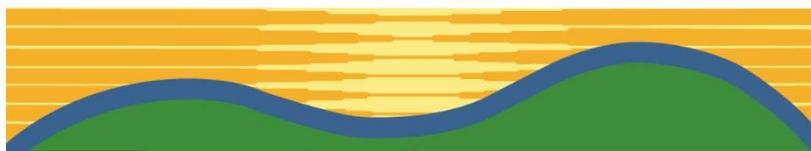


MITCHELL SHIRE COUNCIL



ORDINARY COUNCIL MEETING

AGENDA

MONDAY 19 JUNE 2017
7.00pm

NOTICE IS HEREBY GIVEN that **Ordinary Council Meeting** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High Street Broadford**, on **Monday 19 June 2017** commencing at **7.00pm**.

DAVID TURNBULL
CHIEF EXECUTIVE OFFICER

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1 GOVERNANCE DECLARATION

2 APOLOGIES AND LEAVE OF ABSENCE

3 DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with Section 79 of the Local Government Act 1989.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

THAT the Minutes of the Ordinary Council Meeting held 15 May 2017, as circulated, be confirmed.

5 PETITIONS AND JOINT LETTERS

In accordance with Clause 66 of the Meeting Procedure Local Law.

6 PRESENTATIONS

In accordance with Clause 65 of the Meeting Procedure Local Law.

7 ADVOCACY AND COMMUNITY SERVICES

7.1 2016/2017 OUTDOOR POOL SEASON REVIEW

Author: Mark Gladman - Acting Manager Active Communities

File No: CL/04/0003-01

Attachments: Nil

SUMMARY

The 2016/2017 outdoor pool season opened on Monday 5 December 2016 and concluded on Monday 13 March 2017. The pools were open for a total of 70 days as compared to 85 days in 2015/2016. Given milder weather conditions in the early part of the season, total attendance for the season was 11,907 which is 20% fewer than the previous season and down 10% on the three-year average.

The pools were managed and maintained to a very high standard during the season, with no major incidents that required emergency management and minimal equipment breakdowns. A range of successful events and programs were conducted by Friends of Tallarook Pool, Mitchell Youth Services and Mitchell Leisure Services aimed at generating greater interest and patronage at the pools.

The Friends of the Tallarook Pool provided great support for events at the Tallarook Pool during the 2016/2017 season, and it was pleasing to see the establishment of a Reference Group for the Seymour War Memorial Outdoor Pool. Community involvement in the promotion and enhancement of Council's outdoor pools is critical to their ongoing success.

The lower number of operating days coupled with planned cost saving strategies implemented during the season resulted in a significant reduction in the total value of the net subsidy for the three pools. The cost per visit/person this season reduced by \$0.84 or 5.2% on last year.

RECOMMENDATION

THAT the information in the report be received and noted.

ISSUES AND DISCUSSION

Days Open and Attendances

The 2016/17 outdoor pool season, excluding Christmas Day, was 97 days in duration. Whilst there was some minor variations per pool, the average across the three sites that the pools were open was 72 days.

Visitation during December was lower than the same time last year with 11 days closed as the temperature did not exceed the weather trigger of 26 degrees. In addition, there were 6 days in December where the temperature was 30 degrees or higher compared with 18 for the same month last year. Unlike December 2015 when we experienced 4 consecutive days of 40+ degrees, this was not the case in December 2016.

2016/2017 OUTDOOR POOL SEASON REVIEW (CONT.)

Please note swim club attendances are not historically included in the attendance figures for SWMOP. This is largely due to the fact that swim club members pre purchase an annual swim membership and attendance is monitored by the swim club administration and not the SWMOP point of sale system. It is acknowledged that this information will be collated and published in future. Council officers will work with the respective Mitchell Swim Club administration to implement a suitable reporting process for this purpose.

In January 2016, the total visitation of 4,058 was consistent with last year across all 3 pools with February/March less than the same time last year respectively. The past three-year average attendance was 13,308

Customer feedback was minimal regarding the revised consistent weather trigger temperature of 26 degrees introduced this season. Council officers will however, continue to work with key swim club personnel and the community to further refine the communication strategies used to indicate days that the pools will be closed. The operational expenditure savings achieved on these days of notable low attendances assisted greatly in reducing the net cost to Council whilst the impact on patronage compared with similar conditions in the previous season was minimal.

Table 1:

Provides an overview of days open and attendance over the last three years

Outdoor Pools Combined	2016/2017	2015/2016	2014/2015
Days Open	72	85	87
Days Closed	25	10	8
Days Over 30 deg	40	50	48
Season Passes	66	71	101
Total Attendances	11,907	14,822	13,195

Financial Results*Budget:*

The initial 2016/2017 draft budget for outdoor pool operations prior to the announcement of rate capping was set at a net deficit of \$270,000. During the development of the final 2016/2017 budget, Council identified \$50,000 in savings to come from outdoor pool operations and a subsequent revised budget of a subsidy of \$220,000 was adopted.

Actual:

The result for 2016/2017 was a net Council subsidy of \$183,323 which is a saving on the revised budget of \$36,677. An operational cost of \$183,323 to operate three outdoor pools is equal to industry best practice for equivalent operations.

Savings were attributed to reduced salaries, due to the reduced number of days open as well as operational refinements.

2016/2017 OUTDOOR POOL SEASON REVIEW (CONT.)

Pleasingly the overall cost per visit (Council net subsidy divided by total attendances) was \$15.40 per visit. This is lower than the previous season, despite a reduction of \$16,441 in income and 2,915 less visits.

Overall, operational refinements have resulted in actual savings of \$67,600 since the end of the 2014/2015 season despite each year having to budget for an increase in salaries due to the Council's EBA, other cost increases and amendment to hours of operation.

Table 2:

An overview of income, expenditure and the net subsidy result.

Outdoor Pools Average	2016/2017	2015/2016	2014/2015
Combined Income	\$49,241	\$65,682	\$54,971
Combined Expenditure	(\$232,564)	(\$290,822)	(\$305,904)
Net Subsidy	(\$183,323)	(\$225,140)	(\$250,933)
Cost per visit	\$15.40	\$16.24	\$21.59

Table 3:

Financial overview by outdoor pool

Outdoor Pools	Broadford	Tallarook	Seymour
Days Open	72	72	73
Income	\$14,726	\$10,637	\$23,878
Expenditure	(\$70,980)	(\$50,890)	(\$110,784)
Net Subsidy	(\$56,254)	(\$40,253)	(\$86,906)
Attendances	3,168	2,270	6,469
Cost per Visit	\$17.76	\$17.73	\$13.43

SWMOP Property Rental Income

The former pool caretaker house located on the property has been privately leased for some time. Initially this revenue was credited to the SWMOP leisure budget, but in recent years this has been transferred to the Asset Management department. The average rent collected over the past 4 years is \$7,812. Whilst accurate figures for depreciation and maintenance expenditure cannot be provided at this time, the impact on the net subsidy for SWMOP should the property rental income be included would be minimal.

It should be noted that depreciation has not been included in the cost per visit calculation.

2016/2017 OUTDOOR POOL SEASON REVIEW (CONT.)

Promotion and Events

During the 2016/2017 season, 3,124 people participated in formal programs/events. These were supported by the Friends of the Tallarook Pool, Mitchell Youth Services and Leisure staff. Detailed information is provided in Table 4.

The continued support of the Friends of the Tallarook pool has been very positive with the group holding a range of successful events at the pool during the season.

The establishment of the Seymour War Memorial Outdoor Pool Reference Group was a highlight of the season, with a small group of passionate and interested community members identifying opportunities to expand promotion and patronage as well as areas Council should consider for improving the facility. A simple master plan with basic costs has been developed and was circulated in May to the reference group for comment. The masterplan along with the feedback will guide future capital works planning. Following further discussion with the reference group the master plan will be presented back to Council at a later date. There is the potential to undertake similar master planning for Tallarook and Broadford in order to ensure a full coordinated plan for capital improvements to the three outdoor pool facilities.

Table 4:

Participation in events at outdoor pools 2016/2017

Participation Numbers	School Carnivals	School Learn to Swim	Holiday Programs*
Broadford	150	400	50
Tallarook	0	192	201
Seymour	2034	0	97
TOTAL	2184	592	348

*Holiday Programs:

Broadford – (50) Freeza Foam Party

Tallarook – (201) Season Opening, Freeza Foam Party, Market Day, End of Season

Seymour – (97) Aquatic Fun Day

Future Planning

The following observations and opportunities have been identified following an analysis of the 2016/2017 outdoor pool season and are provided for the information of Council:

- The consistent weather opening trigger of 26 degrees provided greater certainty for patrons across the pools. Social media was used very effectively to promote openings. There is an opportunity to improve the promotion of daily open and closures of the pools with the use of other mainstream media and better signage on the main road leading to the Seymour pool.
- While inconsistent weather temperature patterns make it difficult to foresee future trends, this season's reduced average temperatures in December and above average temperatures in March indicate that further consideration should be given to adjusting the opening and closing dates for the season including looking at the potential for weekend only casual use at either end of the season.

2016/2017 OUTDOOR POOL SEASON REVIEW (CONT.)

- The feasibility of extending the season will require consideration of a modified lifeguard recruitment plan to reduce the reliance on tertiary students as lifeguards from February to March. A specific targeted promotion to older adults to undertake training will be critical to ensuring extended coverage in March of each year can be achieved.
- Officers will continue to prioritise and implement suggestions from the community reference groups and to evaluate and improve marketing and promotional activities to ensure a breadth of options are used that cater for a broad range of community members.

CONSULTATION

Council initiated a Reference Group for the Seymour War Memorial Outdoor Pool during 2016/2017 which resulted in several priority actions being identified for consideration. These will be included in future master planning at the site. Regular consultation with the Friends of the Tallarook Pool has occurred during the 2016/2017 season. Broader consultation will be required in relation to any proposed changes to opening or closing dates for the pool season.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The result for 2016/2017 was a net Council subsidy of \$183,323 which is a saving on the revised budget of \$36,677. An operational cost of \$183,323 to operate three outdoor pools is equal to industry best practice for equivalent operations.

The average cost per visit (Council net subsidy divided by total attendances) was \$15.40 per visit. This is lower than the previous season, despite a reduction of \$16,441 in income and 2,915 less visits.

POLICY AND LEGISLATIVE IMPLICATIONS

Outdoor Pool operations are managed in accordance with all relevant policies and legislation including Occupational Health and Safety, Aquatics Management and Public Health.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Encouraging greater levels of access to Council's outdoor pools has the potential to support and enhance social connections in the Mitchell Shire community.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Mitchell Shire's outdoor pools were well patronised in 2016/2017, despite a mild start in December. All three pools were managed and maintained to a very high standard

2016/2017 OUTDOOR POOL SEASON REVIEW (CONT.)

during the season providing an excellent facility for season pass holders and users. With the cost to Council reducing due to the ongoing implementation of efficiency initiatives, fewer opening days and savings in staff salaries.

A range of successful events were held at all three pools and the ongoing support of the Friends of the Tallarook Pool and the Seymour War Memorial Outdoor Pool reference group were key highlights of the season.

Leisure Services will continue to work with the community to identify opportunities to further improve on the 2016/2017 outdoor pool season with a view to continuing to increase community support and patronage in 2017/2018.

7.2 MITCHELL SHIRE COUNCIL DRAFT MUNICIPAL PUBLIC HEALTH WELLBEING PLAN 2017-2021

Author: Jaala Freer - Health and Wellbeing Officer

File No: CS/12/056

Attachments:

1. Mitchell Shire Municipal Public Health and Wellbeing Plan 2017-2021 FINAL
2. Mitchell Shire Council Community Survey Report FINAL
3. Mitchell Shire Council Youth Survey Report FINAL

SUMMARY

Council is required to prepare a Municipal Public Health and Wellbeing Plan (MPHWP) under the provisions of the *Public Health and Wellbeing Act 2008*. The Mitchell Shire MPHWP 2017-2021 is a strategic plan that aligns closely with the Council Plan 2017-2021 and outlines the goals and strategies that will help to improve health and wellbeing outcomes for the Mitchell Shire community.

An extensive community consultation program has been undertaken to inform the development of 5 key priority areas for the draft MPHWP.

Key priorities in the Draft MPHWP include:

1. Healthy and Vibrant Communities
2. Safe and Resilient Communities
3. Environmentally Sustainable Communities
4. Social, Connected and Diverse Communities
5. Planning and Advocating for Communities

The Draft MPHWP will be made available for public consultation prior to being considered by Council for adoption in August 2017.

RECOMMENDATION

THAT Council adopt the Draft Mitchell Municipal Public Health and Wellbeing Plan 2017-2021 for public consultation.

BACKGROUND

The establishment of a MPHWP is a legislated requirement and provides the 'line of sight' between local and state government policy. The MPHWP acknowledges the importance of achieving a balance between the natural and built environments and health and wellbeing of the community. The plan includes goals and strategies to help achieve maximum health and wellbeing, details of how the community will be involved and describes how the plan will be executed in partnership with relevant agencies.

Municipal Public Health and Wellbeing Plans are a requirement of the *Public Health and Wellbeing Act 2008* and must be developed in accordance with the following criteria:

MITCHELL SHIRE COUNCIL DRAFT MUNICIPAL PUBLIC HEALTH WELLBEING PLAN 2017-2021 (CONT.)

- Within 12 months of a council election
- Examine data about local health status and health determinants
- Identify strategies based on evidence for creating maximum health and wellbeing
- Involve local community in the development and evaluation of the plan
- Specify how council will work with Department of Health and Human Services and other agencies
- Be consistent with the Council Plan and Municipal Strategic Statement
- Have regard to the Victorian Health and Wellbeing Plan
- Be guided by the Victorian Public Health and Wellbeing Outcomes Framework
- Reviewed and reported on annually by Mitchell Shire Council to the Department of Health and Human Services

ISSUES AND DISCUSSION

Development of the MPHWP 2017-2021

The following steps have been undertaken in developing the 2017-2021 Plan:

- A critical review and evaluation of the 2013-2017 Plan
- Data analysis using all available recent data sources
- Consideration of the Victorian Public Health and Wellbeing Plan 2015-2019 priorities
- Stakeholder workshops conducted with both existing and new stakeholders relevant to the plan
- Councillor stakeholder workshop
- Community Wellbeing and Youth surveying (capturing key focus areas for our community)
- A review to ensure alignment to the strategies within the draft Council Plan 2017-2021

Identified Priorities of the Draft MPHWP 2017-2021

The Draft MPHWP 2017-2021 includes goals and strategies aimed at achieving the maximum level of health and wellbeing for our community. It details how the community will be involved and how the plan will be executed in partnership with relevant agencies.

The Draft MPHWP 2017-2021 priorities include:

1. Healthy and Vibrant Communities
2. Safe and Resilient Communities
3. Environmentally Sustainable Communities
4. Social, Connected and Diverse Communities
5. Planning and Advocating for Communities

The Draft MPHWP 2017-2021 is provided as Attachment 1.

MITCHELL SHIRE COUNCIL DRAFT MUNICIPAL PUBLIC HEALTH WELLBEING PLAN 2017-2021 (CONT.)

CONSULTATION

The Draft MPHWP 2017-2021 has been developed with input from stakeholders through a range of consultation methods.

1. Stakeholder workshops were held between Monday 28 November – Thursday 1 December 2016 with a total of 45 stakeholders both internal and external.
2. A Councillor Workshop was conducted with the newly elected Councillors on Tuesday 13 December 2016. This workshop reviewed the previous plan and analysed recent statistics for the Mitchell Shire in relation to Health and Wellbeing.
3. A Community Wellbeing Survey and a Youth Survey disseminated to the Mitchell Community during the months of February and March 2017. A total of 1058 responses were received for the Community Wellbeing Survey and 439 responses for the Youth Survey. See Attachment 2 and 3 for full summaries.

Summary of survey findings:

Community Wellbeing Survey

Key findings from the 1058 responses found:

- 975 responses were received from those who resided within the Mitchell Shire
- 78.4% (764) identified as female
- 20.1% (196) identified as male
- 1.5% (15) identified as something other than male or female or did not want to specify
- 2.6% (25 respondents) identified as Aboriginal or Torres Strait Islanders
- 9.23% (90 respondents) identified with having a disability
- 65.7% of respondents indicated that the prevention of family violence was very important
- 60.4% indicated that improving mental health was a high priority
- 60.3% of respondents rated reducing harmful alcohol and drug use as a high priority

When asked about the main priorities for the Council in an open-ended question, 2,290 separate suggestions were received covering a range of issues. The most commonly identified themes centered around roads and footpaths, with 13.6% of these suggestions relating to this issue. Issues regarding the maintenance of roads and footpaths were highlighted, along with accessibility issues. Safety (8.5%), health (8.0%) and community engagement (7.3%) were also identified as major themes.

MITCHELL SHIRE COUNCIL DRAFT MUNICIPAL PUBLIC HEALTH WELLBEING PLAN 2017-2021 (CONT.)

Mitchell Youth Survey

Key findings from the 439 responses found:

- 52.6% (231 respondents) identified as female
- 46.5% (204 respondents) identified as male
- 0.9% (4) identified as other or preferred not to give a response to this question
- 8.9% (39 respondents) identified as Aboriginal or Torres Strait Islanders.

There were a number of issues that the youth in the Mitchell Shire indicated that they are concerned about with the most commonly reported concerns being:

- Stress with school or study (26.0%)
- drugs (21.0%)
- coping with stress generally (19.1%)
- issues around body image (19.8%)

Specific areas that were indicated for Mitchell Youth Services to focus included:

- support for suicide prevention (29.6%)
- support for drugs addiction (29.4%)
- support for dealing with body image issues (19.6%)
- bullying and emotional abuse (18.7%)
- mental illness (17.5%)
- alcohol abuse (17.3%)
- bullying on social media (17.1%)
- dealing with stress associated with school or study (16.2%)

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The cost to Council of the Draft MPHWP 2017-2021 is within existing budgeted expenditure. Where possible, Council works closely with partner agencies to encourage collaboration and minimise these costs. Council Officers will continually source and apply for external funding opportunities to resource initiatives where possible.

The implementation of the MPHWP 2017-2021 will be coordinated by the Team Leader, Community Development with support from the Community Development team. This team will be responsible for working with agencies and internal Council Officers to monitor and report on progress made in line with this plan.

POLICY AND LEGISLATIVE IMPLICATIONS

Under the provisions of the *Public Health and Wellbeing Act 2008*, it is a legislated requirement for all local Governments to adopt a four-year Health and Wellbeing Plan outlining the organisations' focus over four years based on data analysis and community consultation.

MITCHELL SHIRE COUNCIL DRAFT MUNICIPAL PUBLIC HEALTH WELLBEING PLAN 2017-2021 (CONT.)

The Draft MPHWP 2017-2021 is closely aligned with the strategic priorities set under the Council Plan 2017-2021.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The implementation of the MPHWP 2017-2021 ensures the social sustainability of the Mitchell community is considered through a collaborative and community driven focus.

Priority Three - Environmentally Sustainable Communities specifically address the environment identifying the Goal 3.1:

'Protect and enhance the natural environment for the use, wellbeing and enjoyment of current and future generations and reduce the impacts of climate change.'

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Draft MPHWP will be made available for public consultation from 21 June to 21 July 2017.

Following this process, a final draft incorporating stakeholder and community feedback will be considered by Council for adoption in August 2017.

The final approved plan will be submitted to the Department of Health and Human Services by 25 August 2017.

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

8 GOVERNANCE AND CORPORATE PERFORMANCE

8.1 ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021

Author: *Nicole Maxwell - Manager Finance and Assets*

File No: *FN/09/022*

Attachments: 1. *Mitchell Shire Council Budget 2017/18*

SUMMARY

This report presents the 2017/18 Budget and Strategic Resource Plan 2018/21 (SRP) for adoption.

The 2017/18 Proposed Budget and Draft Strategic Resource Plan 2018/21 were endorsed by Council on 18 April 2017. Public notice was advertised in the local papers and submissions invited.

Community information sessions were held across the Shire to explain key elements of the 2016/17 Budget and outline the submission process. The submission period ended on 23 May 2017 and a total of eleven submissions were received. Six of the written submitters elected to be heard by Council at a Special Hearings Committee held on Monday 5 June 2017 and five attended.

Council, having considered public submissions and other information contained in this report in relation to the 2017/18 Proposed Budget and Draft Strategic Resource Plan 2018/21, must resolve to:

- Adopt the 2017/18 Budget and the Strategic Resource Plan 2018/21 following public notice and inspection in accordance with the requirements of the *Local Government Act 1989* (the Act) and *Local Government (Planning and Reporting) Regulations 2014* (the Regulations); and
- Declare the amount which the Council intends to raise by general rates and charges.

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

RECOMMENDATION

THAT Council:

1. Adopt the Strategic Resource Plan 2018/21 as the final Adopted Strategic Resource Plan of Council for the 2018/21 financial years, included as an attachment – circulated separately and annexed to the Minutes, prepared by Council for the purposes of Sections 126(3) and 127(1) of the *Local Government Act 1989*.
2. Adopt the Budget 2017/18 as the final Adopted Budget of Council for the 2017/18 financial year, included as an attachment – circulated separately and annexed to the Minutes, prepared by Council for the purposes of Sections 126(3) and 127(1) of the *Local Government Act 1989*.
3. Makes copies of the 2017-18 Adopted Budget and Strategic Resource Plan 2018/21 available at Council offices, Libraries and on Council's website.
4. Authorise the Chief Executive Officer to give public notice of the decision to adopt the 2017/18 Annual Budget and Strategic Resource Plan 2018/21 and submit copies as required to the Minister for Local Government, in accordance with Section 130 of the Act.
5. Notify in writing the persons who have made a submission regarding the 2017/18 Budget and/or Strategic Resource Plan 2018/21 of Council's decision, in accordance with Section 223 of the Act, which will include a detailed response to the issues raised in the submission.
6. Declare an amount of \$39,278,942 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by rates and charges in line with the 2% rate increase and 5% Garbage increase outlined in the 2017/18 Budget, which is made up of the following:
 - a) General Rates * \$28,486,459;
 - b) Garbage Charges * \$5,026,415;
 - c) Municipal Charges \$5,766,068;
 - d) Total Rates and Charges \$39,278,942;
 - e) * including supplementary rates
7. Advises in respect of general rates:
 - a) A general rate be declared in respect of and for the entire duration of the 2017/18 financial year;
 - b) It further be declared that the general rate be raised by application of differential rates;
 - c) Council declare the differential rates (shown as cents/\$CIV) for the 2017/18 year as follows:
 - General Land: 0.3775;
 - Vacant Land: 0.7550;
 - Vacant Commercial or Industrial Land: 0.8305;
 - Rural Agricultural Land (40ha-100ha): 0.3398;
 - Rural Agricultural Land (greater than 100ha): 0.3020;
 - Subdivisional Land: 0.7550

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

8. Declares a Municipal Charge of \$308.00 in respect of the 2017/18 financial year.
9. Declares:
 - a) Garbage charge (full service) of \$320.00;
 - b) Garbage charge (extra service) of \$205.00; and
 - c) Recycling Charge (extra service) of \$115.00.
10. Authorises the Chief Executive Officer to effect minor administrative and wording changes to the 2017/18 Annual Budget and Strategic Resource Plan 2018/21 documents, which may be required.

BACKGROUNDAnnual review of Strategic Resource Plan (SRP)

Pursuant to Sections 125 and 126 of the Act, Council is required to annually review its Council Plan which comprises two sections.

The first focuses on strategies and objectives to deliver the vision for the Shire and the second (the SRP), identifies resources required to achieve those objectives.

Council will consider the first section of the Council Plan at its meeting on 19 June 2017. The plan is the first year of a four year Council Plan which has provided an opportunity for Council to revise and agree on Council priorities.

2017/18 Budget

Under Section 127 of the Act, Council is required to prepare a Budget. This describes how Council intends to allocate resources to deliver services and invest in key infrastructure.

ISSUES AND DISCUSSION

Council has an obligation to manage its finances in line with the Act by implementing the principles of sound financial management.

The SRP and the 2017/18 Budget documents were formulated using principles of sound financial management to deliver a responsible financial plan and present an exciting way forward for our growing municipality. These documents demonstrate that Council remains on track for improving its long-term sustainability. Focus continues on meeting the increasing demand for services and infrastructure whilst operating within constrained revenue parameters.

These documents are the result of collaborative work which commenced last October to ensure all assumptions and historical information could be revised and reviewed in detail ready for compilation in early 2017. Part of this early work included identifying \$2M in net cost reductions to be achieved as part of the 2017/18 Budget. This represents a very positive outcome of the budget preparation process.

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

The 2017/18 Budget sets out Council's Capital Works Program for the 2017/18 year and ratepayers and residents are encouraged to acquaint themselves with the projects.

In formulating the Annual budget and SRP a combination of confirmed factors and assumptions have been applied. The key assumptions reviewed are related to:

- Overall increase in rates and charges income including the level of growth and supplementary rates;
- The level of borrowings and linkage to projects;
- Expected capital revenue linked to capital projects;
- Expected movements in income and expenses;
- Services provided;
- Council's cash holdings; and
- Overall financial sustainability indicators.

The key challenges addressed in the SRP include:

- **Rate Capping** – The 2017/18 rates are to be capped at 2% and the SRP assumption has been amended to reflect a lower increase of 0.5% than previously identified.
- **Population growth** – Mitchell Shire comprises both rural and urban areas with continued strong growth, particularly in the South. Council is planning to ensure that infrastructure is provided for our new communities as well as the provision of additional and appropriate services to these communities.

Council is addressing the challenges of having sufficient capacity to plan for and provide the infrastructure and services to these growing communities within the timeframes and levels expected.

- **Adjusted Underlying Deficits** – It is important to Council to remove the adjusted underlying deficit over the longer term and Council has achieved a net cost reduction of \$4M over 2 years, being \$2M in 2016/17 and \$2M in 2017/18. This reduction has enabled further expenditure to be diverted to increasing our expenditure on our assets.

Whilst a \$2M net cost reduction has been achieved, there has been a number of other factors that have impacted the Budget. These include an increase to forecast depreciation of \$1.3M (a non-cash expense that Council is currently reviewing for accuracy) as well as non-reoccurring expenditure of around \$600K that has been carried forward from the 2016/2017 year for key strategic projects and operating expenditure of \$120K that has been reclassified as operating in place of capital due to the annual nature of the works.

Further efficiencies are also planned throughout the remainder of the SRP to keep Council on track and meet the assumed rate cap.

Council is committed to reviewing all assets and services and will continue to work with the Community to set revised priorities that are developed within a financially sustainable framework. Council will continue to strongly advocate to

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

other levels of government for increased funding to support its operational and investment requirements.

- **Cash reserves** – Council’s current cash holdings are inadequate to cover all reserves in addition to day to day business commitments, meaning Council has a number of discretionary reserves which are not cash backed at this time. Council has determined that it should hold \$10M in cash holdings at a minimum in addition to the value held for trust monies and reserves to ensure we can fund all works during periods of high expenditure and low income. The SRP remains focused on building cash balances.
- **Investment in Infrastructure** – The capital works budget is insufficient at this time to meet all capital demands and remains a key focus. The previous SRP forecast \$40.6M in Capital works expenditure whereas the revised SRP over those same three years, excluding carry forwards, forecasts \$43.8M. External funding plays an important role in our ability to increase our infrastructure spend. Council remains focused on external funding opportunities to increase our spend on renewal whilst not compromising new infrastructure.
- **Borrowing for long term benefit** – Future borrowings will be linked to capital projects that provide cross generational benefits. Borrowings have been identified in the SRP for planning and construction of Seymour’s flood levee and Council’s contribution towards new community infrastructure obligations resulting from growth.
- **Cost Shifting** – Councils are continually being required to respond to changes in available funding for the provision of services within the State Government portfolio. This reduces what can be achieved through specific purpose grants that do not keep pace with the rising cost of service provision. There has been some improvement in State Government funding of School Crossing Supervision in this budget.

Key areas included in the SRP and 2017/18 Budget are as follows:

Services (Operational Budget)

Council has scrutinised its operational budgets and achieved efficiencies in commitment to the \$2M net cost reduction and working within the State Government imposed 2% rate cap.

Recurrent operating budgets for Council services have been adjusted to reflect changes in costs, including inflation and contracted prices. In many cases operating costs for specific items have been reduced and overall operating costs (excluding depreciation) have been reduced by 1.2% when compared with the 2016/2017 Forecast.

Rates and Charges

Council’s long-term sustainability relies on its ability to raise sufficient income to deliver services, maintain and renew existing assets and build new assets and infrastructure to cater for growth.

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

The Budget proposes an overall increase in total rates and charges revenue to be collected. The proposed increase in revenue is 2%, an assumed rate cap for the four years and will be subject to the annual notification. The 2% is less than projected in Council's past SRP, which identified a 2.5% increase for the 2017/18 financial year and beyond.

Capital

Council's 2017/18 Budget supports a new capital works program of \$14.066M and a total program of \$29,724M which includes 2016/17 carry forward projects. The program will be funded from a combination of government grants, proceeds from sale of assets, Council operations and borrowings. Council has included \$0.91M in borrowings to support the Seymour Flood Levee project that is a carry forward from 2016/17.

Meeting the asset renewal challenge

The challenge to fund the appropriate renewal of existing assets (roads, drains, buildings, etc.) is one that Mitchell Shire shares with many other municipalities. For our Shire, the challenge is an urgent one as much of our infrastructure was built in the 1960s and is beginning to reach the end of its useful life.

The 2017/18 Budget assigns \$9.637M to the renewal of Council assets, an increase from the previous year and the previous 2017/18 forecast. This amount will continue to increase each year with renewal funding continuing to be Council's priority for capital works.

External grant funding for new infrastructure is important in that it enables Council resources to focus on renewal requirements.

Borrowings

Provision has been made for \$0.91M in carried forward borrowings during 2017/18 to support Stage 2 of the Seymour Flood Levee project.

CONSULTATION

The Executive Leadership Team and Senior staff have worked together in the development of this Budget over many months and Councillors have been briefed and discussions held during March 2017.

In accordance with Section 129 of the Act, the revised SRP and Draft 2017/18 Budget were made available for inspection for 28 days and submissions received:

1. The Proposed 2017/18 Budget and Draft SRP 2018/21 was presented to the Ordinary Council Meeting on 18 April 2017 and public notice advertised in the,
 - a. North Central Review 25 April 2017;
 - b. Seymour Telegraph 26 April 2017;
 - c. Mclvor Times 26 April 2017.

2. The Proposed 2017/18 Budget and Draft SRP 2018/21 were made available for public inspection at Council's Library and Customer Service Centres and published on Council's website from 19 April 2017 to 23 May 2017.

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

3. Full copies of submissions were provided to Council and verbal submissions heard by Council at its Special Hearings Committee meeting on Monday 5 June 2017.

Revisions to the 2017/18 Proposed Budget – Submissions

The submission period ended on 23 May 2017 and a total of eleven submissions were received. Six of the written submitters elected to be heard by Council at a Special Hearings Committee held on Monday 5 June 2017 and five attended.

The key themes from these submissions included:

- A request to outsource council health services where an external provider could provide the service,
- A request to reduce youth services expenditure and increase library funding,
- Footpath and carpark upgrades at the Pyalong Kinder,
- Cessation of the Seymour Flood Levee construction,
- Continued advocacy for the Goulburn River Bridge, the Australian Light Horse Memorial Park and other heritage assets,
- Financial support towards the Alliance for Gambling Reform,
- Employment of a sustainability officer and review and implement the Sustainable Resource Management Strategy,
- Undercover Sealing at the JJ Clancy Reserve,
- Additional Public Toilet in Wandong, and
- Safety rail request, Spur Rd Clonbinane.

Subsequent to the initial draft budget and the consultation period the following changes have been included:

- Revised Carry Forward estimates based on updated forecasts,
- Borrowing estimates updated following drawdown of the \$5.4M in 2016/17,
- Increase to fees and charges based on updated historical information,
- Reduction in the VGC Grant following notification of a 51% prepayment in 2016/17,
- An increase to the Kings Park Netball Change Room project of \$115k following revised requirements,
- A \$15k decrease to the Kings Park Netball Courts identified project savings,
- Removal of the \$300k Kings Park Agricultural Pavilion following notification that grant funding is not available,
- \$22k increase in capital to fund the J J Clancy sealing works,
- \$28k increase in capital to fund Stage 1 of the Pyalong Kinder works.

Administrative amendments have been made to the wording and presentation of the budget document and SRP as required, including:

- Administrative update of graphs, tables and commentary to reflect the above changes;
- Other minor administrative amendments to wording and tables.

Further actions to be undertaken to address submissions:

ADOPTION OF THE 2017-2018 BUDGET AND STRATEGIC RESOURCE PLAN 2018-2021 (CONT.)

- Notify in writing the persons who have made a submission regarding Council's decision, which will include a detailed response to the issues raised in the submission; and
- Monitor the demand of the Wandong Public Toilet to better understand an increase in service.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Financial, resource and asset management implications associated with the 2017/18 Budget, SRP 2018/21 have been detailed in the body of this report and the attached documents.

These documents have been prepared within current staffing levels.

POLICY AND LEGISLATIVE IMPLICATIONS

The 2017/18 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989* Section 125.

The Strategic Resource Plan 2018-2021 has been prepared in accordance with the requirements of the *Local Government Act 1989*, Section 126.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The Shire's sustainability relies on its ability to raise sufficient income to deliver required services, maintain and renew existing assets and build new assets and infrastructure to cater for growth.

There are no environmental or social implications associated with the preparation of this report.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The 2017/18 Budget and SRP 2018/21 frames how Council will allocate resources to services and projects and have been prepared within tight financial constraints and with regard to agreed strategic policy directions and objectives.

Council believes the Budget and SRP documents strike a reasonable balance between ensuring the continuing provision of the operational services and infrastructure investment that support the community while continuing to meet the rate cap.

COUNCIL PLAN 2017-2021 (CONT.)

8.2 COUNCIL PLAN 2017-2021

Author: Kellie Vise - Acting Director Advocacy and Community Services

File No: CM/15/006

Attachments: 1. Mitchell Shire Council Plan 2017

SUMMARY

The Council Plan establishes Council's overall strategic direction and documents the priorities for the four years of its term. In developing the Council Plan, Council consulted extensively with the community to ensure its strategic objectives and priority actions reflect the aspirations and needs of Mitchell's Shire residents, both now and into the future.

The Council Plan aims to balance Council's commitment to maintaining and renewing existing services and infrastructure with the need to plan and build new community facilities and expand our services into the future.

RECOMMENDATION

THAT Council adopt the Council Plan 2017-2021 with minor editorial amendments in accordance with the provisions of Section 125(8) of the *Local Government Act 1989*.

BACKGROUND

Under Section 125 of the *Local Government Act 1989*, Council is required to prepare and approve a Council Plan within six months of holding a general election or by 30 June in the year following an election (whichever is later).

The Council Plan 2017-2021 (the Council Plan) is a medium-term strategic plan and should reflect the outcome of stakeholder and community engagement.

The Council Plan must include:

- The strategic objectives of the Council.
- Strategies for achieving the objectives for at least the next 4 years.
- Strategic indicators for monitoring the achievement of the objectives.

The Council Plan should reflect the outcomes of stakeholder and community engagement.

The Council Plan forms a fundamental part of Mitchell Shire Council's integrated planning framework. The Council Plan is the connection point between the external influences of government policy and population growth, Mitchell Shire's 2020 Community Plan and Council's long term planning processes. The Council Plan commitments are also an important consideration for ensuring alignment with Council's budget, Strategic Resource Plan and long term financial plan.

COUNCIL PLAN 2017-2021 (CONT.)

The integrated planning framework ensures that Council's plans are aligned with our resources and provides a basis upon which to monitor and measure performance.

Figure 1 shows the linkages between each of the elements.

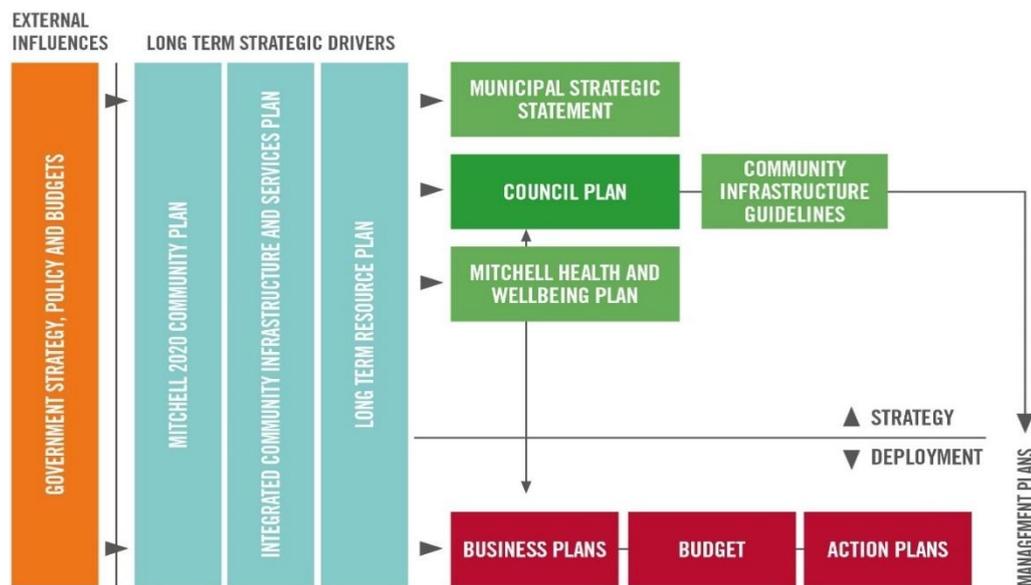


Figure 1: Mitchell Shire Council Integrated Planning Framework

At its meeting on 18 April 2017, Council resolved to endorse:

1. The Draft Council Plan 2017-2021.
2. The Chief Executive Officer be authorised to:
 - a) Give public notice of the Draft Council Plan 2017-2021 in accordance with Section 125 of the *Local Government Act 1989* noting the dates for public notice are from Wednesday, 26 April 2017 to Tuesday, 23 May 2017.
 - b) Invite submissions on any proposal contained in the Draft Council Plan in accordance with Section 223 of the *Local Government Act 1989*.
 - c) Effect any minor administrative changes which may be required to the Draft Council Plan 2017-2021.

THAT Council resolves to note:

3. Submissions will be considered at a Hearings Committee meeting of Council to be held on Monday, 5 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.
4. Subject to changes after consideration of all submissions, the Draft Council Plan 2017-2021 will be presented for adoption as the Council Plan 2017-2021 in accordance with Section 125 of the *Local Government Act 1989*, at an Ordinary Meeting of Council to be held on Monday, 19 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.

COUNCIL PLAN 2017-2021 (CONT.)

ISSUES AND DISCUSSION

The Council Plan outlines Council's ambitions and priorities for the next four years. The Plan has been informed by Council's strategic planning priorities, the Mitchell 2020 Community Plan, as well as input from the community and stakeholders.

Mitchell Shire is in a period of transition, as it prepares for significant growth, while continuing to maintain and build the vibrancy of our existing communities.

The Council Plan seeks to address these challenges and ensure that Council balances its commitment to maintaining and renewing existing infrastructure with the need to plan and build new community facilities and expand services into the future.

The Council Plan identifies seven strategic themes and strategic objectives:

Strategic Theme	Strategic Objective
Advocacy	To relentlessly advocate for funding to benefit our community
Community Participation	To actively explore all opportunities for community involvement and participation in Council decisions
Responsible Planning	To demand best practice outcomes when planning for future growth
Strong Communities	To build and nurture strong and vibrant communities where people are proud to live
Supporting local jobs and quality investment	To identify, encourage and actively promote investment, business and tourism
Financial and organisational management	To be leaders in financial and organisational management
Caring for our Environment	To be responsible custodians, managing and enhancing our environment to minimise the impacts of development, waste, natural disasters and climate change

The Strategic objectives are supported by strategies, actions and measures which will be used to monitor progress against each objective over the next four years. The actions under each of the strategic outcomes will be reflected in annual action plans which align with the annual budget approval process. Progress will be reported half-yearly and annually to Council and the community in line with Council's legislative reporting obligations.

COUNCIL PLAN 2017-2021 (CONT.)

CONSULTATION

A Community and Stakeholder Engagement Plan was developed to support and guide Council in engaging and communicating with the community and other stakeholders, during the development of the draft Plan.

The purpose of the engagement program was to assist Council in identifying key themes and focus areas for Council's consideration in developing the Council Plan.

Engagement activities included Councillor 'Listening Posts' at events and locations across the Shire, drop in sessions and attendance at existing community events during March and April 2017.

A community survey was provided at a range of events and via the Mitchell Shire Council community engagement website, Engaging Mitchell to capture ideas and input. Feedback from the surveys and the engagement program has been used extensively in the development of the Draft Council Plan.

Over 1200 responses were received to the surveys relating to the Council Plan, incorporating the Health and Wellbeing survey and the Council Plan Survey

In accordance with Section 223 of the Act, the Draft Council Plan was exhibited for public consultation through a public notice and made available for inspection at Council's Libraries and Customer Service Centres. The draft Council Plan was also published on Council's engagement portal www.engagingmitchellshire.com.

A period of 28 days was provided for the public to lodge submissions. This period ran from 26 April to 5.00pm on 23 May 2017.

In addition to the requirements for public consultation set under the legislation, Council held three 'town hall' meetings in Seymour, Kilmore and Wallan between 11 and 18 May 2017 to provide residents with the opportunity to provide feedback on the draft Plan. A total of 16 interested parties attended the town hall meetings, 10 at Seymour, 6 at Kilmore, with no residents attending the Wallan meeting.

Council considered submissions which were lodged in writing and held a Special Hearings Committee meeting on Monday, 5 June 2017 to provide the opportunity for submissions to be heard by the full Council.

Public Submissions to the Draft Council Plan

A total of five (5) submissions were received with no parties presenting to the Special Hearings Committee meeting on 5 June 2017.

While no significant alterations have been made in response to the submissions, several editorial amendments to the introductory section, strategies and actions have been incorporated. Each party who has made a submission will receive a detailed response to the items they raised. Where submissions were raised that related to Council Strategic documents and Plans, this information has been provided to the relevant Officers for consideration for future review or amendment of these documents.

COUNCIL PLAN 2017-2021 (CONT.)

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The Council Plan aligns with the Strategic Resource Plan and the annual Budget which outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The Strategic Resource Plan takes the strategic objective and strategies as specified in the Council Plan and expresses them in financial terms for the next four years. The annual Budget does this for the next 12 months.

The costs of preparing the Council Plan, including public notices, are funded from operating budget allocations.

POLICY AND LEGISLATIVE IMPLICATIONS

The Council Plan 2017-2021 has been prepared in accordance with the requirements of Section 125 of the *Local Government Act 1989*.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The Draft Council Plan outlines a range of strategies aimed at supporting and enhancing the social and environmental sustainability of the Mitchell Shire and its community.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Council Plan 2017-2021 outlines Council's ambitions and strategic priorities for the next four years. The Plan has been informed by Council's strategic planning priorities, the Mitchell 2020 Community Plan, as well as input from the community and stakeholders throughout the consultation process.

PROCUREMENT POLICY REVIEW 2017 (CONT.)

8.3 PROCUREMENT POLICY REVIEW 2017

Author: Ty Harmer - Procurement Advisor

File No: CT/08/001

Attachments: 1. Procurement Policy

SUMMARY

This report recommends that Council adopt the revisions to the Mitchell Shire Council Procurement Policy – adopted by Council on 23 April 2012 and last revised on 20 June 2016.

RECOMMENDATION

THAT Council adopt the revised Procurement Policy.

BACKGROUND

The Procurement Policy was previously endorsed by Council in accordance with Section 186A of the *Local Government Act 1989* (the Act) and encompasses the principles, processes and procedures applying to all purchases of goods, services and works by Council.

In accordance with Section 186A(7) of the Act the Council must, at least once in each financial year, review the current procurement policy and may, in accordance with this section, amend the procurement policy. The annual review for the current financial year has been completed and amendments suggested where operationally practical.

ISSUES AND DISCUSSION

The Procurement Policy has been updated to reflect the current organisational structure and position titles, with minor changes made in order to align with current processes and procedures.

Some of the more significant recommended changes to the Policy are as follows:

- The variation limit of 10% of the contract sum or \$100,000.00 (whichever is the lowest amount) has been added to the Policy, previously this rule was only included in the Procurement Guidelines.
- Included Tender Evaluation Panel requirements in Procurement Policy, previously this was only included in the Procurement Guidelines.
- A requirement for three (3) written quotes for purchases between \$5,001 - \$25,000 (including GST) has been added to the current table of quotation requirements (p14). Previously only one (1) written quote was provided for purchases between \$5,000-\$25,000 (including GST). This increase to quotation requirements will promote the importance of seeking value for money in the case of medium value purchases.

PROCUREMENT POLICY REVIEW 2017 (CONT.)

- All tenders over \$400,000 will be required to present a Tender Initiation Plan Report to ELT for approval prior to advertising. This change to the current process will promote a higher level of planning by departments in relation to tenders.
- Changed all dollar amounts to include GST, as per Councils Finance System.
- Included wording under '*Decisions Reserved for Council*' regarding the award of tenders to clarify that Council must award all tenders that exceed the Chief Executive Officer's delegation. Previous wording in this area is somewhat unclear when compared with the wording under the title '*Value in excess of \$150,000 incl GST for the purchase of goods and services and \$200,000 incl GST for carrying out works*'.

The revised Procurement Policy is at Attachment 1.

CONSULTATION

The Procurement Advisor, Coordinator Governance and Corporate Accountability and Director Governance and Corporate Performance presented to Council at Strategy Briefings on 22 May 2017 and 5 June 2017. Feedback was received during these presentations and has been utilized throughout this review.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Employee titles have been updated in the financial delegations to reflect the current organisational structure.

POLICY AND LEGISLATIVE IMPLICATIONS

The changes to the Procurement Policy are in line with current processes, procedures, systems and legislation.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Mitchell Shire is committed to considering all environmental factors in the procurement of goods, services and works where possible. The Procurement Advisor is a member of the Mitchell Shire Council Sustainability Taskforce.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Procurement Policy has been updated to reflect the current organisational structure, processes and procedures whilst introducing a small number of further requirements in order to promote an increased focus on planning in the early stages of tenders and to promote an increased focus on value for money in medium size transactions.

REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS (CONT.)

8.4 REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: GV/11/005

Attachments: Nil

SUMMARY

Allowances payable to the Mayor and Councillors are subject to:

- Various requirements in the *Local Government Act 1989* (Act);
- Decisions of the Minister for Local Government (Minister);
- Four yearly review by each council; and
- Public consultation.

Section 74(1) of the Act requires that each Council must review and determine the level of the Mayoral and Councillor allowances within six months of each general election or by the next 30 June, whichever is later.

Public consultation on the proposed allowances for the Mayor and Councillors for the next four financial years was sought and submissions closed at on 23 May 2017. No submissions were received.

RECOMMENDATION

THAT Council resolve that the Mayoral and Councillor allowances for the next four financial years be fixed at \$76,521 and \$24,730 respectively, with a 2.5% indexation commencing from December 2017.

BACKGROUND

Provisions for allowances to the Mayor and Councillors are detailed in Sections 73A, 73B and 74 of the Act. The key provisions are:

- The Minister must, at least one a year, review the allowance category and the allowance limits and ranges for each Council;
- If the review results in a finding that allowances should be adjusted, the Minister must give notice of the adjustments in the *Victoria Government Gazette*;
- Each Council must review and determine the level of the Mayoral and Councillor allowances within six months of each general election or by the next 30 June, whichever is later; and
- The review process conducted by each Council requires the Council to give public notice of the proposal and is subject to Section 223 of the Act, which allows any person to make a submission on the matter and have the right to have his or her submission heard at a meeting of the Council or at a meeting of a committee

REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS (CONT.)

established by the Council. Submitters have 28 days from the date of the Council's public notice to lodge submissions.

ISSUES AND DISCUSSION

On 18 April 2017, Council resolved to seek community comment on the Mayoral allowance and Councillor allowances for the next four financial years and hear submissions at the Hearings Committee on 13 June 2017. No submissions were received.

The Act provides for minimum and maximum allowances payable as set by Order in Council from time to time. Each Council has discretion within the allowable range to determine the allowances it will pay to its Mayor and Councillors, having regard to local circumstances and priorities. There are three categories of Councils and Mitchell is Category 2 – the category with the mid-range remuneration levels.

The current levels, including a 2.5% indexation factor, were set on 1 December 2016. The current levels allow for a minimum payment of \$10,284 and a maximum payment of \$24,730 to apply from 1 December 2016 for Councillors. The Mayor is entitled to an allowance of up to \$76,521 from 1 December 2016 but is not entitled to receive a Councillor allowance in addition to the Mayoral allowance. The allowances are also subject to the addition of the equivalent superannuation guarantee of 9.5%.

Section 79C(1) of the Act states that a Mayor or Councillor does not have a conflict of interest if the matter only relates to the payment of allowances to the Mayor or Councillors under Section 74 or s.74C(2) of the Act.

CONSULTATION

A public notice was placed in the local newspapers on 26 April 2017 and on Council's website, inviting submissions in respect to the Mayoral and Councillor allowances being set and fixed for the next four financial years. There were no submissions received.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Mayoral and Councillor allowances, based on the maximum level for Category 2, are funded within Council's current budget allocation. Provision for Mayoral and Councillor allowances for the next four financial years will be made within the annual budget.

POLICY AND LEGISLATIVE IMPLICATIONS

The Mayor has a leadership role in the community. Each Councillor commits considerable time in addition to their employment and personal lives in the execution of their Council responsibilities.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no social and environmental implications.

REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS (CONT.)

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Mayor and Councillors allowances will be adjusted as required throughout the four-year period.

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ASSEMBLY OF COUNCILLORS (CONT.)

8.6 ASSEMBLY OF COUNCILLORS

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: CL/04/013-02

Attachments: 1. Assembly of Council Record - May 2017

SUMMARY

This report provides records of assemblies of Councillors that have occurred since the last Council meeting, which includes matters considered and any conflict of interest disclosures made by a Councillor.

RECOMMENDATION

THAT Council receive and note the records of assembly of Councillors.

BACKGROUND

The *Local Government Act 1989* requires a written record of an assembly of Councillors to form part of the Council Minutes.

The Chief Executive Officer must ensure that the written record includes the following:

- (a) Names of all Councillors and members of Council staff attending.
- (b) Matters considered.
- (c) Any conflict of interest disclosures made by a Councillor attending under subsection (3).
- (d) Whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.

ISSUES AND DISCUSSION

An Assembly of Councillors means:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff (providing that the matter/s considered are intended or likely to be the subject of a future decision by the Council or an officer decision under delegated authority); or
- An Advisory Committee of the Council where one or more Councillors are present.

Some examples include:

- Councillor Briefings – Strategy meeting, Councillor and Officer Discussion (Pre-Council meeting);
- Advisory Committees – Mitchell Shire Environment Advisory Committee, Access and Inclusion Advisory Committee, Mitchell Heritage Advisory Committee, Mitchell Fire Advisory Committee, Health and Wellbeing Advisory Committee and the Cultural Diversity Advisory Committee.

A list of the Assembly of Councillors Record for the period May 2017 is at Attachment 1.

ASSEMBLY OF COUNCILLORS (CONT.)

CONSULTATION

Members of the Executive Leadership Team, Mayor, Councillors and relevant Managers have been consulted in preparing this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial resource and asset management implications associated with this report.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

This is an administration process and does not have any environment and sustainability implications associated with this report.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 JUNE 2017

8.5

ASSEMBLY OF COUNCILLORS

Attachment No: 1

Assembly of Council Record - May 2017

ASSEMBLY OF COUNCILLORS RECORD

MAY 2017

Assembly of Councillors -

- A planned or scheduled meeting that includes **at least half the Councillors** and a **member of Council staff**; and the matter/s considered are intended **or likely to be** subject of a future decision by the Council; **OR**
- An **Advisory Committee** of the Council where **one or more Councillors** are present.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Strategy Briefing 1 May 2017	<u>In Attendance</u> Cr Rhonda Sanderson Cr Bill Chisholm Cr David Lowe Cr Fiona Stevens Cr Bob Humm Cr Annie Goble Cr David Atkinson Cr Rob Eldridge Cr Bob Cornish <u>Apologies</u> Nil	Chief Executive Officer Director Corporate Services Acting Director Sustainable Communities Building Projects Officer Team Leader/Health & Wellbeing Officer Manager Community Strengthening Manager Planning & Compliance Coordinator Community Development & Youth Community Development Officer x2 Youth Development Officer x2 Administration Officer Public Health Coordinator Statutory Planning Coordinator Principal Planner	<ul style="list-style-type: none"> • Greater Beveridge Community Centre • Community Wellbeing Survey – Initial Outcomes and Trends • Domestic Wastewater Management Plan Audit • Pyalong Community Centre • Hidden Valley Development 	Nil
Strategy Briefing 8 May 2017	<u>In Attendance</u> Cr Rhonda Sanderson Cr David Lowe Cr Fiona Stevens Cr Bob Humm Cr Annie Goble Cr David Atkinson Cr Rob Eldridge Cr Bill Chisholm <u>Apologies</u> Cr Bob Cornish	Chief Executive Officer Director Governance & Corporate Performance Director Development & Infrastructure Acting Director Advocacy & Community Services Manager Finance & Assets Manager Development Approvals Environmental Programs Coordinator Coordinator Strategic Planning Manager Engineering & Major Projects Manager Strategic Planning	<ul style="list-style-type: none"> • Emergency Management Services in Mitchell Shire, Incident Control Centre, Seymour • Hidden Valley Development • Defined Benefits • Draft Council Agenda 	Cr F. Stevens declared an indirect interest in item 7.1 of the Draft Council Agenda Planning Permit Application P304914/7.03 For Use and development of animal boarding at 298 Goulburn Valley Highway, Seymour as she lives in close proximity to the property and her residential amenity is likely to be altered. Cr F. Stevens left the meeting at 4.17pm and returned at 4.19pm.

		Manager Community Strengthening Children's Services Coordinator		
Strategy Briefing 15 May 2017	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Bill Chisholm Cr David Lowe Cr Fiona Stevens Cr Bob Humm Cr Annie Goble Cr David Atkinson (left at 3.48pm and returned at 4.20pm) Cr Rob Eldridge Cr Bob Cornish</p> <p><u>Apologies</u> Nil</p>	<p>Chief Executive Officer Director Governance & Corporate Performance Acting Director Development & Infrastructure Acting Director Advocacy & Community Services Statutory Planning Coordinator Manager Finance & Assets Manager Community Strengthening Coordinator Strategic Planning Manager Development Approvals</p>	<ul style="list-style-type: none"> • Rivers & Ranges Community Leadership Program • Council agenda 	Nil
Mitchell Environment Advisory Committee Special Meeting 17 May 2017	<p><u>In Attendance</u> Cr Rob Eldridge</p> <p><u>Apologies</u> Nil</p>	Environment Coordinator	<ul style="list-style-type: none"> • Draft 2017-2021 Council Plan • Sustainable Resource Management Strategy Review • Beveridge Township Development Plan Stage 1 	Nil
Strategy Briefing 22 May 2017	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Bill Chisholm Cr David Lowe Cr Fiona Stevens Cr Bob Humm Cr Annie Goble Cr David Atkinson Cr Rob Eldridge Cr Bob Cornish</p> <p><u>Apologies</u> Nil</p>	<p>Chief Executive Officer Director Governance & Corporate Performance Acting Director Development & Infrastructure Acting Director Advocacy & Community Services Procurement Advisor Governance & Corporate Accountability Coordinator Communications Coordinator</p>	<ul style="list-style-type: none"> • Wandong Interchange/Kilmore Bypass (discussion regarding previously released document) • Procurement Policy • NBN Rollout • Review of Sustainable Resource Management Strategy • Sydney Street, Kilmore Lighting 	<p>Cr A. Goble declared a conflict of interest in relation to Item 3 – NBN Rollout as she is currently in negotiations with NBN Co. regarding the lease of part of her property for the building of a telecommunications tower.</p> <p>Cr A. Goble left the meeting at 3.02pm and returned at 3.55pm.</p>

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INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987
(CONT.)

8.6 INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: GV/06/016

Attachments: 1. Planning Officers Delegation

SUMMARY

The *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council dated 18 July 2016, makes these appointments.

Under the *Planning and Environment Act 1987*, however, Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint authorised officers under the Act.

RECOMMENDATION

THAT in the exercise of the powers conferred by Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*, Mitchell Shire Council resolves that:

1. The members of Council staff referred to in the *Instrument of Appointment and Authorisation* attached to this report (Attachment 1) be appointed and authorised as set out in the Instrument.
2. Each *Instrument of Appointment and Authorisation* comes into force immediately after the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it, or until the Authorised Officer ceases to be a member of Council staff.
3. Each *Instrument of Appointment and Authorisation* be signed and sealed.

BACKGROUND

The Chief Executive Officer, by authority conferred by Instrument of Delegation from Council dated 18 July 2016, makes these appointments. Maddocks Lawyers' model Instrument of Appointment and Authorisation developed for Victorian Councils is used for this purpose.

Under the *Planning and Environment Act 1987* Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint authorised officers under the Act.

INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987
(CONT.)

ISSUES AND DISCUSSION

Section 188(2) of the *Planning and Environment Act 1987* provides that Councils cannot delegate the power to authorise officers for the purposes of enforcing the *Planning and Environment Act 1987*.

As the Authorised Officers involved enforce several other Acts and regulations other than the *Planning and Environment Act 1987*, Maddocks Lawyers' other general Instrument of Appointment and Authorisation covering these Acts and regulations will continue to operate in tandem with the separate Instrument of Appointment and Authorisation (*Planning and Environment Act 1987* only) where Authorised Officers are appointed by Council resolution.

CONSULTATION

The Manager Strategic Planning and Manager Development Approvals have been consulted in preparing this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no significant financial or asset management implications arising from the appointment of Authorised Officers.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no significant environment and sustainability implications arising from the appointment of authorised officers.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The *Instrument of Appointment and Authorisation* allows Officers to fulfil their duties and it is recommended that Council endorse appointments for Officers listed in Attachment 1. These Authorisations will be revoked should the officer cease to be a member of Council staff.

INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987
(CONT.)

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 JUNE 2017

8.6

INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

Attachment No: 1

Planning Officers Delegation

S11A. Instrument - Planning and Environment Act 1987

In this instrument "officer" means -

- Andrea Meagher
- James Kirby
- Justin Harding
- Jyoti Makan

By this instrument of appointment and authorisation Mitchell Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of **Mitchell Shire Council** on 17 October 2016.

The Common Seal of **MITCHELL SHIRE COUNCIL**
was affixed this (day).....(month)
.....2017 in the presence of:

.....Councillor

.....Councillor

.....Chief Executive Officer

Date:

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SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA (CONT.)

8.7 SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA

Author: Teresa Hendy - Property Officer

File No: CP/05/00

Attachments: 1. *Hamilton Street Locality Plan*
2. *Proposed Ambulance Victoria Land*

SUMMARY

This report follows the investigation by Ambulance Victoria to acquire land in the Broadford township for the construction of a new ambulance station.

The Department of Health and Human Services has now made a formal request to acquire Council land in Hamilton Street, Broadford for the use and development of a new ambulance station. This report recommends support for the sale of that land to enable the establishment of a new ambulance station.

RECOMMENDATION

THAT Council:

1. Authorise the Chief Executive Officer and/or delegate to continue the necessary legislative processes required in accordance the *Local Government Act 1989*, *Planning and Environment Act 1989* and *Subdivision Act 1988* to enable the sale of part of the land currently known as 45-51 Hamilton Street, Broadford contained in Volume 11860 Folio 694 (shown on Attachment 2 as Proposed Ambulance Victoria Land) to the Department of Health and Human Services.
2. Upon the completion of the processes under the various Acts in Recommendation 1, Authorise the Chief Executive Officer and/or delegate to commence the sale of the part of the land currently known as 45-51 Hamilton Street, Broadford contained in Volume 11860 Folio 694 (shown on Attachment 2 as Proposed Ambulance Victoria Land) to the Department of Health and Human Services.
3. Authorise the signing and sealing of all forms and legal documentation required to complete the registration, sale and transfer of the part of the land currently known as 45-51 Hamilton Street, Broadford contained in Volume 11860 Folio 694 (shown on Attachment 2 as Proposed Ambulance Victoria Land) to the Department of Health and Human Services.

BACKGROUND

In late 2016, following investigations carried out over a number of months by Ambulance Victoria for an operational site in Broadford, the Minister for Emergency

SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA (CONT.)

Services (the Minister) announced that new emergency service bases should be co-located. Following the announcement, Ambulance Victoria (AV) subsequently focused their interest on land adjacent to the site in Hamilton Street, Broadford which is being prepared for sale to the Country Fire Authority (CFA) at 45-51 Hamilton Street, Broadford. Attachment 1 shows the land at 45-51 Hamilton Street.

The process for acquisition of land for AV use is managed by the Department of Health and Human Services (DHHS), who must approve any land purchase. Following an analysis of the contamination and rehabilitation required for the land proposed to be purchased for the new AV station, DHHS have now confirmed that the site has their approval for acquisition subject to a written report confirming that the land poses no risk to human and environmental receptors. The land would be on the corner of Hamilton and Hawdon Streets and be approximately 2044.5m² in size. Attachment 2 shows a marked-up subdivision plan, denoting the land of interest for AV highlighted in green.

ISSUES AND DISCUSSION

The purchase of land by AV is a priority for that organisation. Before the purchase can go ahead, in addition to the decontamination and rehabilitation of the land the lot proposed to be acquired by AV needs to be subdivided from the balance of Lot 2 on PS545970Y.

The subdivision would create the two new lots, with connection to utility services as required as part of the subdivision. Upon the completion of the clean-up of the AV land and issue of titles, Council would be in a position to sell and transfer the land to the Minister.

CONSULTATION

Under Section 191 of the *Local Government Act 1989*, Councils can transfer land to a Minister or public body, with or without consideration, exclusive of the requirement to give Public Notice of the intent to sell the land.

Letters were sent to surrounding land owners on 1 June 2017 regarding the proposed sale of land and construction of the new ambulance station. The letters were sent as a courtesy to provide information to local residents and land owners.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The estimated total cost for the decontamination and rehabilitation of the AV site, report writing, subdivision and legal costs are in the vicinity of \$35,000-\$40,000 however, these costs will be determined further and may change as work progresses and final testing is undertaken.

The price of any land to be purchased by a Minister must be set by the Valuer General. The Valuer General has priced the land proposed to be acquired by AV at \$235,000,

SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA (CONT.)

based on the decontamination and rehabilitation works being completed and the land being a 'clean' state prior to acquisition.

POLICY AND LEGISLATIVE IMPLICATIONS

The sale of the land at Hamilton Street is consistent with Council's new and reviewed policies, including *Council's Asset Disposal Policy 2014*, *Asset Management Policy 2010 – Revision 2015* and *Asset Management Strategy 2010 – Revision 2015*.

The sale of the land at Hamilton Street for the use and development of an ambulance station is consistent with various requirements of the *Local Government Act 1989*, which direct Councils roles and responsibilities as follows:

- 1(2) It is the role of Councils in exercising those functions and powers to work in partnership with the Governments of Victoria and Australia.
- 3C Objectives of a Council (1) - The primary objective of a Council is to endeavor to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions;
- 3D 2(d) advocating the interests of the local community to other communities and governments;
- 3E 1(a) advocating and promoting proposals which are in the best interests of the local community.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The establishment of a new ambulance station for Broadford would be a valuable addition to the town, enabling a faster response to local health emergencies and to emergency incidents.

There is some native vegetation on the site proposed to be sold to the AV which is not significant in that it does not comprise older hollow bearing trees which, if lost, may impact on nesting and breeding bird species. Grasses and other low ground flora are primarily exotic species.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The establishment of an ambulance base in Broadford would be a support and assurance to the local community that their interests are being taken into account in the establishment of emergency services in the Municipality and in the State.

SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA (CONT.)

The Hamilton Street location in the Broadford township is close to the central residential core of the town and, with easy access to main roads, will support other emergency services in responding to incidents in the wider area.

The sale of the land to the Department of Health and Human Services for the new ambulance station is recommended as a beneficial addition to the town for the local and wider community.

SALE OF LAND IN HAMILTON STREET, BROADFORD TO AMBULANCE VICTORIA (CONT.)

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 JUNE 2017

8.7

**SALE OF LAND IN HAMILTON STREET,
BROADFORD TO AMBULANCE VICTORIA**

Attachment No: 1

Hamilton Street Locality Plan

Attachment 1 - 45-51 Hamilton Street Broadford



MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

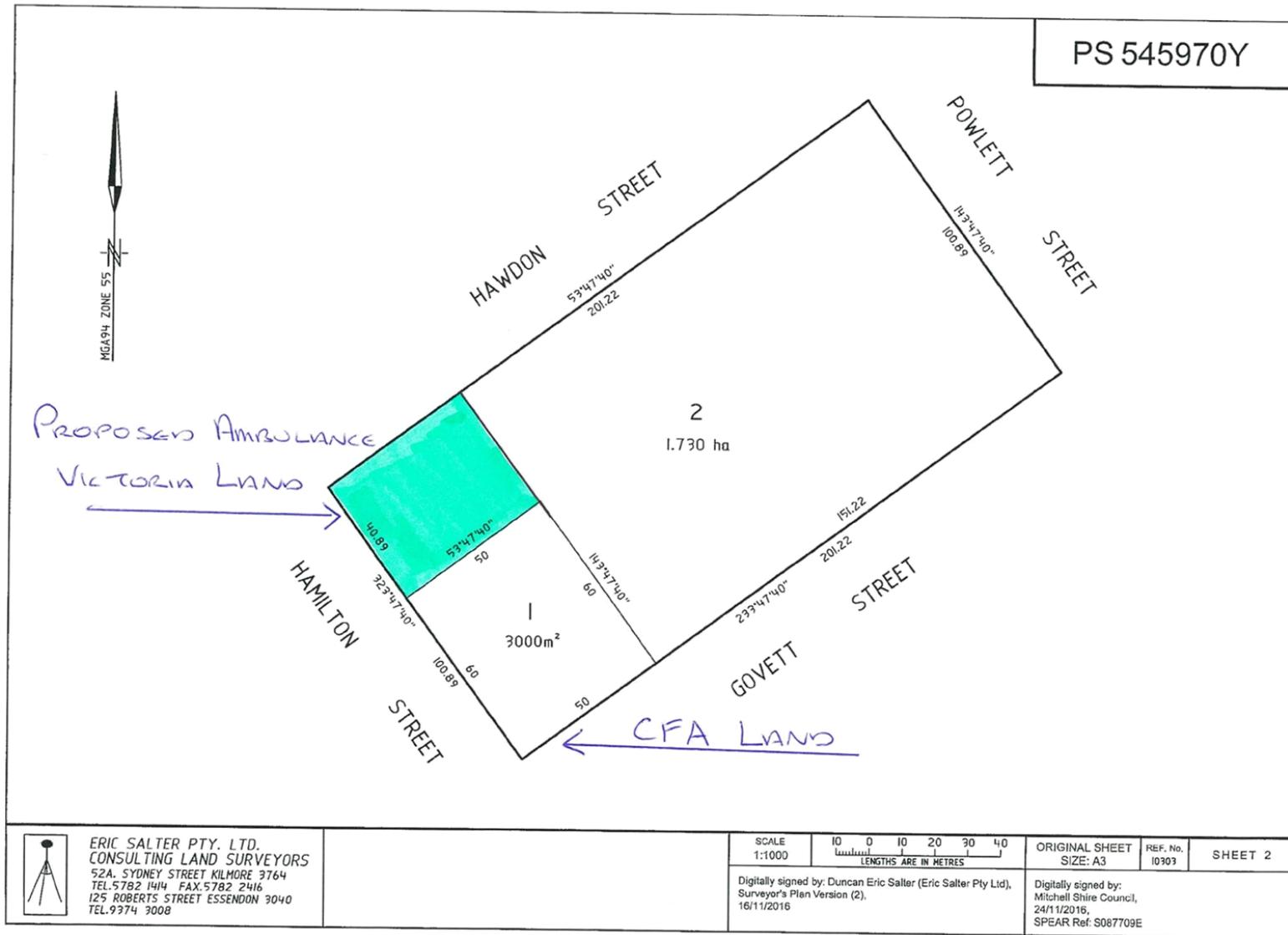
19 JUNE 2017

8.7

**SALE OF LAND IN HAMILTON STREET,
BROADFORD TO AMBULANCE VICTORIA**

Attachment No: 2

Proposed Ambulance Victoria Land



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ROAD MANAGEMENT PLAN REVIEW (CONT.)

9 DEVELOPMENT AND INFRASTRUCTURE

9.1 ROAD MANAGEMENT PLAN REVIEW

Author: Paul Simpson - Roads Maintenance Coordinator

File No: CM/05/010

Attachments:

1. Road Management Plan Engaging Mitchell Summary
2. Draft Road Management Plan, 2017
3. Road Management Plan Submission Detail

SUMMARY

Mitchell Shire Council is the responsible road authority for the management of Council's local road and drainage network. This local road network is Council's largest asset category and comprises over 1383 kms of sealed and unsealed roads.

The Mitchell Shire Road Management Plan (RMP) is a management system for the road management functions of Council which is based on Council's policy and operational objectives as well as available resources. It sets the relevant standards in relation to the discharge of duties in the performance of those road management functions.

The RMP sets out Council's obligations as the responsible authority to inspect, maintain and repair public roads. In simple terms, its purpose is to set out a clear management system for inspection and maintenance of the road and footpath network.

Council must, in accordance with the Regulations made under the *Road Management Act 2004* (the Act), conduct a formal review of its Road Management Plan every four years generally in line with Council elections and the Council Plan.

This report outlines the process undertaken to review the Mitchell Shire Council Road Management Plan (RMP), discusses the proposed amendments to the plan and seeks Council's endorsement to adopt the draft 2017 RMP.

RECOMMENDATION

THAT Council adopt the final draft Road Management Plan 2017-2021.

BACKGROUND

The road network throughout Mitchell Shire consists of Arterial Roads (managed by VicRoads), Local Roads, which are under the control of the Council, and other roads, which are managed by the party responsible for the relevant land e.g. Forestry Roads in National Parks and State Forests.

The local road and footpath networks are two of Council's largest asset categories consisting of approximately 1,383 km of roads (including 668km of sealed roads and 715km of unsealed road) and 226km of formed pathway. The road network and its

ROAD MANAGEMENT PLAN REVIEW (CONT.)

associated road infrastructure are required to be maintained to ensure road safety, continued function and to provide a level of service acceptable to the community

In 2010, Council adopted the current Road Management Plan (RMP). This Plan was first developed in 2004 in response to the introduction of the *Road Management Act 2004* (the Act) in July 2004.

The Act imposes a duty on road management authorities to inspect, maintain and repair public roads. Council must, in accordance with the regulations made under the Act, conduct a formal review of its Road Management Plan every four years generally in line with Council elections and the preparation of a new Council Plan. The current RMP is available for viewing by the public on Council's website.

In summary, a RMP should:

- Describe the way in which Council will fulfil its road management obligations in respect of those local roads within its municipal district;
- Encompass road user needs and expectations within a framework based on meeting reasonable maintenance targets and asset management programs relative to the road network function within the recognised resource limitations;
- Seek to balance the economic, social, safety and environmental expectations of the community, particularly those people and groups who rely on the street network for access to homes, education, commercial and industrial areas;
- Take into consideration the affordability, available resources and management of risks; and
- Be a dynamic document which is subject to continuous improvement, changing legislative requirements and economic, social, environmental and climatic impacts.

In accordance with the Road Management Act 2004, a review of the Mitchell Shire RMP has been undertaken in line with policy and operational objectives, resources and best practice. A draft of the 2017 RMP is shown in Attachment 1 of this report and this report discusses the proposed amendments which are intended to better reflect Council's capacity to manage its local road network.

ISSUES AND DISCUSSION

In undertaking this review, the key elements of the RMP have been benchmarked against the following Council's:

- Strathbogie Shire Council
- Murrindindi Shire Council
- Yarra Ranges Council
- Macedon Ranges Shire Council
- Nillumbik Shire Council

ROAD MANAGEMENT PLAN REVIEW (CONT.)

These Councils were chosen for benchmarking due to their similar characteristics such as interface and rural Councils, road asset types and network distribution, proximity and likeness to Mitchell Shire Council.

As part of the benchmarking review, the following three main elements have been considered:

- the frequency of proactive asset inspections;
- the point at which intervention (works) are required; and
- the time prescribed for response and repair of identified defects.

Inspection Frequency

The benchmarking process identified that the current RMP has a higher frequency for routine inspections across most assets classes compared to other similar Councils.

The proposed changes are intended to find a more practical balance between inspections frequency and making inspections more meaningful through the collection of better quality data.

It is expected that reducing the quantity of inspections will allow for a realignment of resources and allow for a greater quality of inspection to occur. The reduction in inspection frequencies will allow asset inspectors to undertake additional inspection on other road assets including bridges. This may also reduce the reliance on external contractors to undertake this work.

Intervention Standards

Intervention standards are proposed to remain largely unchanged with only minor alterations planned. Proposed changes include:

- Reference to sealed road cracking removed from the RMP – this has been removed as it is a maintenance process rather than a defect item and is consistent with the benchmarking undertaken with the other Councils;
- Shoulder potholes defined as an imperfection if the road width is <5.5m – this has been included to reflect that this is a standard narrow road width which would necessitate the need for passing vehicles to be on the road shoulder at any time;
- Linemarking altered from 60% faded line to 50% faded line matching signage intervention standards;
- Unsealed road scouring (transverse or across the road surface) depth changed from 100mm depth to 150mm depth to match the 150mm depth of longitudinal

ROAD MANAGEMENT PLAN REVIEW (CONT.)

scouring – this is a more efficient measure for our Road Inspectors and is consistent with the benchmarking undertaken; and

- Unsealed road scouring length reduced from 50m to 25m length.

Council's current RMP intervention levels are generally consistent with benchmarking except for footpaths which previously did not prescribe any intervention level.

Intervention levels for footpaths have been added into the document with the view to assisting Council's risk management processes, to be consistent with benchmarking and advice delivered by Municipal Association of Victoria (MAV) at a RMP review workshop conducted in September 2016. The MAV has also undertaken a review of the draft 2017 RMP and provided feedback on inclusions to the plan.

Response and Repair Timeframes

The proposed response and repair timeframes have been adjusted to be consistent with benchmarked Council's and to better reflect the operational objectives, resources of Council and best practice.

Council's current response and repair timeframes are not consistent with the benchmarking of other Councils and have been amended to be more in line with benchmarking. Proposed changes are summarised as follows:

- Individual 'time to respond' timeframes have been removed from the RMP document and have been replaced with a reactive inspection flowchart describing how Council will respond to any customer request requiring a reactive inspection regarding a potential RMP defect.
- Rectification periods (4-12 weeks) have been added to unsealed road imperfections. This was previously only referred to the annual grading program.
- Imperfections including, asphalt edge breaks, asphalt edge drop off's and line-marking did not have rectification times. These have now been added to the draft 2017 RMP.

CONSULTATION

In accordance with the Act, Council Officers made a draft plan publicly available for 28 days from 18 April 2017 to 16 May 2017. During this time, community members will be able to make submissions to Council, six submissions were received.

The MAV has also provided feedback and comments to the draft RMP which have been included in the attached draft.

ROAD MANAGEMENT PLAN REVIEW (CONT.)

A summary of the submissions is shown below however full detail is contained within the attachment, submissions were received from the community regarding;

- Request for height and width clearance and guidepost visibility on Doctor's Creek Road, Clonbinane;
- Request for installation of guard rail to improve safety along sections of Spur Road, Clonbinane;
- Request to install a footpath to improve safety in front of the Pyalong Kinder;
- A group submission relating to improvements to the maintenance and drainage performed on Stone Jug Lane, Mia Mia;
- Request to upgrade (seal) the roads behind Willowmavin Estate, Kilmore and Kelly's Lane, Kilmore; and
- Request to upgrade (seal) Campaspe Road, Kilmore to improve safety and cut down on dust.

Each submission will receive a written response advising of the action to be taken in response to their submission. Many of the submissions related to infrastructure upgrades rather than road maintenance standards. These requests will be forwarded to the relevant Council department for consideration and action.

Any person who made a written submission to Council and requested to be heard in support of their submission had the opportunity to have their submission heard at the Council Hearings Committee meeting held on Monday 5 June 2017. One submitter took up this opportunity.

As a result of consultation, it is proposed to increase the inspection frequency of sealed roads to be twice per annum for all categories and increase inspection frequency of unsealed roads to twice per annum for link and collector roads as per the following table.

INSPECTION FREQUENCIES			
ASSET TYPE	DESCRIPTION	SEALED	UNSEALED
LINK	Contained in Schedule 3	Twice a year	Once Twice a year
COLLECTOR	Contained in Schedule 3	Twice a year	Once Twice a year
ACCESS	Contained in Schedule 3	Once Twice a year	Once a year
SERVICE	Contained in Schedule 3	Once Twice a year	Once a year
BRIDGES	Level 1 Inspection	Once a year	Once a year
FOOTPATHS AND	Category 1 & 2– High Usage and shared pathways	Once a year	NA

ROAD MANAGEMENT PLAN REVIEW (CONT.)

SHARED PATHWAYS	Category 3 – Low Usage	Once in a two-year period	NA
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FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There is a small financial cost to Council to undertake a review of the current RMP. This included \$600 for advertising. Senior Council officers have undertaken the review which has limited the resources required, resource costs and associated risk resulting from the review.

POLICY AND LEGISLATIVE IMPLICATIONS

In accordance with section 54 of the *Road Management Act 2004*, Council is obliged to undertake:

- A regular review of its RMP;
- Give notice to the community that the RMP is under review;
- Make the draft plan publicly available; and
- Provide an opportunity for the community to make submissions to the plan

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The local road network in Mitchell Shire is made up of 1,383km of roads including 668km of sealed roads and 715km of unsealed road. In addition, there are 226km of formed pathway.

The 2017 RMP will assist Council in meeting community expectations and seeks to balance the needs of the community by considering the various influencing factors of risk management, road safety, social needs, environmental influences, and economics.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Council officers have considered operating objectives, resources, best practice standards and public submissions in their review of the current RMP. In accordance with the *Road Management Act 2004*, Council officers now seek Council endorsement to adopt the final draft RMP document.

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

9.2 PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG

Author: *Niall Sheehy - Manager Development Approvals*

File No: *PLP111/16*

Attachments:

- 1. Council Meeting Minutes September 2016 PLP111/16*
- 2. Post Analysis and Review of Earthcore Festival*
- 3. Victoria Police Submission*

Property No.:	113212
Title Details:	Lots 1 and 2 on TP888334B
Applicant:	Harmonic Solutions Pty Ltd
Zoning:	Farming Zone
Overlays:	Salinity Management Overlay Erosion Management Overlay
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

SITE MAP



SUMMARY

Planning Permit PLP111/16 was approved by Council on 19 September 2016 for the Earthcore event to occur between the dates of 24 November and 28 November 2016 on the subject site. Conditions of the permit enables a second event to occur between the dates of 30 November and 4 December 2017 subject to a further written consent request and satisfactory compliance with performance objectives specified in the conditions of this permit. It is this request for further written consent that is considered in this report. The conditions of particular relevance to this application include:

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

1. Except with the prior written consent of the Responsible Authority, this permit is restricted to one annual event, which must only occur on 24 to 28 November 2016 (inclusive).

2. Despite any application for consent under condition 9, the land must not be used for the purposes of a place of assembly (music festival) on any days other than:
 - a. the days specified in condition 9; and
 - b. if consent is granted under condition 9, 30 November 2017 to 4 December 2017 (inclusive).

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

3. Any application for consent under condition 9 must be made no later than 30 March 2017, and must be accompanied by:
 - a. an acoustic report prepared by a suitably qualified acoustic engineer which demonstrates that the event conducted on the days specified in condition 9 complied in all respects with:
 - i. with the State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2; and
 - ii. the endorsed Noise Management Plan for that event;
 - b. a copy of a Post-Event Analysis and Review report, which, without limitation, assesses the following aspects of the event conducted on the days specified in condition 9:
 - i. compliance with, and suitability of, all management plans prepared for the event;
 - ii. actions taken to repair and remediate roads in accordance with condition 35;
 - iii. security;
 - iv. control of litter;
 - v. damage to the land and adjacent land;
 - vi. incidents of trespass by patrons and staff to adjacent land;
 - vii. steps taken to remedy or rectify incidents of trespass and damage to adjacent land'; and
 - viii. rehabilitation of the land; and
 - c. revised management plans, designed to address issues identified in the Post-Event Analysis and Review report.

After undertaking a review of the performance of the 2016 event and the information submitted in response to the conditions of the permit, it is the officer's recommendation that Council must refuse the request to operate the festival in 2017 because consent was not sought in accordance with the conditions of the permit. Moreover, even if consent had been sought in accordance with the conditions of the permit, officers would recommend consent not be granted due to the applicant's non-compliance with conditions of the permit and because the applicant has not proposed sufficient measures to address deficiencies that occurred during the event in 2016.

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

SITE AND SURROUNDS

Subject Site Description

The subject land is described as Lots 1 and 2 on TP888334B, and is located at 210 Panyule Road, Pyalong. The subject site consists of two lots, however these lots are part of a larger property of approximately 892ha which consists of 14 parcels held by a single landowner. The larger property contains a dwelling and a number of farm sheds, and is currently used for sheep grazing.

The two lots forming the subject land are approximately 97ha (Lot 1) and 127ha (Lot 2) in area, and are adjacent to one another. Each of these two lots are devoid of any structures however Lot 2 contains two small dams and Lot 1 is adjacent to the area of the larger property that has been developed with the dwelling and a number of sheds.

The lots are undulating in nature however are relatively flat towards the southern and western boundaries. The northern and eastern boundaries rise to ridgelines, with the northern area of the lots containing a large number of scattered trees. Other scattered trees also exist on the lots, and are mainly concentrated along the property boundaries.

Access to the larger property is available from a number of existing points, with the main dwelling on the larger property being accessed via an existing crossover and driveway connecting to Panyule Road. Established crossovers to Lot 1 and 2 also exist and connect to Freddys Lane and these access points as well as a number of access tracks within the site have been constructed to an all-weather standard to cater for the events that have been previously held on the subject land in 2013, 2014, 2015 and 2016.

Planning Background

Planning Permit PLP135/13 was issued on 23 September 2013 and allowed the subject land to be used as a place of assembly (music festival). This permit allowed for the 'Earthcore Festival,' which was held over the weekend of 29 November to 1 December 2013 and catered for 3000 patrons in on-site camping areas. The Earthcore Festival included live music entertainment across three stages as well as a number of market stalls and food stalls, including fundraising stalls from local community organisations.

Planning Permit PLP101/14 was issued on 17 October 2014 and allowed the Earthcore Festival to be held again on the subject land over the period of 27 November to 1 December 2014. This permit allowed an increased number of patrons from the event held in 2013 with 5000 patrons accommodated on the site. Other aspects of the event remained consistent with the previous festival, with site layout and facilities provided the same as in 2013.

Planning Permit PLP018/15 was issued on 11 September 2015 and allowed for the Eathcore Festival to be held for a single year during the period of 26 – 30 November 2015 and allowed 5000 patrons to be accommodated on the site.

PLP111/16 was approved by Council on 19 September 2016 to allow the event to occur between 24 November and 28 November 2016. The permit also permitted a second event to occur between the dates of 30 November and 4 December 2017 subject to a written request for further consent and the submission of reports and amended plans

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

prior to 30 March 2017 and satisfactory compliance with a number of performance objectives specified in the conditions of this permit.

Title/Restrictions/Agreements

There are no relevant covenants or agreements affecting the subject land.

Surrounding Area

The site is located within an established farming area located approximately 6.5km to the north-east of the township of Pyalong, which contains some local shops and community facilities as well as residential dwellings.

All properties surrounding the subject land are used for agricultural purposes, and are typically retained in large properties consisting of a number of lots (similar to the subject land). Some surrounding properties have also been developed with associated dwellings, however only two dwellings are located within 2km of the proposed event site on the land.

Freddys Lane is located approximately 4km from the intersection of Panyule Road and Seymour-Pyalong Road (Seymour-Pyalong Road continues in a westerly direction to the Pyalong Township). Both Panyule Road and Freddys Lane are unsealed however are formed with gravel.

APPLICATION HISTORY

Planning Permit PLP111/16 permitted the use of part of the land as a place of assembly (music festival), with ancillary accommodation and food and drink premises. Approval was sought for the event to occur over two consecutive years to be held over the last weekend in November in 2016 and 2017 (extending into December in 2017).

The permit was granted with conditions detailing that permission for the second year's event was subject to a further request for written consent and satisfactory compliance with a number of performance measures specified in the other conditions of the permit.

As the request has been made under the existing permit, the application has not been advertised. However, two written complaints have been received from residents who have expressed concerns regarding:

- Noise;
- The use of illicit drugs;
- Property damage;
- Dangerous driving; and
- The social impact of the event on the community.

In addition, as Victoria Police is a key stakeholder (and the body with possession of critical relevant information), Council has consulted with Victoria Police, which has indicated that it objects to the secondary consent being granted (Attachment 3). The concerns identified in the objection relate to:

- The use of illicit drugs;
- Incidents of drug and alcohol affected drivers;

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

- An association between the event and an increase in crime;
- Property damage;
- Poor communications (radio reception);
- Traffic issues; and
- Impact of event on resources.

PLANNING SCHEME PROVISIONS

The following planning controls were considered in the original assessment of PLP111/16.

Zoning

The subject site is located within the Farming Zone. Clause 35.07-1 of the Scheme requires a planning permit to be obtained for land in the Farming Zone to be used as a place of assembly. A music festival is considered a place of assembly in accordance with the definitions within the Mitchell Planning Scheme, and therefore a planning permit is required for the proposal under this provision.

Overlays

Whilst the subject land is affected by the Erosion Management Overlay and Salinity Management Overlay pursuant to the Mitchell Planning Scheme, the temporary structures associated with the event do not constitute buildings and works within the Act and therefore a planning permit for the works is not triggered under the overlays.

A number of state and local policies were considered in the assessment of the original planning permit prior to the granting of PLP111/16. The Council minutes from that meeting (Attachment 1) are attached for reference.

The Permit

Unlike many permits, the secondary consent provision of planning permit PLP111/16 under which the request is made is not a broad, unlimited secondary consent provision. The provision is narrow, and provides that any request made pursuant to condition 9 (for a 2017 event) was required to be made by 30 March 2017, and was required to be accompanied by a number of specified documents.

CONSIDERATION

The applicant has failed to comply with the requirements for an application for further consent as set out in condition 11, as the application was not made by 30 March 2017 include all relevant accompanying information as required.

The applicant emailed Council on 30 March 2017 in which he stated that the plans and reports would be submitted in the following days.

Information and documentation was then received by Council in various emails from the applicant between 30 March 2017 and 11 April 2017. Some of the information required under Condition 11 was received up to 11 days late and some other information has still not been provided. Having regards to this, compliance with Condition 11 of the permit has not been achieved, the request was not made in

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

compliance with the conditions of the permit and Council cannot now grant the secondary consent that has been applied for.

Planning merits assessment

Despite this non-compliance, officers have undertaken a review of the material lodged to determine whether the request for secondary consent would have been supported if it had been made in accordance with the conditions of the permit. Reports submitted to Council in support of the request for consent have included the following:

- Environment Management Plan – Version 17 – March 2017
- Emergency Management Plan – Version 14 – March 2017
- Noise Management Plan – Version 10 – March 2017
- Cleaning & Waste Management Plan – Version 12 – March 2017
- Traffic Management Plan – Version 8 - Earthcore 2017
- Traffic Operations Plan – Version 6 – Earthcore 2017
- Post Event Analysis Report – March 2017 – Earthcore 2016
- Risk Register – Version 8 – March 2017
- Post Event Analysis and Review of Earthcore Festival, November 24-27, 2016
 - Attachment A – Post Event Debrief – Minutes from Mitchell Shire Council
 - Attachment B – Acoustic Report – Earthcore Festival 2016, WMG Acoustics.
 - Attachment C – Site Layout Plan – Earthcore 2017
- Security Management Plan – Version 1/11.04.17- Earthcore 2017

Additionally, the following were submitted in response the other conditions of the planning permit following the 2016 event:

- Earthcore 2016 – St John Ambulance Debrief Report (12/01/2017)
- Earthcore 2016 – Noise field data and Measurement List Report (12/01/2017)
- Earthcore 2016 – Gate entry – Hour by Hour (12/01/2017)
- Earthcore 2016 – Road Condition Photos (13/01/2017)

An analysis of the information submitted is discussed below and has been categorised into the following groups, noise, traffic, security, litter, damage to land and adjacent land/roads and incidents of trespass.

Noise

To address potential noise impacts associated with the event, the planning permit required the submission of a noise management plan. In addition to modelling the likely effects of noise from the event, and recommending measures to ensure compliance, the plan included measures for the monitoring of sound and measures to address any complaints received during the event by the public. In addition, permit conditions required compliance with the State Environment Protection Policy No. 2 (SEPP N-2) and specified decibel levels.

Measures to address complaints

An important measure to address noise complaints from the public was the establishment of a noise hotline as stated in the noise management plan. The intention of which was to provide a direct line of communication between operators of the event and members of the public. It has been reported by members of the community that their repeated attempts to contact operators of the event on the noise hotline provided

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

went unanswered and/or unactioned. This is a significant failure of the management plan in responding to noise complaints from the community and is not satisfactorily addressed in the revised noise management plan. It is also noted that the management plan also is inconsistent with Condition 30 of the planning permit which restricts noise levels to not more than 115dB(A) between the hours of 11pm and 8am. The submitted noise management plan does not identify the restricted noise level during this period, instead showing output levels of up to and exceeding 125dB(A) during the 11pm to 8am period specified by the permit.

In reviewing the performance of the event against the planning permit, a number of other breaches have been identified. These include the playing of live music associated with the bar area past 9.00pm on Sunday 27 November, reports from members of the community concerning offsite amenity associated with loud music resulting in non-compliance with SEPP N-2, at least one recorded breach of the noise levels exceeding 125dB(A) from a noise reading taken onsite by Earthcore's acoustic engineer and noise levels exceeding 65dB(A) taken from adjoining sensitive areas during night time periods. It is also noted that comments in table 1 of the post event analysis submitted by the event organiser identifies that no formal records were kept at the mixing desk of noise levels, making it more impossible to demonstrate that the event satisfied the conditions of the permit and the noise management plan in regards to noise emissions.

Condition 11 of the permit also required a report from a qualified acoustic engineer which demonstrates compliance with SEPP N-2 and the endorsed management plan. This was an important and critical requirement. This condition was included to ensure that the actual noise caused by the 2016 event was monitored and reported on, with consideration to be given to approving a 2017 event only if this report demonstrated compliance with SEPP N-2.

Importantly, this report has not been provided – the supplied document is the same noise management plan supplied prior to the 2016 event; accordingly, it models noise impacts and measures to control noise in a way that is now known did not satisfactorily resolve problems.

This report has not been provided. Furthermore, the post event analysis undertaken by the event organiser does not satisfactorily address how noise can be better managed in the future.

Traffic

The traffic report and operations plan endorsed under the permit provided a plan for the management of internal and external traffic. The plan provides that all people involved in traffic management were required to have appropriate training. Council officers observed during the event that volunteers used to control traffic did not have sufficient training, understanding, or capacity to appropriately manage traffic within the site and appeared to be under the influence of drugs and/or alcohol.

Officers also observed that signage required by the traffic management plan was absent inside the venue, and the vehicle queuing area was not established correctly, causing a bank up of traffic external to the event. This bank up of traffic had the potential to create a safety hazard not only for festival goers entering the site, but also to emergency vehicles, should they have had cause to enter/exit the site during this period.

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

At one point, the poor traffic control being undertaken by the volunteers engaged by the event organizers caused Police operations vehicles to wait for a period prior to exiting the site. Council officers unsuccessfully attempted to have traffic matters addressed. The officers noted that the volunteers they spoke to not appear to comprehend what was being asked, and appeared unaware of the requirements to implement the entry strategy endorsed by the permit. Traffic control matters were only addressed in any way after Council officers brought the issues to the attention of the site managers.

Security

To address matters concerning the provision of security, a security management plan was prepared. Aspects of the management plan included details regarding illicit drug use, alcohol consumption, anti-social behavior and violence, trespass and damage to property.

The security plan identified a “no tolerance” approach to the use of illicit drugs, with offenders to be handed over to the police for immediate removal. During the event, Council officers observed behaviour that appeared to be consistent with illicit drug use, and Victoria Police has reported that a number of patrons were arrested on drug related offences. St Johns medical data reveals that 77 patrons were treated for illicit drug use, some of whom were treated multiple times. Contrary to the security plan, even though a number of patrons were identified as using illicit drugs, no patrons were evicted from the site or handed to the police in accordance with the security management plan.

Patrons treated for illicit drug use included two people under the age of 18 years of age. As part of the post event discussions between organisers of the event, Council and other authorities, a response on how this was to be addressed for a possible future event was requested. However, no response to this request has been provided.

The main issue with the security plan is not that the plan is inadequate, it was a failure to implement the plan properly, however officers have also identified a number of areas where the security plan could be improved.

In view of the significant issues associated with the use of illicit drugs during the event, officers consider that the number of security staff patrolling the 2016 event at any one time was not sufficient to effectively control the use of drugs and monitor/assist remaining patrons. In addition, the training of staff members in the control of drug affected people was not adequate as demonstrated by the failure of event staff to follow the processes identified in the security management plan. Despite feedback about this, the organisers of the event have not proposed any changes to the security management plan. The post analysis report also fails to identify these matters as matters that needs addressing, with no suggested improvements mentioned.

It is also worthy to note that Victoria Police have strongly objected to the event proceeding, and have advised that should the event proceed in the future, it will require the organisers of the festival to pay for the services of Victoria Police. This service would be provided in addition to private security as it is not the intention of Victoria Police to take over these responsibilities, but rather to monitor the behaviour of attendees to the festival and take appropriate action if required. To address matters concerning the provision of security, a security management plan was prepared. Aspects of the management plan included details regarding illicit drug use, alcohol consumption, anti-social behavior and violence, trespass and damage to property.

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

Litter/Toilet facilities

A waste management plan was endorsed as part of the planning permit. This plan addressed matters concerning the collection and disposal of various waste streams including general rubbish, recyclable materials and waste generated from the toilet facilities. The control of litter was satisfactory with appropriate measures in place to collect and dispose of litter and recycled materials.

In general, sufficient provision of toilet facilities were also provided to accommodate patrons with no unreasonably long waiting periods observed by Council officers during the course of the event. However, it was discussed with the operators that the towable toilet block was temporarily required towards the entry gate for use during the inflow of patrons, and could be relocated safely afterwards. The toilet location has been identified in the post analysis report and has been included in the 2017 waste management plan.

Damage to land and adjacent land/roads and incidents of trespass.

A review of the local road network and the land has not revealed any damage or deterioration beyond what could reasonably be expected for the event.

Officers are not aware of any reports of trespass on neighbouring land. However, Victoria Police have advised of incidents involving significant damage to vehicles parked outside of the subject site. The plans submitted in support of the 2017 event have not been amended to address this issue. The post analysis report suggests that additional patrols will be undertaken along property boundaries abutting adjacent roadways. However, without increasing security numbers to accommodate these increased patrols, it is considered that the level of security provided within the venue will be unreasonably compromised. Additionally, no details have been provided to identify the number of security personnel that are to be provided by Earthcore. It is expected that the submitted security management plan would have been amended to clearly identify how this issue was to be addressed to prevent future damage to vehicles.

A post-event site condition report in accordance with Condition 20 of the permit was also not submitted.

Emergency/Fire Management

In response to the 2016 event, comment from St Johns Ambulance were generally favourable. However, some suggestions were made to address the uneven floor of the medical tents and the provision of an additional tent to accommodate the number of patrons requiring medical assistance. Comments in the post analysis report also identify these as being appropriate to include a revised plan for 2017. However, these matters do not appear to have been addressed in the 2017 Emergency Management Plan. A revised location of the helipad for the emergency helicopter is also suggested in the post event analysis but no site has been nominated.

Onsite communications throughout the event was identified in the post event meeting between Council, the event organiser and the authorities as a concern requiring attention. Issues with communication relate primarily to the poor phone and radio reception on the subject land, having the potential to impact the response of emergency services and event staff. The post event report does not identify how this is to be addressed with comments indicating that further investigation is required. This

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

response has been given from the organisers in years past without sufficient improvement being achieved. Given the significant nature of this matter, the response to this critical issue is insufficient.

The CFA identified in the debrief that changes were required to the mineral earth break which protects fire spreading inward and outward of the event. Organisers have detailed that they wish to address this matter. This will be required to be addressed in the Fire Management Plan that must be provided under Condition 35 of the planning permit.

CONCLUSION

The organisers of the Earthcore Event have sought written consent from Council under condition 9 of Planning Permit PLP111/16, to stage an event at 210 Panyule Road, Pyalong on the dates of 30 November until 4 December 2017.

The applicant has failed to meet the requirements of the permit. In particular, the request was not lodged with Council with all relevant documentation to demonstrate that the 2016 event was operated to an appropriate standard by 30 March 2017, and, officers are of the view that the 2016 event was not satisfactorily conducted. Therefore, officers are recommending that Council does not issue consent to enable the event to occur in 2017.

RECOMMENDATION

THAT Council resolve to refuse to provide further consent, under PLP111/16, to allow for a Place of Assembly (Music Festival) at Lots 1 and 2 on TP888334B, known as 210 Panyule Road, Pyalong between the dates of 30 November and 4 December 2017 for the following reasons:

1. The request for further written consent was made outside of the timeline stipulated under Condition 11 of PLP111/16 and was not accompanied by all of the plans required under this condition.
2. The operation of the 2016 music festival failed to satisfactorily comply with the conditions and the approved plans of the planning permit impacting on:
 - the amenity of the area, particularly with regards to noise;
 - patron/staff safety; and
 - property damage.
3. The information and plans submitted in support of a second event does not adequately address conditions of the permit and the concerns identified in the post event meeting between Council officers, the event organisers and authorities.
4. The information and plans submitted in support of a second event do not demonstrate that the event will be conducted in a way that does not cause an unreasonable impact on the amenity on the area.

PLANNING PERMIT APPLICATION PLP111/16 FOR FOR USE OF PART OF THE LAND AS A PLACE OF ASSEMBLY (MUSIC FESTIVAL) AT 210 PANYULE ROAD, PYALONG (CONT.)

5. The information and plans submitted in support of a second event do not demonstrate that the event will be conducted in a way that will not expose patrons and staff to risk of injury.
6. Approval of the event will unreasonably impact on the amenity of the area.
7. Approval of the event will lead to unacceptable safety and security concerns for patrons and staff of the event and users of the local road network.
8. Approval of the event will not represent proper and orderly planning.

NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

9.3 NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

Author: Niall Sheehy - Manager Development Approvals

File No: CL/04/004

Attachments: Nil

SUMMARY

The following is a summary of planning activity before the Victorian Civil and Administrative Tribunal (VCAT) as well as a list of decisions on planning permit applications dealt with under delegated powers for the period detailed.

RECOMMENDATION

THAT the report on the Victorian Civil and Administrative Tribunal Hearings and Activities carried out under delegation be received and noted.

Victorian Civil and Administrative Tribunal (VCAT) activity update.

Upcoming appeals

The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
Hearing occurred on 3 & 4 May 2017 – awaiting decision	VCAT - P762/2016 Council - PLP228/15	225 Mahady's Road, Upper Plenty	Use of part of the land for a depot (in association with an arborist business) and timber yard	Refusal to Grant a Planning Permit
24 August 2017	VCAT - P2556/2016 & P2558/2016 Council - P306820/12.0 1 & PLP061/14.02	26 O'Gradys Road, Kilmore	Function centre & extended home occupation	Part refusal and appealing conditions on approval
30 October 2017	VCAT P1016/2017 - Council PLP060/16	57 Melbourne Street, Kilmore	59 Lot Staged subdivision	Appeal against decision to approve permit
TBA	Not yet provided Council - PLP112/16	57-59 High Street, Wallan	Demolition of a heritage place, construction of a two-storey commercial building & a reduction in car	Appeal against conditions that require: <ul style="list-style-type: none"> Prior to occupation of the building, vehicle access is to be provided for car

NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

			parking requirements	parking to the rear of the approved building <ul style="list-style-type: none"> The public space towards the front of the site to be transferred to Council at no cost
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Activities Carried out Under Delegation

A list of planning permit applications dealt with under delegated powers for the month of April is included below.

Permit No.	Address	Description of Permit	Decision By	Date Approved
South Ward				
PLP059/17	3 Quarry Siding Road WANDONG	Building and works for a carport	Planning Permit	01/05/17
PLA303767/04.01	170 Wallan Whittlesea Road WALLAN	Subdivision into 600 lots	Condition Plans	03/05/17
PLP283/16	Northern Highway WALLAN	Multi lot residential subdivision and removal of native vegetation	Planning Permit	01/05/17
PLP255/14.01	31 Stanley Street WALLAN	Multi-dwelling development comprising the construction of two (2) dwellings and a two (2) lot subdivision	Extension of Time	02/05/17
PLP087/16	Theodore Court WANDONG	Use of the land for a warehouse (self-storage units)	Condition Plans	09/05/17
PLP286/15	110 South Mountain Road UPPER PLENTY	Buildings and works including an extension to an existing dwelling	Secondary Consent	12/05/17
PLP066/17	85 Windham Street WALLAN	2 lot subdivision SPEAR S100567P	Planning Permit	11/05/17
P305845/09	3 Darraweit Road WALLAN	To construct twenty (20) dwellings on land associated with vegetation removal	Extension of Time	17/05/17
P307114/12	170 Wallara Waters Boulevard WALLAN	Multi dwelling development (10 dwellings)	Extension of Time	22/05/17
PLP028/16	Valley Drive WALLAN	16 lot subdivision and removal of vegetation	Endorsed Plans	30/05/17
Central Ward				
PLP297/16	395 Wandong Road KILMORE	Use and development for a dwelling	Planning Permit	01/05/17
PLP047/17	310 Paynes Road FORBES	Use and development of the land for a dwelling	Lapsed	04/05/17
PLP023/17	16 Church Street KILMORE	3 lot subdivision SPEAR (S098760E)	Planning Permit	02/05/17

NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

PLP052/17	10 Jamieson Street BROADFORD	VICSMART : 2 lot subdivision SPEAR S099945S	Planning Permit	11/05/17
PLP011/17	11 Anvil Avenue KILMORE	Building and works for a warehouse	Planning Permit	17/05/17
PLP100/17	3 Hammond Court SUNDAY CREEK	Use and development of the land for a dwelling and shed	Planning Permit	17/05/17
PLP194/16	15 Albert Street KILMORE	Construction of one dwelling to the rear of an existing dwelling	Endorsed Plans	17/05/17
PLP044/17	60 Thompsons Spur Road REEDY CREEK	Use and development of the land for a dwelling	Condition Plans	15/05/17
PLP206/16	86 Albert Street KILMORE	Six (6) lot subdivision	Planning Permit	18/05/17
PLP027/17	105 Spur Road CLONBINANE	Use and development of the land for a dwelling	Endorsed Plans	19/05/17
PLP297/16	395 Wandong Road KILMORE	Use and development for a dwelling	Endorsed Plans	25/05/17
PLP048/17	12 Doyle Street REEDY CREEK	Building and works for the construction of a shed	Planning Permit	25/05/17
PLA304503/05.01	Tootle Street KILMORE	For the construction and use of a retirement village	Endorsed Plans	30/05/17
North Ward				
PLP070/17	12 Parry Street SEYMOUR	Building and works associated with the construction of a garage and carport	Planning Permit	04/05/17
PLP276/16	High Camp Road HIGH CAMP	Use and development for a dwelling and carport	Planning Permit	12/05/17
PLP038/17	25 Crawford Street SEYMOUR	Buildings and works for a dwelling extension	Planning Permit	12/05/17
PLP281/16	1 Kurkurac Court HIGH CAMP	Use and development of the land for animal breeding (cats and dogs)	Endorsed Plans	11/05/17
PLA304424/05	165 Middle Springs Road TOOBORAC	Liquor Licence and Development of Café	Amended Planning Permit	16/05/17
PLP032/17	100 Station Street SEYMOUR	Building and works to existing building and outdoor seating/ barriers	Planning Permit	16/05/17
PLP045/17	1/22 Emily Street SEYMOUR	Alteration of access to a Road Zone - Category 1	Planning Permit	17/05/17
PLP086/17	85 Hagans Road TOOBORAC	Building and works to extend an existing dwelling	Planning Permit	19/05/17
P304914/07.03	298 Goulburn Valley Highway SEYMOUR	Use and development of animal boarding and associated works,	NOD to Amend	24/05/17

NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

		alteration to access to the Road Zone - Category 1 and display of signage		
PLP132/16	955 Forbes Moranding Road HIGH CAMP	Buildings and works for the construction of a dwelling	Endorsed Plans	24/05/17
P306892/12.01	Burke & Wills Track GLENHOPE	Use and development of the land for a winery, rural industry, art gallery, restaurant and caretaker's residence; sale and consumption of liquor and a waiver of bicycle facility requirements in accordance with the endorsed plans	Extension of Time	25/05/17
PLP118/17	45 Seymour Pyalong Road HILLDENE	VICSMART: Building and works for a shed	Planning Permit	25/05/17
P306472/11.01	3 Majors Line Road TOOBORAC	To use and develop the land for a dwelling and the construction of an outbuilding	Secondary Consent Refusal (Permit expired)	25/05/17

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report. Failure to comply with the Child Safe Standards and associated legal responsibilities would be a breach of human rights.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

10 EXECUTIVE SERVICES

Nil Reports

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION: NO. 913 - UNSEALED LOCAL ROADS

Author: *Councillor Bill Chisholm*

File No: *AD/06/002-03*

Attachments: *Nil*

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 19 June 2017.

MOTION

THAT Council add an additional question to our annual Local Government Community Satisfaction Survey to gain the level of community satisfaction with Councils unsealed local Roads network.

Councillor Comment:

Mitchell Shire has a vast network of over 750kms of unsealed local roads. With many people living on and/or relying on this network for their everyday activities, it is important to understand the level of community satisfaction with all our Roads. Council are aware of the sealed roads status from this latest survey but it is equally important to understand where unsealed local roads fit in the lives of rural community members.

Signed: _____

Cr Bill Chisholm

Date: 6 June 2017

11.2 NOTICE OF MOTION: NO. 914 - PUCKAPUNYAL MILITARY AREA**Author:** *Councillor Rhonda Sanderson***File No:** *GT/02/002-01***Attachments:** *Nil*

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 19 June 2017.

MOTION

THAT Council write to the Minister for Defence, the Honourable Marise Payne seeking a meeting to discuss the ongoing future of the Puckapunyal Military Area and also the Army Tank Museum project at Puckapunyal

Councillor Comment:

The Puckapunyal Military Area is the largest employer in Mitchell Shire. The base and its activities are crucial to the local economy. It would be very useful for Mitchell Shire to have an understanding of the ongoing plans for Puckapunyal and the Army Tank Museum.

Signed: _____

Cr Rhonda Sanderson

Date: 6 June 2017

12 DELEGATES REPORTS

12.1 DELEGATE REPORT: MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE

Author: Elyse Kelly - Environmental Programs Coordinator

File No: ET/03/003

Attachments:

SUMMARY

This report provides an overview of the Mitchell Environment Advisory Committee (MEAC) and a summary of *the* discussions held a special meeting on 17 May 2017.

Cr. Eldridge chaired the meeting and Council representatives included the Environment Coordinator.

RECOMMENDATION

THAT Council receives and notes the Delegates Report, Mitchell Environment Advisory Committee overview and update.

BACKGROUND

In July 2011 Council established the Mitchell Environment Advisory Committee (MEAC). During 2013, Council reviewed the Committee's Terms of Reference (TOR) including its role and purpose.

The purpose of the Mitchell Environment Advisory Committee is to capitalise "*...on the knowledge, experience and skill available in the community to provide Mitchell Shire Council with strategic advice in respect to environmental sustainability and management issues and initiatives within the municipality*".

DISCUSSION

A special meeting of MEAC was held on the 17 May 2017 with the following items discussed:

- The Committee discussed the Draft 2017-2021 Council Plan and finalised their written advice to Council on this important strategic document.
- The Committee also finalised their written advice on the draft Beveridge Township Development Plan Stage 1.
- The review of the Mitchell Shire Sustainable Resource Management Strategy was discussed and the Committee gave in principle support to the proposed review process.

12.2 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: CL/04/001-03

Attachments: 1. Councillor Delegate Report - May 2017

SUMMARY

This delegate's report provides an update on activities and deliberations of groups and associations for which Councillors are an appointed delegate for the period May 2017 and also other activities attended as a Council representative.

RECOMMENDATION

THAT the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Councillors for May 2017 be received and noted.

BACKGROUND

The 2016 Council Elections were held on 22 October 2016. New committee and organisation delegates were appointed on 21 November 2016. This report is presented in response to NOM 881 of the 21 November 2016 meeting which requested that each Councillor submits a Delegate Report for inclusion in the monthly Council Meeting agenda, commencing from the December 2016 meeting.

The Delegates Reports will include:

- a. Activities attended as a nominated Council Delegate; and
- b. Other activities attended as a Council representative.

The Report will not include:

- a. Assemblies of Councillors (as they are already reported in Council Agendas);
- b. Private meetings.

The Report should be verifiable by the Councillor from the Councillor's Council Diary.

DISCUSSION

Councillors have attended a number of meetings in this period as per their appointments as delegate and other activities as a Council representative as per Attachment 1.

13 GENERAL BUSINESS

In accordance with Clause 30 of the Meeting Procedure Local Law.

14 URGENT BUSINESS

In accordance with Clause 31 of the Meeting Procedure Local Law.

15 CONFIDENTIAL BUSINESS**RECOMMENDATION**

THAT in accordance with Section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under Section 89(2), as specified below.

15.1 Confirmation of Minutes of previous Confidential Meeting**15.2 Proposed Sale of Land at 58C Fitzroy Street Kilmore**

s89(2)(g) matters affecting the security of Council property.

15.3 Variation Process Review

s89(2)(d) contractual matters.

15.4 Chief Executive Officer Performance Review

s89(2)(a) personnel matters.

15.5 Re-opening of Meeting to members of the public**16 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 17 July 2017 at the Mitchell Council Chambers, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING