidelines of the Farming Zone and therefore not acceptable.

Bushfire Management Overlay

Purpose

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

Pursuant to Clause 44.06-2 of the Murrindindi Planning Scheme, a permit is required to construct a building associated with the use of the land for accommodation and for the subdivision of land.

The application was referred to the CFA who have requested further information regarding the materiality of the proposal. A bushfire management plan and bushfire management statement have been provided to indicate the defendable space surrounding the proposed which has been forwarded.

While at the time of writing this report, CFA have neither objected to or supported the proposal, it is considered by officers that the creation of a new lot, construction and use of a dwelling and vegetation removal is consistent with the purpose and decision guidelines of the Bushfire Management Overlay.

The site is accessible one way only and is in an area with extensive vegetation cover. The site is high risk and while a number of dwellings exist along it, it is not an area that has been identified for further subdivision and development.

The site is located approximately 2km from the nearest intersection and while there are currently 8 dwellings on Malaraway Road and Old Murrindindi Road, further additional lots will exacerbate this risk.

New dwellings should be located near the entrance to properties to minimise the area required for evacuation. The permit applicant has sited the dwelling further into the property to maximise the amount of defensible space on the property while building to a much lower standard than could reasonably be expected in such a high risk area. While application proposes to use exemptions afforded under Clause 52.12 of the Murrindindi Planning Scheme, this ignores the objectives and decision guidelines of the Planning Policy Framework as discussed previously.

In this instance officers are recommending refusing the application on excessive native vegetation removal and other policy matters.

Clause 52.17 Native Vegetation

Purpose

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Energy, Environment and Climate Action, 2025) (the Guidelines):
 1. Avoid the removal, destruction or lopping of native vegetation.
 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
- To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

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

While the vegetation removal included in the application is a relatively small area, the actual loss of native vegetation will exceed 3 hectares if the application is approved. Rather than avoiding and minimising the loss of native vegetation, the applicant has sited the development to maximise the vegetation clearing in order to provide more space for the agricultural pursuit to justify a dwelling on the land.

The net loss of vegetation resulting from this proposal is significant and should not be supported.

Discussion – Submissions

No submissions were received following the advertising of this application.

Conclusion

It is considered that the proposed two lot subdivision, use and development of a dwelling and removal of native vegetation is inappropriate and should be refused.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to facilitate well-designed, sustainable development through responsive and efficient land use planning.

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to align growth planning with infrastructure, transport and service capacity.

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategy to use data, evidence and design-led thinking to guide long-term planning decisions.

Relevant Legislation

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

Financial and Risk Implications

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

Conflict of Interest

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

Community, Stakeholder and Communication Consultation

No additional consultation, other than public notice which is detailed earlier in this report was required.

4.5 Planning Scheme Amendment C79 – Yea Structure Plan

Department	Economic Development
Approved by	Andrew Paxton, Director Community and Development
Presenter	Cr S Carpenter
Portfolio	Sustainable Population Growth and Land Use Planning
Purpose	For Decision
Attachment(s)	1. Amendment C79 - Summary of Submissions and Responses 2. C79 – Adoption – ordinance changes in response to submissions

Executive Summary

The Yea Structure Plan (Yea SP) was adopted in October 2025, with a resolution to commence the process for a planning scheme amendment to implement some key recommendations in the report.

Amendment C79 has been prepared, authorised and exhibited. Five submissions were received, including one late submission. The three submissions from referral agencies were substantially supportive with one request for a minor change. The two submissions from land owners included a mix of support for the amendment overall, some requests for changes and some issues unrelated to the amendment itself. These issues have been resolved through engagement with the submitters and a second minor change to the amendment is recommended.

Council is now able to formally consider submissions and resolve whether to adopt Amendment C79 with two minor changes.

RECOMMENDATION

That Council:

1. **Adopt Planning Scheme Amendment C79muri as exhibited, with two minor changes as shown in the *C79 – Adoption – ordinance changes in response to submissions* document; and**
2. **Submit the Amendment to the Minister for Planning for approval.**

Background

The Yea Structure Plan (Yea SP) identifies opportunities for residential, commercial and industrial growth while protecting the town's valued features, minimising negative impacts and improving overall connectivity and liveability. It also strengthens the town's resilience to bushfire risk by including recommendations from the Country Fire Authority. When resolving to adopt the Yea Structure Plan (Yea SP) in October 2025, Council also resolved to request authorisation to commence a planning scheme amendment to implement key recommendations of the Structure Plan Report.

Amendment documentation was prepared by Mesh Planning and Council and reviewed by the Department of Transport and Planning (DTP). Amendment C79 was authorised under delegation from the Minister for Planning on 18 March 2026.

The amendment introduces a development framework for the township of Yea and provides direction for future residential, commercial and industrial development through updated planning policy. The amendment supports the long-term growth of Yea and acknowledges its role as one of four serviced townships within Murrindindi Shire, by:

- Introducing an updated Framework Plan for Yea which includes a new township boundary and strategic directions for the township.
- Introducing policy which guides the growth of Yea to 2040.
- Adding to the list of further strategic work required.

Specifically, the amendment makes the following changes to planning scheme ordinance:

- Amends Clause 11.01-1L (Settlement - Murrindindi townships and settlements) to relocate the Yea Framework Plan within the Murrindindi Planning Scheme.
- Inserts new Clause 11.01-1L-02 (Settlement - Yea) to insert local strategies for Yea and an updated Yea Framework Plan.
- Amends the Schedule to Clause 72.08 (Background Documents) to insert the *Yea Structure Plan* (Mesh, 2025) as a background document.
- Amends the Schedule to Clause 74.02 (Further Strategic Work) to include recommendations for further strategic work from the Structure Plan.

The amendment does not include any changes to zones or overlays as the Structure Plan concluded that no new areas for growth and development were required in the short term and other recommended actions required further investigation before proceeding to changes in the planning scheme.

The proposed change to the township boundary is a minor one on the south side of Yea, to exclude the Future Investigation Area. This is in line with State Government policy for extensions to the town boundary to occur only after assessing potential growth areas and providing a rationale for developing them. This avoids sending a premature signal to land owners or developers that applications for developing such areas would be considered.

Discussion

The exhibition period ran from 18 June to 20 July 2026. Four submissions were received by the closing date; two from referral authorities (Goulburn Broken Catchment Management Authority and Goulburn Valley Water), one from the owner of industrial land in Whittlesea Road and one from a resident in Marshbank Street. A late submission from a referral authority (Goulburn-Murray Water) has also been received.

Legislation requires that as the relevant Planning Authority, Council *must* consider all submissions made on or before the date set out in the notice and *may* consider a late submission. Officers recommend considering all five submissions, including the late one, for maximum transparency and confidence that relevant issues have been considered and addressed. The attached summary of submissions captures the key issues and any requests for changes in each submission, along with responses and recommendations by Council officers.

The three submissions from referral authorities are in general support of the amendment, with one request for a minor change that can be accommodated and does not substantively alter the amendment. They also include requests unrelated to the amendment itself, such as asking to be notified of future planning matters that affect the submitter. Where relevant, the submitter has been contacted to clarify the issues and seek further correspondence as to whether they consider the request in their submission to be satisfactorily resolved.

The submission from the owner of industrial land in Whittlesea Road is also in general support of the amendment, with a request for a minor change so that their undeveloped industrial-zoned land that has been earmarked for potential transition to residential uses can be more clearly identified in the strategies for Yea. This submission includes additional requests that are not considered material to the amendment itself and will be acted on when the further strategic assessment work is undertaken. The submitter has been contacted and has indicated that they consider the request in their submission to be satisfactorily resolved by the proposed additional wording in Clause 11.01-1L-02 Settlement – Yea.

The submission from the Marshbank Street resident raised concerns based on a perception that the township boundary on the north side of Yea was being changed by the amendment, with potential impacts on properties in the Marshbank Street and Craigie Street area. The submitter was concerned about potential impacts on property values and future saleability and considered that affected landowners were not adequately notified. Officers do not consider these concerns to be warranted as no change to the township boundary in that area is proposed. Council officers have engaged with the submitter to clarify and respond to the issues and the submitter has provided written confirmation expressing satisfaction with this response and withdrawing the submission.

In summary, all submissions are considered satisfactorily resolved by two minor changes to the amendment, or confirmation that they either do not request any changes or the submission is withdrawn.

Council is now able to adopt the amendment as exhibited with minor changes in responses to submissions and submit it to the Minister for Planning for approval in accordance with legislated requirements. There is no need to request an independent planning panel.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2025-2029 Sustainable Population Growth and Land Use Planning* strategies to:

- facilitate well-designed, sustainable development through responsive and efficient land use planning.
- align growth planning with infrastructure, transport and service capacity.
- ensure town structure plans and planning policies reflect local character and future needs.
- use data, evidence and design-led thinking to guide long-term planning decisions.

It also supports the *Council Plan 2025-2029 Economic Development, Local Jobs and Skills* strategy to enable land use and zoning that supports commercial, industrial and agricultural innovation.

Relevant Legislation

Part 3 of the *Planning and Environment Act 1987* prescribes the requirements for amending a planning scheme, including the following provisions regarding submissions to a planning scheme amendment:

Sec 22

(1) A planning authority must consider all submissions made on or before the date set out in the notice.

(2) The planning authority may consider a late submission and must consider one if the Minister directs.

Sec 23

(1) After considering a submission which requests a change to the amendment, the planning authority must—

- (a) change the amendment in the manner requested; or
- (b) refer the submission to a panel appointed under Part 8; or
- (c) abandon the amendment or part of the amendment.

Sections 29 to 35 prescribe the process for adopting an amendment and submitting it to the Minister for Planning for approval.

Financial and Risk Implications

State Government fees are modest and are covered within the operational budget for strategic planning, as is officer time.

If a planning panel is required in order to consider unresolved submissions and advise Council, Council would bear the cost of the panel time and sitting fees as set by Planning Panels Victoria.

Conflict of Interest

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

Community, Stakeholder and Communication Consultation

Notification of the amendment followed statutory requirements and conditions in the letter of authorisation. Public notification was provided via a public notice in the Yea Chronicle and information on Council's website, as well as the official Government Gazette. Relevant referral authorities and the Taungurung Land and Waters Council were notified by letter (emailed).

Amendments such as this one, which is of a general nature for the township as a whole and doesn't impact on specific areas or property owners by rezoning land or applying overlays, do not usually require direct notification of every property owner in the area. In advising that a public notice in the Yea Chronicle was sufficient public notification, DTP considered the substantial community engagement already undertaken during preparation of the Yea Structure Plan in 2025. This included information available at the Customer Service Centre at Yea Library and online, with opportunities for input via a community workshop, a drop-in information session and a survey. These opportunities were publicised via Council's page in the Yea Chronicle as well as social media channels and Council's website.

5. REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP

Nil

6. REPORTS - ASSETS & ENVIRONMENT GROUP

6.1 Capital Works - Quarter 4 Report

Department	Asset Recovery
Approved by	K O'Connor, Director Sustainability and Infrastructure
Presenter	Cr P Hildebrand
Portfolio	Sustainability and Assets
Purpose	For information
Attachment(s)	Nil

Executive Summary

This report provides a summary of the delivery of the Capital Works Program for the 2025/26 financial year and seeks approval for the carry forward of projects to be included in the 2026/27 Capital Works Program.

Council adopted a capital works budget of \$17.21 million for 2025/26 and delivered \$14.43 million in capital works during 2025/26 despite the significant disruption caused by the January 2026 bushfires. This equates to 84% of the budget adopted.

The January 2026 bushfires had a major impact on the availability of contract resources and our ability to deliver projects, with many staff diverted to delivering impact assessments and emergency works. This was addressed by Council in March 2026 with the rephasing of some projects to later financial years. All rephased projects are included in the current multi-year program, and many have already been included in the 2026/27 adopted budget. Following rephasing, the new target budget was \$15.414M.

A significant number of new grant-funded projects were approved or confirmed during the financial year. Many of these projects are multi-year in nature and have been scheduled for delivery across future financial years as detailed in this report.

RECOMMENDATION

That Council:

1. **Note the 30 June 2026 Capital Works Report for the 2025/26 financial year.**
2. **Endorse the rephasing and carry forward adjustments detailed in Table 2, including \$2.12M of carry forward projects for inclusion in the 2026/27 Capital Works Program.**

Background

Council adopted a capital works program budget for 2025/26 of \$17,211,541. Some of the major projects in this program included the Key Worker Housing project, a large program of work for bridge repair and renewal across the municipality, a substantial road program which included a start to several road safety projects and commencement of the capping of the Alexandra landfill Eastern cells.

A total of \$4.45M of projects were carried forward from 2024/25 and a number of projects were added to the program during the year including flood recovery packages from the 2022 and 2024 floods and several large grants funded projects were added including Kinglake Memorial Reserve reconstruction and the Thornton Reserve redevelopment. A total of \$8.65M of additional projects were added to the program, most of which are multi-year projects with the activities to be delivered over 2025/26 and 2026/27. This included \$2.75M of flood recovery projects. The total program to be scheduled was \$30.31M, noting that this included projects to be re-phased to future years.

Council has moved to a rolling multi-year Major Projects Program rather than a single annual program. This has been to implement better practice in project management and better acknowledge the simple rescheduling of works for legitimate project requirements. Rephasing of budget expenditure will normally occur when new projects are added during the financial year or, as it was this year, when a natural disaster occurs and forces an adjustment to all projects.

Where projects are fully or partially grant funded, the rephasing of project milestones and budgets only occurs with the approval of the funding body or at their request. Where a project is scheduled to be completed in a particular year and is incomplete, then the remaining budget will be proposed to be carried forward to the next financial year so that the work may be completed. The total amount to be carried forward may be adjusted by actual underspends achieved in completed projects. A carry-forward of \$2.12M is proposed from 2025/26 to 2026/27 as summarised in Table 2.

The 2026 bushfires had a major impact on the allocation of resources to the scheduled program of work with many project and administrative staff diverted to post-fire emergency works including:

- Impact assessment on public assets including damage to roads, bridges, and the rail trail.
- Developing specifications, conducting requests for quotations and procurement processes for emergency repair work and specialist consultants.
- Managing emergency repairs to open roads and waterway crossings to the community and liaising with consultants such as bridge engineers.

At the March 2026 Council meeting, \$7.9M of current projects in the capital program were rephased to the 2026/27 financial year. A further \$7.0M of mainly new projects were scheduled into future years in accordance with approved project plans and funding requirements. The rephased projects have already been included in the adopted 2026/27 budget except as noted below under Q4 adjustments.

Discussion

Table 1 below summarizes the budgeted and actual position of the capital works program.

PROGRAM	Adopted Budget 2025/26	Mid Year Budget	Rephased to 2026/27 (Q4)	Revised Target Budget	Actuals Achieved 2025/26
Property					
Land Improvements	\$505,000	\$489,112	\$283,149	\$205,963	\$51,179
Buildings	\$4,666,000	\$6,535,856	\$3,373,006	\$3,162,850	\$3,133,120
TOTAL PROPERTY	\$5,171,000	\$7,024,968	\$3,656,155	\$3,368,813	\$3,184,299
Plant & Equipment					
Computers / Technology	\$162,000	\$162,000	\$0	\$162,000	\$159,334
Library Books	\$90,000	\$90,000	\$0	\$90,000	\$94,454
Plant, Machinery & Equipment	\$1,595,000	\$2,227,265	\$990,000	\$1,237,265	\$1,166,496
TOTAL PLANT & EQUIPMENT	\$1,847,000	\$2,479,265	\$990,000	\$1,489,265	\$1,420,284
Infrastructure					
Bridges	\$1,453,887	\$1,830,058	\$240,000	\$1,590,058	\$1,159,845
Drainage	\$401,327	\$1,159,440	\$0	\$1,159,440	\$945,198
Footpaths & Cycleways	\$401,327	\$448,452	\$95,000	\$353,452	\$306,918
Off Street Car Parks	\$80,000	\$0	\$0	\$0	\$0
Parks, Open Space & Streetscapes	\$125,000	\$294,157	\$0	\$294,157	\$76,593
Recreational & Leisure Facilities	\$245,000	\$2,485,143	\$2,475,417	\$9,726	\$311,191
Resource Recovery Management	\$4,144,000	\$4,964,305	\$3,386,692	\$1,577,613	\$1,347,377
Roads	\$2,800,000	\$5,992,036	\$3,676,797	\$2,315,239	\$2,599,739
Saleyards	\$453,000	\$453,000	\$380,000	\$73,000	\$84,627
Tourist Parks	\$90,000	\$90,000	\$0	\$90,000	\$31,362
TOTAL INFRASTRUCTURE	\$10,193,541	\$17,716,591	\$10,253,906	\$7,462,685	\$6,862,850
TOTAL CAPITAL PROGRAM	\$17,211,541	\$27,220,824	\$14,900,061	\$12,320,763	\$11,467,433
Other Projects					
AGRN 1037 - Flood Recovery - 2022	\$0	\$2,642,224	\$0	\$2,642,224	\$2,463,633
AGRN 1096 - Flood Recovery - 2024	\$0		\$0	\$0	\$276,255
Major Non-Capital Projects		\$451,711	\$0	\$451,711	\$223,326
TOTAL OTHER PROJECTS	\$0	\$3,093,935	\$0	\$3,093,935	\$2,963,214
TOTALS	\$17,211,541	\$30,314,759	\$14,900,061	\$15,414,698	\$14,430,647

Table 1 – Capital Works Program 2025/26

- The revised Target Budget for 2025/26 was \$15.415M after rephasing.
- The Actuals Achieved was \$14.43M

Despite the disruption caused by the January 2026 bushfires to normal operations, Council delivered 84% of the adopted capital budget and 93% of the rephased target budget.

A number of major renewal programs were completed with a small amount of disruption:

- The Bridge component repair and renewal program (\$1.5M) was mostly completed with some works on rail trail bridges damaged in the fires not done and under review.
- The Roads renewal program for sealed and unsealed roads (\$1.48M) was completed under budget including some post-fire impacted areas in Yarck. Some works scheduled in impacted areas were rephased.
- The Plant, Machinery & Equipment program (\$1.24M) was substantially completed with some items of plant rephased due to availability from the suppliers.

Several major upgrade / new programs were delayed or partially completed.

- The Resource Recovery program (\$4.96M) consisting principally of works to cap the old landfill cells at Alexandra and install gas extraction facilities has been designed and independently audited and approved but is waiting on final approval from the EPA. The new compactor (\$1M) has been delayed by the manufacturer. This is funded from reserves.
- The second stage of the Key Worker Housing project (\$2.6M) was delayed initially by a VCAT submission but mostly due to issues with the selected contractor. This has now been resolved with a new contractor and rescheduled by the funding body for delivery in 2027.

Rephasing and Carry-forward Budgets

During Quarter 4, a further \$4.2M of project expenditure was rephased within Council's multi-year Major Projects Program to align approved budgets with revised delivery schedules. Major rephased projects included:

- Eildon Key Worker Housing Phase B - (\$1.95M)
- Thornton Recreation Reserve Lighting & Scoreboard (\$635k)
- Alexandra Landfill Capping works (\$694k)
- Road reconstruction and road safety improvements impacted by the bushfires - (\$903k)

These projects remain active, funded and included within Council's forward capital works program.

A separate carry forward of \$2.12M is proposed. This reflects incomplete components of the original 2025/26 adopted Capital Works Program that require budget to be transferred into 2026/27 to enable completion of the approved works as outlined in Table 2.

Council Plan/Strategies/Policies

This report supports the *Sustainable Infrastructure and Financial Management* Strategy to make responsible, evidence-based decisions about infrastructure and finances.

Relevant Legislation

Not applicable

Financial and Risk Implications

Projects with a value of \$14.9M were phased or rephased into future years through Council's multi-year Major Projects Program. These projects remain funded and scheduled within Council's forward capital works program, with the majority already incorporated into the adopted 2026/27 budget.

Some of the individual projects that were specified in the forward programs will be altered in scope in response to the needs of the bushfire asset recovery. For example, parts of Yarck Road were scheduled for resealing. Some sections have been significantly damaged by fire, and there will be a re-scoping of the extent of standard resealing treatment to provide the best value for money outcomes for the community.

A net carry forward of \$2.12M is proposed to transfer remaining budget associated with incomplete 2025/26 projects into 2026/27. This amount represents the net position after allowing for cost overruns and underspends achieved on completed projects and expenditure already incurred on rephased projects.

Table 2 includes both project rephasing and carry-forward adjustments, with a total value of \$5.98M. Of this amount, \$2.12M represents the net carry forward proposed for approval.

Re-phased Projects and Proposed Carry Forwards

PROGRAM	Adopted Budget 2025/26	Revised Target Budget	Actuals Achieved 2025/26	Proposed Carry Forward 2026/27
Property				
Land Improvements	\$505,000	\$205,963	\$51,179	\$170,672
Buildings	\$4,666,000	\$3,162,850	\$3,133,120	\$0
TOTAL PROPERTY	\$5,171,000	\$3,368,813	\$3,184,299	\$170,672
Plant & Equipment				
Computers / Technology	\$162,000	\$162,000	\$159,334	\$95,098
Library Books	\$90,000	\$90,000	\$94,454	\$0
Plant, Machinery & Equipment	\$1,595,000	\$1,237,265	\$1,166,496	\$93,453
TOTAL PLANT & EQUIPMENT	\$1,847,000	\$1,489,265	\$1,420,284	\$188,551
Infrastructure				
Bridges	\$1,453,887	\$1,590,058	\$1,159,845	\$324,299
Drainage	\$401,327	\$1,159,440	\$945,198	\$214,242
Footpaths & Cycleways	\$401,327	\$353,452	\$306,918	\$46,534
Off Street Car Parks	\$80,000	\$0	\$0	\$80,000
Parks, Open Space & Streetscapes	\$125,000	\$294,157	\$76,593	\$210,646
Recreational & Leisure Facilities	\$245,000	\$9,726	\$311,191	\$0
Resource Recovery Management	\$4,144,000	\$1,577,613	\$1,347,377	\$152,404
Roads	\$2,800,000	\$2,315,239	\$2,599,739	\$163,181
Saleyards	\$453,000	\$73,000	\$84,627	\$105,093
Tourist Parks	\$90,000	\$90,000	\$31,362	\$54,890
TOTAL INFRASTRUCTURE	\$10,193,541	\$7,462,685	\$6,862,850	\$1,351,289
TOTAL CAPITAL PROGRAM	\$17,211,541	\$12,320,763	\$11,467,433	\$1,710,512
Other Projects				
AGRN 1037 - Flood Recovery - 2022	\$0	\$2,642,224	\$2,463,633	\$178,591
AGRN 1096 - Flood Recovery - 2024	\$0	\$0	\$276,255	
Major Non-Capital Projects		\$451,711	\$223,326	\$228,385
TOTAL OTHER PROJECTS	\$0	\$3,093,935	\$2,963,214	\$406,976
TOTALS	\$17,211,541	\$15,414,698	\$14,430,647	\$2,117,488

Table 2 – Proposed Carry Forward to 2026/27

Note the Computer & Technology and Saleyards revised budgets for 2026/27 will be adjusted in the first quarter (Q1) review to recognise the carry forward.

The major non-capital projects are the three flood studies currently underway in cooperation with the Goulburn Broken Catchment Management Authority, managed by Murrindindi and funded by DEECA.

Both the Kinglake Memorial Reserve reconstruction and the Thornton Reserve upgrade delivery programs were rescheduled to suit the needs of the sporting clubs involved to minimize disruption to the playing seasons.

Fire recovery and the last of the flood recovery projects will add another estimated \$16-\$17M to the capital works program over the next two years, and project delivery and administrative staff will need to be increased temporarily to meet this increase. This reinforces the importance of Council's multi-year program approach, which reflects industry best practice by recognizing that major projects often span multiple financial years from planning through to delivery.

Conflict of Interest

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

Community, Stakeholder and Communication Consultation

External community or stakeholder consultation was not applicable.

7. COUNCILLOR AND CEO REPORTS

- 7.1 Notices of Motions**
- 7.2 Cr Sue Carpenter**
- 7.3 Cr Sandice McAulay**
- 7.4 Cr Paul Hildbrand**
- 7.5 Cr Eric Lording**
- 7.6 Cr Anita Carr**
- 7.7 Cr Damien Gallagher**
- 7.8 Chief Executive Report**

8. RECORD OF COUNCIL BRIEFING SESSION**Purpose**

For noting

Executive Summary

This report presents the record of Council Briefing Sessions for

RECOMMENDATION

That Council receive and note the records of Council Briefing Sessions for 22 July 2026 – 19 August 2026

Background

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

Discussion

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

Council Pre-Meet

Meeting name / type	Council Pre-Meet
Meeting date:	22 July 2026
Matters discussed	1. Fees and Charges 2026/27 2. CONT25-21 Plant1613 Motor Grader 3. CONT25-30 Plant3120 Landfill Waste Compactor 4. Multi Branded Fuel Card (Procurement Australia)
Councillor attendees	Cr D Gallagher, Cr A Carr, Cr S Carpenter, Cr P Hildebrand, Cr S McAulay, Cr E Lording,
Council Officer attendees	M Chesworth, B Harnwell, K O'Connor, D O'Keeffe, A Vogt
Conflict of interest disclosed?	No

Briefing 1

Meeting name / type	Briefing Session
Meeting date:	12 August 2026
Matters discussed	1. Murrindindi Shire Bushfire Recovery Plan – Consultation 2. Planning Scheme Review 3. Amendment C79 - Yea Structure Plan - Endorsement 4. Amendment C80 - Acheron Valley Flood Study 5. Grant & Sponsorship Quarterly Allocation 6. Grants and Sponsorship Program Financial Year Analysis 25-26 7. Capital Works - Quarter 4 Report 8. Growing Healthy Communities Project 2026-2028
Councillor attendees	Cr D Gallagher, Cr A Carr, Cr P Hildebrand, Cr S McAulay, Cr E Lording,
Council Officer attendees	L Bonazzi, M Chesworth, A Paxton, K O'Connor, B Harnwell, P Schier, S Coller, C Hedger, P Bain
Conflict of interest disclosed?	No

Briefing 2

Meeting name / type	Briefing Session
Meeting date:	19 August 2026
Matters discussed	1. Industrial Futures: Murrindindi Manufacturing Strategy - Councillors Consultation 2. Planning Application - 6489 Melba Highway Yea - Smith Street Development Plan - 22 Lot Low Density Residential Development 3. Planning Application - 30 Malaraway Road Glenburn - Two Lot Subdivision, Construction and Use of Land for a Second Dwelling and Removal of Native Vegetation (Refusal) 4. Flat Lead Road Carbon / Biodiversity Offset Project 5. Aquatics Briefing 2025-26 Season 6. Healthy Foundations Murrindindi Update
Councillor attendees	Cr D Gallagher, Cr A Carr, Cr S Carpenter, Cr P Hildebrand, Cr S McAulay, Cr E Lording,
Council Officer attendees	L Bonazzi, M Chesworth, A Paxton, K O'Connor, B Harnwell, A Paix, N Stewart, C Fraser, B Chapman, J Rae, A Campbell, S Collier
Conflict of interest disclosed?	No

Council Plan/Strategies/Policies

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

Relevant Legislation

This report supports the Local Government Act 2020 overarching governance principles, in particular “the transparency of Council decisions, actions and information is to be ensured”.
 Financial Implications and Risk There are no financial or risk implications.

Conflict of Interest

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

9. SEALING REGISTER

RECOMMENDATION

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

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
MUREDOC-1515917226-18063	15 July 2026	CONT24/11 - Dry Hire Plant Panel Formal Instrument of Agreement between Murrindindi Shire Council and Rollers Australia Pty Ltd Plant Hire Panel – Dry Hire	Michael Chesworth (Acting CEO) Cr Damien Gallagher (Mayor)
MUREDOC-1515917226-18061	15 July 2026	CONT24/11 - Dry Hire Plant Panel Formal Instrument of Agreement between Murrindindi Shire Council and Brooks Hire Services Pty Ltd Plant Hire Panel – Dry Hire	Michael Chesworth (Acting CEO) Cr Damien Gallagher (Mayor)
MUREDOC-1515917226-18060	15 July 2026	CONT24/11 - Dry Hire Plant Panel Formal Instrument of Agreement between Murrindindi Shire Council and Coates Hire Operations Pty Ltd Plant Hire Panel – Dry Hire	Michael Chesworth (Acting CEO) Cr Damien Gallagher (Mayor)
MUREDOC-1515917226-18059	15 July 2026	CONT24/11 - Dry Hire Plant Panel Formal Instrument of Agreement between Murrindindi Shire Council and Porter Excavations Pty Ltd Plant Hire Panel – Dry Hire	Michael Chesworth (Acting CEO) Cr Damien Gallagher (Mayor)

10. CONFIDENTIAL ITEMS

Nil