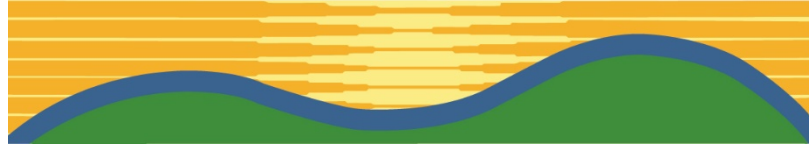


**MITCHELL SHIRE COUNCIL**



**ORDINARY  
COUNCIL MEETING  
MINUTES**

**MONDAY 20 JUNE 2016**



## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	<b>GOVERNANCE DECLARATION</b> .....	1
2	<b>APOLOGIES AND LEAVE OF ABSENCE</b> .....	1
3	<b>DISCLOSURE OF CONFLICTS OF INTEREST</b> .....	2
4	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b> .....	2
5	<b>PETITIONS AND JOINT LETTERS</b> .....	2
5.1	Reduction in Operating Hours - Tallarook Outdoor Pool .....	2
5.2	Funding for Sealed Path - Kilmore Lancefield Road .....	3
5.3	Building of a Footpath and Footbridge - Northern Highway Kilmore .....	3
6	<b>PRESENTATIONS</b> .....	3
7	<b>SUSTAINABLE COMMUNITIES</b> .....	4
7.1	Wandong & Heathcote Junction Heritage Gap Study 2016.....	4
7.2	Planning Scheme Amendment C111 - Kilmore Water Tanks.....	11
7.3	Wallan Town Centre Masterplan and Urban Design Framework .....	14
7.4	Victorian Civil and Administrative Tribunal Hearings and Activities Carried Out Under Delegation.....	23
7.5	Proposed Heritage Advisory Committee Membership: 2016- 2018 .....	26
7.6	Adoption of the Economic Development Strategy .....	29
7.7	Mitchell Learning and Library Strategy Update .....	35
7.8	Mitchell Open Space Strategy Update and 2016/17 Action Plan .....	39
7.9	Committees of Management and Funding and Service Agreement Review .....	45
7.10	Mitchell Access and Inclusion Disability Plan .....	51
7.11	Mitchell Shire Cultural Diversity Plan 2014-2017 .....	56
7.12	Living Well for Life Strategy- Year Three Action Plan 2016/2017.....	61
7.13	Municipal Public Health And Wellbeing Plan 2013-2017- Year Four Action Plan 2016-2017.....	65
7.14	Resilient Melbourne Strategy .....	69

<b>8</b>	<b>CORPORATE SERVICES.....</b>	<b>72</b>
8.1	Adoption of the 2016-2017 Budget, Rating Strategy and Strategic Resource Plan 2017-2020 .....	72
8.2	Wallan Bowling Club - Loan Guarantee .....	81
8.3	Procurement, Tendering and Contract Management Policy Suite Review .....	85
<b>9</b>	<b>ENGINEERING AND INFRASTRUCTURE .....</b>	<b>88</b>
9.1	Weed Mitigation in Mitchell Shire .....	88
<b>10</b>	<b>EXECUTIVE SERVICES AND GOVERNANCE .....</b>	<b>98</b>
10.1	Section 193 Entrepreneurial Powers Incorporation of Rural Councils Victoria .....	98
<b>11</b>	<b>NOTICES OF MOTION.....</b>	<b>102</b>
11.1	Notice of Motion: No. 859 - Kilmore Art Trail Project Update on Lego Plane Installation .....	102
11.2	Notice of Motion: No. 860 - Lobed Needle Grass .....	103
11.3	Notice of Motion: No. 861 - Transparency in Planning Matters .....	105
11.4	Notice of Motion: No. 862 - Place Naming Policy .....	106
11.5	Notice of Motion: No. 863 - Community Meetings - Seymour War Memorial Outdoor Pools .....	107
11.6	Notice of Motion: No. 864 - Recording of Voting .....	108
11.7	Notice of Motion: No. 866 - Road Infrastructure Funding .....	109
11.8	Notice of Motion: No. 867 - Review of Waste Services for Rural Properties.....	111
<b>12</b>	<b>DELEGATES REPORTS.....</b>	<b>112</b>
12.1	Delegate Report: Mitchell Environment Advisory Committee Overview and Update.....	112
12.2	Delegate Report - Overview And Update On Activities And Delegate Deliberations - Cr Sue Marstaeller .....	114
12.3	Delegate Report - Overview And Update On Activities And Delegate Deliberations - Cr Rhonda Sanderson .....	115
<b>13</b>	<b>GENERAL BUSINESS .....</b>	<b>117</b>
13.1	Congratulations to Braydon Meyer .....	117
<b>14</b>	<b>URGENT BUSINESS .....</b>	<b>117</b>
<b>15</b>	<b>CONFIDENTIAL BUSINESS.....</b>	<b>117</b>

---

15.1 Confirmation of Minutes of previous Confidential Meeting .....117

15.2 Broadford Amateur Theatre Company MOU .....117

15.3 Delegate Report - Audit Committee - Overview and Update .....117

15.4 Green Waste Mulching Services for Resource Recovery  
Centres Contract Extension .....117

15.5 Provision of Insurances - Public & Products Liability, and  
Professional Indemnity .....118

15.6 Re-opening of Meeting to members of the public.....118

**16 DATE OF NEXT MEETING .....118**

**17 CLOSE OF MEETING .....118**



**MINUTES OF THE ORDINARY COUNCIL MEETING OF  
THE MITCHELL SHIRE COUNCIL HELD AT MITCHELL  
CIVIC CENTRE, 113 HIGH STREET BROADFORD ON  
20 JUNE 2016**

**THE MEETING OPENED:** 7.00pm

**COUNCILLORS PRESENT**

Cr Rodney Parker Central Ward  
Cr Des Callaghan Central Ward

Cr Bill Melbourne North Ward  
Cr Rhonda Sanderson North Ward  
Cr Bill Chisholm North Ward

Cr Sue Marstaeller South Ward (Chairperson)  
Cr Bob Cornish South Ward

**OFFICERS PRESENT**

Mr David Turnbull Chief Executive Officer  
Mr Laurie Ellis Director Corporate Services  
Mr Julian Edwards Acting Director Sustainable Communities  
Mr Jeff Saker Director Engineering and Infrastructure  
Mrs Nicole Maxwell Manager Finance  
Mrs Rosemary Scott Communications and Improvement Coordinator  
Mr Lee McSweeney Governance Advisor

---

---

**1 GOVERNANCE DECLARATION**

The declaration was read by Cr B. Cornish.

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Council Resolution**

**MOVED:** CR. W. MELBOURNE

**SECONDED:** CR. D. CALLAGHAN

**THAT** the apology for this meeting received from Cr. K. Mulroney and a leave of absence from Cr. R. Lee be accepted.

**UNANIMOUSLY CARRIED**

### 3 DISCLOSURE OF CONFLICTS OF INTEREST

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

David Turnbull, disclosed a conflict of interest in Confidential Business agenda item 15.5. Please refer to page xx for disclosure information in the Confidential Business Minutes.

### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. SANDERSON

**THAT** the Minutes of the Ordinary Council Meeting held 16 May 2016 and the Minutes of the Special Council Meeting held 23 May 2016, as circulated, be confirmed.

**UNANIMOUSLY CARRIED**

### 5 PETITIONS AND JOINT LETTERS

*In accordance with Clause 66 of Local Law No. 4 – Meeting Procedures.*

#### 5.1 REDUCTION IN OPERATING HOURS - TALLAROOK OUTDOOR POOL

Cr. Rhonda Sanderson

Cr Sanderson tabled a petition containing over 257 signatures received through the budget submission process which calls:

*We are genuinely concerned about the Council's 2016/17 draft budget which indicates there will be an intended \$50,000 cut from the Mitchell Leisure Services costs. Specifically we are alarmed by the suggestion of a reduction in operating hours for the Tallarook Outdoor Pool.*

*Local community and Friends of the Tallarook Pool have invested significant time and effort into the Tallarook Outdoor Pool on behalf of Council and were successful in increasing patronage by 45% for the 2015/2016 pool season.*

*The Friends of the Tallarook Pool are committed to work with Council to further increase patronage and solidify the Tallarook Outdoor Pool as long-term community asset. We see the Tallarook Outdoor Pool as an integral part of the community of Tallarook and surroundings areas.*

*Consequently we request that the Tallarook Outdoor Pool be exempt from any cuts to the Leisure Services' budget.*



## **5.2 FUNDING FOR SEALED PATH - KILMORE LANCEFIELD ROAD**

Cr. Des Callaghan

Cr Callaghan tabled a petition containing over 47 signatures received through the budget submission process which calls:

We the undersigned, urge the Mitchell Shire Council to prioritise funding the installation of a sealed footpath to run along the northern side of the Kilmore-Lancefield Road from the driveway of 70 Kilmore-Lancefield Road to Sydney Road. The installation of such a footpath will greatly increase the safety of elderly people who want to walk or ride motorized vehicles between the town centre and the aged care home BlueCross Willowmeade.

Currently the only footpath is on the south side of the road, which requires them to cross the often busy road and be able to mount the footpath step opposite, which they are unable to do on a motorized scooter or wheelchair. The current arrangement places elderly people at high risk of being hit by oncoming traffic, so we ask the Council to consider our request as a priority.

## **5.3 BUILDING OF A FOOTPATH AND FOOTBRIDGE - NORTHERN HIGHWAY KILMORE**

Cr. Rodney Parker

Cr Parker tabled a petition containing over 67 signatures which calls:

Support the building of a footpath and footbridge from 108-110 Northern Highway (Kilmore Caravan Park) to Clark Street (Coles and McDonalds) Kilmore.

## **6 PRESENTATIONS**

*In accordance with Clause 65 of Local Law No. 4 – Meeting Procedures.*

No presentations were received.

## 7 SUSTAINABLE COMMUNITIES

### 7.1 WANDONG & HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016

**Author:** *Liam Wilkinson - Strategic Planner*

**File No:** *PL/05/165*

**Attachments:**

1. *Mitchell C113 Explanatory Report*
2. *Mitchell C113 Instruction Sheet*
3. *Mitchell C113 21\_mss06*
4. *Mitchell C113 22\_lpp02*
5. *Mitchell C113 42*
6. *Mitchell C113 43\_01s\_mith[1]*
7. *Mitchell C113 61\_03s\_mith[1]*
8. *Mitchell C113 81\_01s\_mith[1]*
9. *Mitchell C113 Permit Exemption Incorporated Plan*
10. *Mitchell C113 001sloMaps15\_18\_20\_21 Exhibition*
11. *Mitchell C113 Statement of Significances*
12. *Wandong and Heathcote Junction Heritage Gap Study 2016*

---

#### SUMMARY

The Wandong and Heathcote Junction Heritage Gap Study 2016 (Attachment 12) has been completed and recommends a number of places be added to the Heritage Overlay and Heritage Inventory.

The Study implements a recommendation from the Panel Report for Amendment C56 to the Mitchell Planning Scheme and further investigated a number of heritage sites in Wandong, Heathcote Junction and surrounding areas.

The Study was prepared as part of the Wandong and Heathcote Junction Structure Plan project and the outcomes have been carefully considered as part of preparing the draft Wandong and Heathcote Junction Structure Plan and incorporated into the Heritage element of the plan.

The Study was undertaken in close collaboration and consultation with the Wandong History Group who provided considerable input into the report.

The Study makes a number of recommendations:

- including eleven (11) additional places of local significance to Mitchell Shire in the Heritage Overlay (HO),
- including one (1) place of local significance to Mitchell Shire in the Significant Landscape Overlay (SLO),
- amending HO309 Wandong Heritage Precinct to include three (3) additional contributory places,
- submitting seven (7) site cards of places containing archaeological potential to Heritage Victoria for inclusion on the Victorian Heritage Inventory (VHI), and
- providing interpretation for a number of sites which were investigated.

---

WANDONG & HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

It is recommended that the final Study be adopted by Council and its recommendations be implemented through Planning Scheme Amendment C113 (draft amendment documentation included in Attachments 1-11) and by submitting prepared site cards for inclusion in the Heritage Inventory.

### **COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. PARKER

**THAT** Council:

1. Adopt the Wandong and Heathcote Junction Heritage Gap Study 2016.
2. Thank the Wandong History Group for their significant contribution to the preparation of the study.
3. Seek ministerial authorisation in accordance with section 8(a) of the planning and environment act 1987 to prepare Mitchell planning scheme amendment C113 generally in accordance with the attached amendment documentation to:
  - Include eleven (11) additional places of local significance to Mitchell shire in the heritage overlay (HO),
  - Include one (1) place of local significance to Mitchell shire in the significant landscape overlay (SLO), and
  - Amend ho309 Wandong heritage precinct to include three (3) additional contributory places.
4. Subject to ministerial authorisation being granted, prepare and exhibit Mitchell planning scheme amendment c113 in accordance with the planning and environment act 1987.
5. Submit the site cards prepared for seven (7) places containing archaeological potential to heritage Victoria for inclusion on the Victorian heritage inventory.

**UNANIMOUSLY CARRIED**

### **BACKGROUND**

The Wandong and Heathcote Junction Heritage Gap Study 2016 (Attachment 12) has been undertaken in conjunction with the preparation of the Wandong and Heathcote Junction Structure Plan.

The Study implements a recommendation from the Panel Report for Amendment C56 to the Mitchell Planning Scheme. Amendment C56 implemented a number of previous heritage studies and included three (3) HO's in Wandong. As part of the panel, a submission was made by the Wandong History Group whom presented on a number of other potential heritage sites which had not been identified in the previous heritage studies.

The Panel considered the submission made by the Wandong History Group and in its reports recommended:

*that the Wandong area, particularly the sites identified in the submission by the Wandong History Group, should be the subject of further investigation, particularly in relation to industrial heritage significance.*

## WANDONG &amp; HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

The Study was commissioned to ensure that these sites were properly investigated as part of understanding the context and issues in Wandong and Heathcote Junction to inform the preparation of a Structure Plan for the townships.

## ISSUES AND DISCUSSION

Wandong and Heathcote Junction have a rich history, built on a range of important themes including; timber, industry (such as timber seasoning and brickworks) and the railways. There are a number of remnant buildings and sites which are significant to this heritage and the local community. The Study included research into the history of Wandong and Heathcote Junction which provides the context for the identified heritage places.

The Study was divided into two stages. As part of Stage 1, a preliminary investigation was undertaken in respect to over 40 potential heritage places in Wandong, Heathcote Junction and nearby areas such as Clonbinane. These places were compiled as result of previous research by the Wandong History Group and as a result of further research undertaken during the Study.

Places of potential significance were identified for further more detailed investigation as part of Stage 2. The places for further investigation included; dwellings, trees, former industrial sites and number of archaeological sites. The further investigation included an assessment as to whether the places met the 'threshold' of being of local significance.

Citations were prepared for the following thirteen (13) places identified as being of local significance:

Place Name	Finding & Recommendation
Fire Lookout Tree Ryan Rise, Clonbinane	Local significance Interpretation only
Smedley's Farm Complex 85 Smedley's Lane, Clonbinane	Local significance Add to HO, as individual place with tree controls applied to the significant mature Elms
Smalley House (former) 37 Glenburnie Avenue, Heathcote Junction	Local significance Add to HO, as individual place
Victorian Railways Stationmaster's House 121 Rail Street, Heathcote Junction	Local significance Add to HO, as individual place
House 159-61 Rail Street, Heathcote Junction	Local significance Add to HO, as individual place
No.4 Camp Office (former) 25 Range Avenue, Heathcote Junction	Local significance Add to HO, as individual place
House 45 Affleck Street, Wandong	Local significance Add to HO, as individual place
Oak (adjacent to Dry Creek) Dry Creek Crescent, Wandong	Local significance Add to HO, as individual place
Syd Harper House	Local significance

## WANDONG &amp; HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

21 Dry Creek Crescent, Wandong	Add to HO, as individual place with outbuilding control applied to the former No.1 Camp hut (same HO number as 'Blackwood')
'Blackwood' (Jack Harper House) 33 Dry Creek Crescent, Wandong	Local significance Add to HO, as individual place (same HO number as Syd Harper House)
Wandong Primary School trees and shelter/storage shed 39-51 Rail Street, Wandong	Local significance Add to HO, as individual place with application of tree control to Oak trees and outbuilding control to shelter shed.
Government Quarry (Mathieson's Quarry) The Dene, Wandong	Local significance Add to SLO

Further, the existing citation for HO309- Wandong Heritage Precinct has been revised to include three (3) additional contributory places to the precinct.

It is recommended that Planning Scheme Amendment C113 to the Mitchell Planning Scheme be prepared (draft amendment documentation included in Attachments 1-11) to implement the recommendations of the citations prepared for the heritage places.

Site cards were prepared for the archaeological sites. These sites did not contain sufficient tangible remnants to meet the threshold of inclusion on the HO however have the potential to contain substantial archaeological material.

Site cards have been prepared for the following sites:

Place Name	Finding & Recommendation
Wandong, Heathcote & Sandhurst Railway (Heathcote Junction to Kilmore section)	Low archaeological significance Add to VHI
Outbuilding and house site 140 North Mountain Road, Heathcote Junction	Medium archaeological significance Add to VHI
Heather Farm 2977 Epping-Kilmore Road, Heathcote Junction	Medium archaeological significance Add to VHI
Australian Seasoned Timber Co. site Dry Creek Crescent, Wandong	High archaeological significance Add to VHI
Timber Tramway (section) Dry Creek Crescent, Wandong	Low archaeological significance Add to VHI
Coffee Palace site 13 Rail Street, Wandong	Medium archaeological significance Add to VHI
House sites 780 Wandong Road, Wandong	Low archaeological significance Add to VHI

---

WANDONG & HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

The Site Cards; identify the sites, assess their potential archaeological significance and provide a possible interpretation of the site. In many cases the site cannot be properly interpreted until further investigation and excavation has occurred.

It is recommended that the site cards be submitted to Heritage Victoria for inclusion on the Heritage Inventory (HI). Consent is required from Heritage Victoria to disturb archaeological sites including those listed on the HI. This will assist in protecting the values of these sites.

## **CONSULTATION**

The preparation of the Study has included significant collaboration and consultation with the Wandong History Group (WHG). The WHG have contributed enormously to the identification of potential places, research material and field work. Consultation has included a number of meetings and field inspections. The WHG have reviewed draft reports and provided significant feedback which has been fully considered in preparation of the final report.

The outcomes of the Study have also been presented to the Mitchell Shire Heritage Advisory Committee.

The draft Wandong and Heathcote Structure Plan which was exhibited until 31 May 2016 included the sites identified in the Study for inclusion on the HO or HI.

No specific consultation occurred with affected land owners. Specific consultation will occur during the exhibition of the Amendment C113 to the Mitchell Planning Scheme.

After it is authorised by the Minister for Planning, Mitchell Planning Scheme Amendment C113 will be publicly exhibited for four weeks in accordance with Section 19 of the Planning and Environment Act 1987 including:

- Sending notices to the land owners/occupiers of all properties affected by the amendment;
- Advertising within the Local Newspapers and on Council's website.

Following public exhibition, a report will be provided to Council outlining the exhibition process and any submissions received. If submissions are received which cannot be resolved, Council can request the Minister for Planning to appoint an independent Planning Panel.

The Planning Panel will conduct a public hearing, consider the submissions referred to it and provide recommendations to Council and the Minister for Planning. All submitters with unresolved concerns are invited to participate in the Panel process.

Landowners which have had site cards prepared for archeological sites on their properties will also be notified and invited to provide feedback in respect to the information collated.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

WANDONG & HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

A planning scheme amendment to implement the recommendations of the Study will result in resource implications for Council including officer's time to assist in the processing of the amendment (ie: meetings with stakeholders, drafting reports, reviewing documents and submissions).

Further, there will be the need for a specialist heritage advisor to review any submissions which raise matters of a technical heritage matter and to present on behalf of Council to an independent Planning Panel should any of these submissions remain unresolved.

Sufficient financial resources have been allocated in the Strategic Planning budget for the 2016/17 financial year to cover these expenses.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

### Council Plan

Proposed Planning Scheme Amendment C113 is consistent with the objectives of the Council Plan 2013-2017, including:

Strategic Objective: Sustainable Growth and Development

*Shaping the future of our communities through forward planning and well built and maintained facilities and infrastructure.*

Four Year Focus: Build community pride by enhancing the look and feel of townships.

### State Planning Policy Framework

The proposed amendment is consistent with the State Planning Policy Framework. In particular, the amendment is consistent with the following:

Clause 11.10-2 Hume Regional Growth Plan – Environmental assets - by protecting the regions heritage assets.

Clause 15.03 – Heritage Conservation, by identifying, assessing and documenting places of local heritage significance in Wandong, Heathcote Junction and surrounding areas.

### Local Planning Policy Framework

The proposed amendment is consistent with the Local Planning Policy Framework. In particular, the proposed amendment is consistent with the following:

Clause 21.06-3 Heritage – by recognising places of local heritage significance in Wandong, Heathcote Junction and nearby areas and implementing the controls to conserve and protect these important places.

Planning Practice Note: Applying the Heritage Overlay, September 2012

WANDONG & HEATHCOTE JUNCTION HERITAGE GAP STUDY 2016 (CONT.)

The amendment is consistent with the practice note. The places have been assessed and citations (including citations of statement of significances) prepared in accordance with the practice note. Proposed mapping is in accordance with the practice note.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Study and proposed amendment will have positive social impacts by identifying and conserving places of significance to the Wandong and Heathcote Junction communities.

### **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 Wandong and Heathcote Junction Heritage Gap Study has involved a comprehensive assessment of heritage places in Wandong and Heathcote Junction. The preparation of the Study included significant involvement and collaboration with the Wandong History Group. The Study satisfies a recommendation from the C56 Amendment panel report and the outcomes of the Study have informed the preparation of the draft Wandong and Heathcote Junction Structure plan.

The Study has identified a number of places of local heritage significance which it recommends be included in the HO or by a SLO. The Study has also resulted in the preparation of a number of site cards for archaeological sites which are recommended to be included on the HI.

It is recommended that Council resolve to adopt the Study and implement its recommendations via the commencement of a planning scheme amendment and submission of site cards to Heritage Victoria.



**7.2 PLANNING SCHEME AMENDMENT C111 - KILMORE WATER TANKS**

**Author:** Simon Williams - Strategic Planner

**File No:** PLP189/15

**Attachments:** 1. Planning Scheme Amendment - Approval Documentation

---

**SUMMARY**

Planning Scheme Amendment C111 (the Amendment) was placed on public exhibition from 14 April 2016 until 13 May 2016. No submissions were received by Council during the exhibition period.

It is recommended that Council adopt Planning Scheme Amendment C111 and submit the adopted Planning Scheme Amendment to the Minister for Planning requesting approval.

**COUNCIL RESOLUTION**

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. B. CHISHOLM

**THAT** Council:

1. Pursuant to Section 29 of the *Planning and Environment Act 1987*, adopt Planning Scheme Amendment C111 to the Mitchell Planning Scheme.
2. Pursuant to Section 31 of the *Planning and Environment Act 1987*, forward the adopted Planning Scheme Amendment C111 to the Minister of Planning requesting approval.

**UNANIMOUSLY CARRIED**

**BACKGROUND**

The amendment was made at the request of 10 Consulting Group on behalf of Goulburn Valley Water Corporation. The amendment seeks to apply a Public Acquisition Overlay (PAO) over part of the land at 185 O'Sheas Road, Kilmore. The purpose of the PAO is to identify land for future public uses, which would be purchased by Goulburn Valley Water Corporation.

The site will be used to construct two 16 megalitre treated water tanks. The first tank would be commissioned and operational in approximately 2028 and the latter towards the year 2070. The proposed tanks will address the future water needs within Kilmore.

Council considered Draft Planning Scheme Amendment C111 on 16 November 2015 and resolved THAT:

---

PLANNING SCHEME AMENDMENT C111 - KILMORE WATER TANKS (CONT.)

1. Seek Ministerial Authorisation in accordance with Section 8(A) of the *Planning and Environment Act 1987* to prepare Mitchell Planning Scheme Amendment C111 in accordance with Attachment 1 of this report.
2. Subject to Ministerial Authorisation being granted, prepare and exhibit Mitchell Planning Scheme Amendment C111 in accordance with the *Planning and Environment Act 1987*.

## ISSUES AND DISCUSSION

The exhibition of Planning Scheme Amendment C111 took place from 14 April 2016 until 13 May 2016. Council did not receive any submissions to this amendment during the exhibition period.

The application of the PAO indicates that, for the purposes of the *Land Acquisition and Compensation Act 1986*, any land included in the overlay is reserved for public purpose.

Placing a PAO over the subject site serves to protect Goulburn Valley Water Corporation long term interests as a utility service provider for the region.

## CONSULTATION

The exhibition of the Planning Scheme Amendment involved sending written notices (letters) to the landowner and all relevant Government Departments, Statutory Authorities, prescribed Ministers as well as Native Title Services Victoria. Notices were also published in the Victorian Government Gazette (14 April 2016) and the North Central Review (12 April 2016).

No submissions were received by Council during the exhibition period. Council can now submit the Amendment to the Minister of Planning requesting approval without the need to request the Minister to appoint an Independent Planning Panel under Part 8 of the *Planning and Environment Act 1987*.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The operating budget of Council's Strategic Planning Department has allowed the fees associated with the request to approve this Planning Scheme Amendment should Council resolve to adopt the amendment.

## POLICY AND LEGISLATIVE IMPLICATIONS

### Council Plan

Proposed planning scheme amendment C111 is consistent with the objectives of the Council Plan 2013-2017, including;

Strategic Objective: Environmental Resilience

---

PLANNING SCHEME AMENDMENT C111 - KILMORE WATER TANKS (CONT.)

Responding to changing environmental conditions and protecting and enhancing our natural environment to ensure long term sustainability

Four Year Focus: Encourage environmental best practice

#### State Planning Policy Framework

The proposed amendment supports State Planning Policy Framework Clause 11.3-01 – Settlement.

*Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

The proposed PAO would potentially enable the acquisition of the land by GVW to develop two water tanks required for the future growth of Kilmore.

The proposal also supports Clause 19.03-2 Infrastructure:

*To planning for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*

#### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The proposal will have a positive social and economic impact by positively supporting the wellbeing and livelihood of the local community and economy. The proposed amendment will have no environmental impact as it is limited to a power to acquire land.

#### **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**

Following the exhibition of Planning Scheme Amendment C111 it is recommended that Council adopt Planning Scheme Amendment C111 and submit the adopted Planning Scheme Amendment to the Minister for Planning requesting approval.

### 7.3 WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK

**Author:** *Simon Williams - Strategic Planner*

**File No:** *PL/13/053*

**Attachments:** 1. *Wallan Town Centre Masterplan and Urban Design Framework - Under Separate Cover*  
2. *Access and Movement Plan Report - Under Separate Cover*

---

#### SUMMARY

The purpose of this report is to seek Council endorsement to release the Draft Wallan Town Centre Masterplan (Masterplan) and Urban Design Framework for community consultation. Consultation will be over a three (3) week period which will commence on w/c 27 June 2016 and be completed w/c 18 July 2016.

The Masterplan establishes an agreed vision for Wallan Town Centre and includes a number of immediate public realm projects and the medium-long term development and expansion opportunities, recognising Wallan's role as a major activity centre.

The Urban Design Framework establishes a number of design guidelines for a series of identified precincts and future development sites in the Town Centre. It also seeks to provide guidance for the immediate redevelopment and revitalisation of the Town Centre public realm through new pedestrian connections, simplification of access arrangements and creation of public spaces. These elements combined are critical to the ongoing activity centre function and economic performance of the Town Centre.

The feedback received during the proposed consultation period will help test ideas proposed in the Draft Wallan Town Centre Masterplan and Urban Design Framework and guide the content of the final Wallan Town Centre Masterplan and Urban Design Framework. A report that considers all submissions received during consultation along with an accompanied Council Officer response to submissions will be provided post consultation. Following consideration of submissions and the report, it is intended that adoption of the final Masterplan will be sought in September 2016.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. PARKER

**THAT** Council:

1. Endorse the Draft Wallan Town Centre Masterplan and Urban Design Framework for consultation purposes;
2. Place the Draft Wallan Town Centre Masterplan and Urban Design Framework on public exhibition, from w/c 27 June 2016 to w/c 18 July 2016.

**UNANIMOUSLY CARRIED**

---

WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

## **BACKGROUND**

The Wallan Town Centre Masterplan (Masterplan) and Urban Design Framework (Framework) are key guiding documents designed to shape the future development of Wallan Town Centre as the major activity centre within the northern growth area of Mitchell Shire.

The Masterplan and Urban Design Framework were commissioned by Council in December 2015 following completion of the Wallan Structure Plan. The Wallan Structure Plan identified the need for the Town Centre to expand and diversify to allow to meet its identified role in the region.

The Masterplan and Urban Design Framework will, once adopted, be incorporated into planning controls within the Mitchell Planning Scheme and be the basis for future decision making as it relates to planning and design matters within the Town Centre.

It seeks to establish both a long term vision for the town centre and also a number of key projects and priority actions as an impetus for change in the short and medium term. It will also lay the foundation for the preparation of more detailed concept designs for important public places throughout the town centre.

The Draft Masterplan and Urban Design Framework have been prepared following a process of design, analysis, testing and targeted consultation with state and local government, key agencies, landowners, local community organisations, stakeholders and internal Council departments. It has also considered the town centre related comments received during the previous public consultation for the Wallan Structure Plan.

## **ISSUES AND DISCUSSION**

### ***Overview***

Wallan Town Centre has a predominately retail and commercial core running along the western side of the High Street (Northern Highway), with the majority of retail concentrated between King and Watson Streets. The majority of the Town Centre is within the Commercial 1 and 2 zones.

Anchor tenants include Coles and Woolworths supermarkets located on opposite sides of Queen Street. The town centre has a large proportion of car parking which is mostly located along the frontage of the retail premises. The design of the Town Centre is highly dispersed and favours vehicle movements, creating an environment which is not conducive to pedestrian activity.

The Masterplan prepared for Wallan Town Centre will provide an overall framework for the centre to improve its function and role as it develops to cater for the demands of population growth in Wallan.

Key structural elements of the Masterplan include:

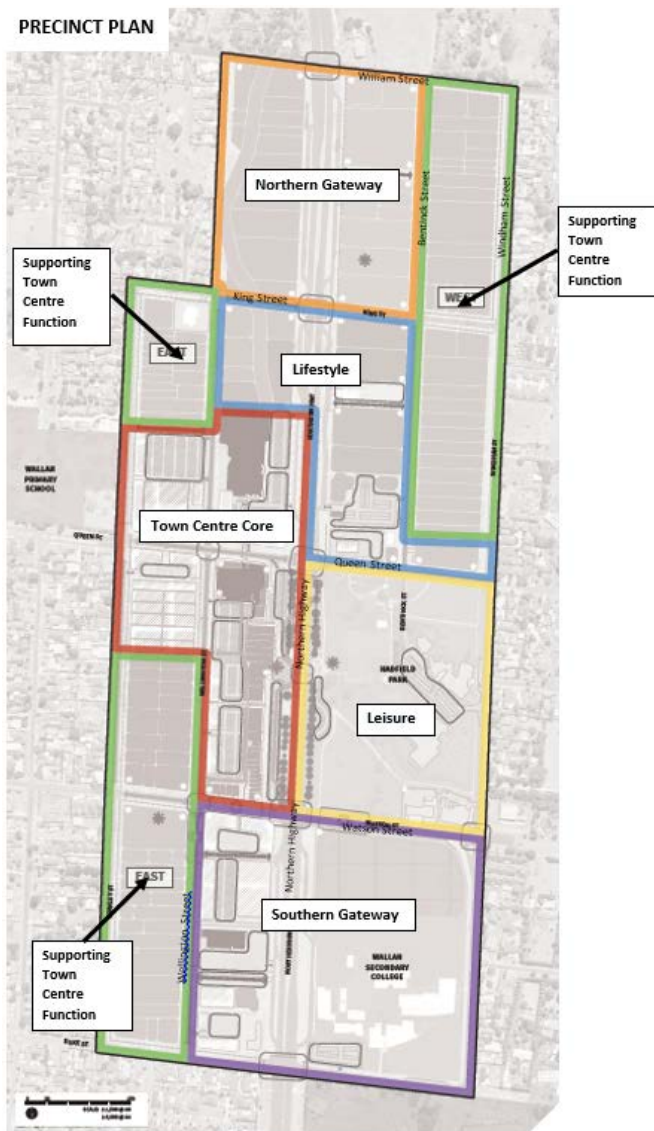
- Consolidation of the Town Centre: The growth of the Town Centre will be compact and limited within the defined town centre boundary.

WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

- Legible movement network: Creation of a clear hierarchy to assist with way finding and general access throughout the Town Centre.
- Development and direction for vacant/underutilized land: Promotion of development of vacant/underutilized sites for retail, community and commercial uses.
- Mixed Uses: For Wallan to grow into a more vibrant and diverse Town Centre, it will be necessary to facilitate mixed used development, including residential development within the centre in a variety of forms.
- Public Realm: Support the improvement and establishment of public spaces to enhance the appearance, perception and experience of Wallan Town Centre.

A copy of the Draft Masterplan can be found in Attachment 1.

**Precincts**



## WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

The Masterplan has identified six precincts for the Town Centre. The precincts were determined by considering a range of factors, such as the existing land use pattern, the role of the street network and movement patterns within the Town Centre, the identification of new public spaces and development sites and identifying areas of similar built form character or where a preferred character can be established.

The six precincts are summarised below:

*Town Centre Core*

This precinct is focused on the western side of High Street between Northern Highway and Queen Street. It will accommodate existing and new retail functions. This precinct will be the focus for shopping and associated business services, food and drink and socialisation within new public spaces.

The precinct will meet the convenience and comparison shopping need of the existing and future community of Wallan and provide an attractive social space for residents and visitors.

A new 'town centre heart' will be created as a centrally located public space. The town centre heart will be comprised of the Free Library to the east and a proposed new town centre square opposite, or in front of retail premises, to the west. Both public spaces will be connected by a signalised pedestrian crossing. This will be integral to the future image of Wallan as a major, distinctive Town Centre. The town heart will celebrate Wallan's past, and provide a vision for its future as a major centre.

*Lifestyle*

The Lifestyle precinct is located north of the Town Centre Core precinct. Its primary frontages are onto the High Street (Northern Highway), and its secondary frontages are onto Queen Street and Wellington Street.

This precinct provides a mix of uses that complement the Town Centre Core precinct including commercial businesses, food and drink establishments and residential.

The precinct will also provide an opportunity for higher density residential living in certain locations where an attractive residential outlook and access can be provided (i.e. on Queen Street overlooking Hadfield Park and potentially along Wallan Creek).

*Leisure*

This precinct includes all of the land within Hadfield Park bound by Watson Street to the south, Queen Street to the north, High Street to the west and Windham Street to the east. Hadfield Park plays an important role in the Town Centre, providing a large and well used public open space as well as a range of community and recreational services.

The role of this precinct is for it to continue to provide a range of recreational services, passive open space and community uses.

---

WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

### *Supporting Town Centre Function*

This precinct includes an eastern and western portion, with the western section running along Wellington Street (both north and south of Queen Street) and the eastern portion between Bentinick and Windham Streets between William and Queen Streets.

The intent of this precinct (particularly the western portion) relates to its physical position adjoining the Town Centre Core, and its potential to accommodate some complementary town centre uses. There is already a trend within the western portion of this precinct of accommodating small scale businesses. The Masterplan seeks to enhance this role as well as introducing multi residential development.

### *Northern Gateway*

The Northern Gateway is positioned as the distinct entry precinct to Wallan Town Centre from the north. The precinct is defined with large scale commercial uses on the eastern side of the Northern Highway, with predominately residential uses, fringed by the Wallan Creek on the western side of the precinct.

The land within the Northern Gateway precinct has numerous underdeveloped and underutilised sites, which will provide the opportunity for the expansion of higher density residential developments to the east and west, and the large scale commercial uses on the eastern side of High Street (Northern Highway).

### *Southern Gateway*

The Southern Gateway to Wallan Town Centre precinct includes uses such as the Wallan Secondary College on the east side of High Street (Northern Highway) and the commercial and higher order community uses on the west side of High Street (Northern Highway). This precinct is largely influenced by the recently developed Nexus health centre and Ambulance service which currently help define the southern entry into the Town Centre.

There are a large number of vacant and underutilised sites within this precinct, particularly along Wellington Street, which provide an opportunity for expanded commercial use and higher order community services. These type of uses are suited to this precinct as they need to be part of the Town Centre development. It is also highly advantageous to have these located close to the retail core. These uses are currently self-sufficient in terms of car parking. However, over time this precinct presents excellent co-location/agglomeration opportunities for car parking and access.

The role of this precinct is to provide an attractive entry to the Town Centre from the south, providing a high quality impression to the town through built form and improved landscaping on both sides of High Street (Northern Highway). It also provides an opportunity for large format office uses including private commercial uses and higher order community services typical to a major activity centre.



WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

**Urban Design Framework**

Well-designed Town Centre’s are not only more pleasant places for users to enjoy; they also create strong economic and social benefits. An enhanced design can improve the overall image and perception of a centre as a place to invest. The vitality of Wallan Town Centre can be enhanced by improving built form and public amenity.

For each of the identified precinct areas, the Urban Design Framework provides objectives and preferred outcomes from a design perspective. Where relevant, a list of design elements were created which covered the following;

- Built Form
- Street Interfaces and Environment
- Weather Protection
- Orientation
- Materiality
- Landscaping

The Urban Design Framework identifies *design objectives which must be met*, along with *preferred outcomes which should be met*.

**Key Future Development Sites**



## WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

The Masterplan has identified four key development sites (as identified on the plan above) which will provide an important focus in the centre through a combination of their use, built form and contribution to the public realm. The guidance provided within the Urban Design Framework has been designed to help sites demonstrate how the design objectives and/or preferred outcomes can be achieved.

The four key development sites are;

*1. Town Centre Heart*

The 'Town Centre Heart' seeks to create a new focal meeting point in Wallan, in the form of new and enhanced public spaces located centrally between the Free Library to the east and retail precinct to the west. A strong focal point which celebrates Wallan's heritage and identity as it develops as a major activity centre.

*2. Anchor Retail Expansion*

This site has the development potential to encourage Queen Street to further development and become a key 'local street' with retail shop frontage activation and improved pedestrian activity, tree planting, pavements and lighting improvements.

**3. Commercial Hub**

This development site is located on the south-east corner of the Northern Highway and Watson Street. This is a key development site and would also be adjacent to the potential locations being proposed for a bus interchange for Wallan Town Centre.

*4. Town Centre Expansion*

This site is located on the north west corner of Wellington Street and Queen Street. This site has the potential to help further achieve the development of a large footprint retail premises in Wallan. Connection treatments to existing retail uses would be required in this location.

## CONSULTATION

The Wallan Town Centre Masterplan and Urban Design Framework will be on public consultation for a three (3) week period from w/c 27 June 2016 and be completed w/c 18 July 2016. During this period the Strategic Planning Department will hold drop in sessions at Wallan Neighbourhood House and the Free Library which will allow local businesses and residents the opportunity to review and discuss the Masterplan and Urban Design Framework.

The Masterplan and Urban Design Framework will be advertised in local media and Council website. Promotional posters will be placed at community facilities and in consented shop windows. Footpath stickers will also be used at various locations across Wallan Town Centre to promote the consultation.

A copy of the documentation will be available to view on the Council website. Hard copies will be available at Council offices and Wallan Library for public inspection.

---

WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

Key Stakeholders who have already engaged with the project team will also be notified. Council officers will be available to discuss the Masterplan and Urban Design Framework on request from key stakeholders.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The preparation of the Masterplan is currently operating within Council's budget parameter for this project.

There will be long term implications associated with implementing the recommendations within the Masterplan which will require sourcing from both private and public funds.

The completion and adoption of the Masterplan may also assist with opportunities to pursue State and Regional funding for delivering the key objectives of the Plan.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Preparation of the Masterplan is consistent with the Mitchell Shire Council Plan 2013-2017 strategic objective of sustainable growth and development which seeks to "*shape the future of our communities through forward planning and well built and maintained facilities and infrastructure*" as well as the strategic objective of healthy and vibrant communities which seeks to provide and support "*programs and services to build vibrant and healthy communities where people are proud to live*".

The Masterplan is being prepared in accordance with the community engagement principles outlined within the Mitchell Shire Community Engagement Framework 2014.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no social or environmental sustainability implications directly associated with releasing the Masterplan for the purpose of public exhibition. The content of the Masterplan addresses matters which are considered will provide an overall social and environmental benefit for the current and future community of Wallan.

### **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 Wallan Town Centre Masterplan and Urban Design Framework is now ready to be endorsed for public consultation purposes, which will occur over a three (3) week period from w/c 27 June 2016 and be completed w/c 18 July 2016. Feedback received during this time will assist in informing the content of the final

WALLAN TOWN CENTRE MASTERPLAN AND URBAN DESIGN FRAMEWORK (CONT.)

Wallan Town Centre Masterplan and Urban Design Framework, which is expected to be considered by Council in September 2016.

#### 7.4 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

**Author:** Paul Wood - Statutory Planning Coordinator

**File No:** CL/04/004

**Attachments:**

#### 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.

#### COUNCIL RESOLUTION

**MOVED:** CR. W. MELBOURNE

**SECONDED:** CR. D. CALLAGHAN

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

**UNANIMOUSLY CARRIED**

#### 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
6 October 2016  Pre-hearing set for 24 June 2016*	P762/2016 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

\* A pre-hearing has been set by VCAT to determine whether a Cultural Heritage Management Plan is required for this use.

##### Recent VCAT decisions

The following is a summary of recent VCAT planning decisions.

REFERENCE NOS.	P2177/2015 (VCAT) and PLP217/14 (Council)
ADDRESS	15 Darraweit Road, Wallan
PROPOSAL	Multi dwelling development comprising the construction of 25 dwellings and a 29 lot subdivision

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

VCAT DECISION	Issue permit (Council decision upheld)
---------------	--

The proposal included the construction of 25 dwellings and a 29 lot subdivision. Council refused the application on a number of grounds including the form of the development and its road layout and reliance on a common property road. There was also concern raised regarding drainage and whether Council should take on responsibility for open space areas.

Key determining factors that the Tribunal considered include:

- The lot is suitable for medium density development
- The scale of the proposed development exceeds that envisaged for a transition area like Wallan
- The absence of a Council road connection throughout the development is a contributory factor for why this development is unacceptable
- Council should not be obliged to accept an ongoing recurrent commitment to a small area of open space that is isolated from other Council-managed open space

### Activities Carried out Under Delegation

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

### May 2016 delegated decisions

REFERENCE NO.	ADDRESS	PROPOSAL	DECISION	DECISION DATE
<b>North Ward</b>				
PLP086/16	26 Station Street SEYMOUR	VICSMART: Works including the external painting and tiling of the building	Planning Permit	3/5/16
PLP070/16	12 Bush Pea Drive SEYMOUR	Use and development of a dwelling	Planning Permit	5/5/16
PLP319/15	Hollymount Road PYALONG	2 lot subdivision (SPEAR: S077390J)	Planning Permit	17/5/16
PLP210/15	Northern Highway PYALONG	14 lot subdivision and variation of easements	Notice of Decision	17/5/16
PLP084/16	2 O'Hara Drive SEYMOUR	Buildings and works for the construction of a shed	Planning Permit	18/5/16
PLP077/16	10 Lightwood Avenue SEYMOUR	Buildings and works for the construction of a dwelling	Planning Permit	18/5/16
<b>Central Ward</b>				
PLP018/16	17 Branigan Drive KILMORE	Building and works including extension to an existing dwelling	Planning Permit	5/5/16
PLP081/16	101 Selection Road BROADFORD	Buildings and works for the construction of a shed	Planning Permit	5/5/16
PLP105/15.01	61 Jamieson Street BROADFORD	30 lot staged subdivision and removal of native	Amendment	9/5/16

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

		vegetation		
P307012/12.0 1	30 Scullys Lane TYAAK	Buildings and works (dwelling)	Amendment	17/5/16
PLP058/16	25 Lemarne Road BROADFORD	Buildings and Works Including the Construction of a Carport	Planning Permit	26/5/16
PLP069/16	105 Englishs Road BROADFORD	Buildings and Works Including the Construction of a Dwelling and Shed	Planning Permit	26/5/16
<b>South Ward</b>				
PLP348/15	14 Bonnieview Court WANDONG	Construction of an outbuilding associated with an existing dwelling	Planning Permit	5/5/16
PLP016/16	2 Quarry Siding Road WANDONG	Use and development of a dwelling and shed	Planning Permit	17/5/16
PLP218/15	84-86 High Street WALLAN	Use and development of a convenience restaurant and a waiver of the requirements at Clause 52.34 in respect of bicycle trip-end facilities	Notice of Decision	17/5/16
PLP102/14.02	99 Sydney Street KILMORE	Buildings and works in association with the construction of shop and retail premises; use and development of part of the land for the purpose of a service station including construction of a wall within 9 metres of a road; to create and alter access to a road in a Road Zone category 1; and to waive bicycle facility requirements at clause 52.34 of the Mitchell Planning Scheme	Amendment	25/5/16
PLP054/16	3 Cahill Court WALLAN	2 Lot Subdivision	Planning Permit	27/5/16
PLP062/16	9 Mathiesons Road WANDONG	Buildings and Works for the Construction of a Deck	Planning Permit	31/5/16

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**7.5 PROPOSED HERITAGE ADVISORY COMMITTEE MEMBERSHIP: 2016-2018**

**Author:** Adrian Murphy - Acting Active Communities Manager

**File No:** HI/04/005

**Attachments:**

---

**SUMMARY**

The Mitchell Heritage Advisory Committee provides strategic advice on natural, built and cultural heritage matters within the municipality. The terms of reference for the Committee were adopted on 18 May 2015, stating that membership shall comprise “...up to seven members comprising one member of each of the historical societies within the municipality and community members with experience in local history and a representative from the Taungurung clan”

The advertising, application process and panel evaluation has been completed. This report recommends the appointment of representatives to the Mitchell Heritage Advisory Committee for the period of 2016 to 2018.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. D. CALLAGHAN

**THAT** Council

1. Endorse the following community members as members of the Mitchell Shire Heritage Advisory Committee (2016-2018):

- Trish Terry (Taungurung clan)
- Kath deGrauw (Seymour Historical Society)
- Rod MacKenzie (Broadford Historical Society)
- Dr Frances Payne (Kilmore Historical Society)
- Grace Rutherford (independent community representative)
- Hans Prange (independent community representative)
- Caroline Killeen (independent community representative)

2. Write to members of the 2014-2016 Heritage Advisory Committee that are not returning to the committee in 2016-18 to thank them for their involvement and contribution.

**UNANIMOUSLY CARRIED**

**BACKGROUND**

The purpose of the Mitchell Heritage Advisory Committee is to provide strategic advice on natural, built and cultural heritage matters within the municipality.

The Committee's role is to:



---

PROPOSED HERITAGE ADVISORY COMMITTEE MEMBERSHIP: 2016-2018 (CONT.)

- Provide advice to Council on planning and the development of Council policy to ensure that heritage related matters are given due consideration.
- Provide input into strategic heritage related projects (e.g. capital works projects, tourism projects, heritage studies).
- promote heritage conservation and awareness within the municipality

Membership is for a two year period and members can re-nominate after their term ends in accordance with the nomination process.

## ISSUES AND DISCUSSION

Council received six (6) applications for the seven (7) available positions on the Committee. It is noted that an application was received from Trish Terry from the Taungurung clan, however via the Terms of Reference, the Taungurung clan have a standing member on the committee, and thus an application is not required.

The Mitchell Heritage Advisory Committee Terms of Reference states the following membership criteria:

- A demonstrated interest or expertise in heritage and local history.
- Live and/or work within the municipality, or have a demonstrated connection to the municipality through professional, technical or industry alliances.
- Understanding of the role of local government in heritage and local historical issues.
- Relevant experience in committees and/or demonstrated ability to participate in, and constructively contribute to a group, committee or organisation.
- Ability to regularly attend and participate in meetings as scheduled.

### Selection process

The Manager Active Communities, Manager Strategic Planning, and Cr. Lee, as the current chair of the Mitchell Heritage Advisory Committee, considered the applications. After evaluating applications, the following membership is recommended:

- Trish Terry (Taungurung clan)
- Kath deGrauw (Seymour Historical Society)
- Rod MacKenzie (Broadford Historical Society)
- Dr Frances Payne (Kilmore Historical Society)
- Grace Rutherford (independent community representative)
- Hans Prange (independent community representative)
- Caroline Killeen (independent community representative)

## CONSULTATION

The process for advertising for committee membership complies with the Terms of Reference and included:

---

PROPOSED HERITAGE ADVISORY COMMITTEE MEMBERSHIP: 2016-2018 (CONT.)

- Public notice and advertisement in the local media;
- Promotion via local heritage groups; and
- Advertisement on the Council website.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There is no budget allocation to support the Mitchell Heritage Advisory Committee. The activities of the committee are resourced through the Sustainable Communities directorate and existing operational budget provisions.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The operation of the Mitchell Heritage Committee assists Council in delivering a strategic objective of the Council Plan 2013-2017:

*Strong Reputation and Economy*

“Developing a strong regional reputation and supporting local tourism and economic development opportunities”.

*Healthy and Vibrant Communities*

“Providing and supporting programs and services to build vibrant and healthy communities where people are proud to live”.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The purpose of the Mitchell Shire Heritage Advisory Committee is to provide strategic advice on natural, built and cultural heritage matters within the municipality. The recommended membership for the Committee will enhance the capabilities of Council to appropriately support the delivery of quality heritage outcomes across the municipality.

### **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 new members bring a wide range of experience, and knowledge to the Heritage Advisory Committee.

Their involvement in the committee will support the delivery of the advisory committee objectives and provide technical advice to support the delivery of quality heritage outcomes across the municipality.

## 7.6 ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY

**Author:** *Adrian Murphy - Acting Active Communities Manager*

**File No:** *EC/12/001*

**Attachments:** *1. Economic Development Strategy - Under Separate Cover*

---

### SUMMARY

This report recommends the adoption of Mitchell Shire's new Economic Development Strategy.

Council sought feedback from the community on the new strategy between 22 March and 22 April 2016.

In summary,

- There were 1290 visits to the Engaging Mitchell website in relation to the Economic Development Strategy.
- 300 people downloaded documents including the draft Economic Development Strategy and Background Discussion Paper.
- 517 people viewed pages from the website
- 5959 people were reached via Facebook including 59 likes, shares and comments
- 111 people who had previously participated in the project received a direct email about the strategy
- 17 written submissions were received.

In general, there was overwhelming support for the strategy and that the vision, objectives and direction of the strategy was appropriate. The vast majority of the feedback was constructive and positive and where appropriate this has been incorporated in order to strengthen and improve the strategy.

### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. W. MELBOURNE

**THAT** Council endorse and adopt the Mitchell Shire Economic Development Strategy 2016-2021.

**UNANIMOUSLY CARRIED**

### BACKGROUND

The *Mitchell Shire Economic Development Strategy 2016-2021* provides the strategic direction for Mitchell Shire Council, together with its partners and the community, to strengthen, grow and build resilience in the local economy. It provides an economic development framework to support business growth, encourage investment and job

## ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY (CONT.)

creation and identifies the broad directions for the towns, lifestyle villages and rural land areas within the Mitchell Shire.

The Economic Development Strategy provides a five-year plan for Council's Economic Development unit to strengthen Mitchell Shire's economy in conjunction with other private sector and public partners. It also provides stakeholders with an understanding of Mitchell's context, a focus on matters that are important to them and a commitment from Mitchell Shire Council as to how the strategy will be delivered.

## ISSUES AND DISCUSSION

The Economic Development Strategy identifies the pathway for economic growth in Mitchell Shire. It establishes a vision where;

*Mitchell Shire will build its economic capacity in order to improve its economic future and the quality of life for its residents. Mitchell Shire Council will work collaboratively with business, government and other organisations to create better conditions for jobs and business growth now and into the future.*

It also provides for strategic objectives which;

- Strengthen engagement, relationships and communication with existing and new businesses
- Provide increased focus and effort towards attracting, retaining and supporting industry that meets the needs and competitive strengths of Mitchell Shire
- Improve the liveability of Mitchell Shire including a mix of health services, housing and social and physical infrastructure to attract residents and businesses
- Facilitate and advocate for investment in strategic infrastructure that supports the economy and liveability of Mitchell Shire
- Improve governance and systems within Council that support business
- Advocate for the upskilling, training and job readiness of Mitchell Shire's residents

The strategy identifies the following broad directions for the towns, lifestyle villages and rural land areas within the Mitchell Shire.

These directions can be summarized as follows:

- **Transform Seymour** into a thriving, major regional centre acknowledging that Seymour has the opportunity to become one of the Hume region's key service and industry towns.
- **Establish Wallan and Beveridge** as vibrant, well serviced and attractive growth areas ensuring that jobs and quality services are a key feature of Mitchell's growth area.
- **Expand and strengthen Kilmore** as a key service centre by leveraging education and health care provision to establish foundations for growth

## ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY (CONT.)

- **Promote Broadford** as a country town with a rural atmosphere and opportunities for lifestyle choice
- **Promote and build on the smaller townships' attractive lifestyle** opportunities including Tooborac, Tallarook, Pyalong, Wandong / Heathcote Junction that build on the amenity landscapes of Mitchell Shire and create opportunities for niche and or localised economic activity
- **Retain economically productive rural areas** focusing on providing a planning framework which supports various rural industry opportunities.

In order to achieve and deliver on the directions identified above, Council will offer a contemporary and tailored approach to governance by focusing on communication, engagement and service processes to improve economic development outcomes for the Mitchell community.

**CONSULTATION**

- Extensive community and stakeholder consultation has been undertaken as part of the development of the Economic Development Strategy. This has included direct engagement with the Engaging Mitchell website by the community and the receipt by Council of written submissions. This feedback has been analysed and incorporated into the final strategy.
- 
- The table below summarizes the themes, issues and action taken in relation to the feedback received through the consultation process.
-

## ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY (CONT.)

Theme	Issues	Action taken
Strengthening the Mitchell story	<ul style="list-style-type: none"> <li>• Layout and readability could be improved to highlight Mitchell's strengths.</li> <li>• Provide a focus for each town and identify its future direction.</li> <li>• Smaller towns and settlements not adequately captured.</li> <li>• Categorization and grouping of towns and villages in the draft was not considered useful and could lead to unnecessary division.</li> <li>• Opportunity for smaller towns and settlements to grow niche type industries</li> <li>• Council Plan not included or referenced</li> </ul>	<ul style="list-style-type: none"> <li>• Layout improved and chapters reordered to clearly highlight Mitchell's strengths.</li> <li>• Each town highlighted and provided with a clear future direction as per Chapter 6.</li> <li>• Smaller towns and settlements have received greater recognition and focus as per Chapter 6.</li> <li>• Council plan reference included as per Chapter 3.</li> </ul>
Vision	<ul style="list-style-type: none"> <li>• Strengthen vision to focus on creating better conditions for jobs and business, now and into the future.</li> </ul>	<ul style="list-style-type: none"> <li>• Vision updated to reflect these comments</li> </ul>
Objectives	<ul style="list-style-type: none"> <li>• Overall support for the objectives with strong support for greater engagement between Council and local community.</li> </ul>	<ul style="list-style-type: none"> <li>• Objectives have been reordered to reflect feedback.</li> </ul>
Mitchell's competitive advantages	<ul style="list-style-type: none"> <li>• Need to strengthen the focus on Mitchell's natural assets including parks and nature based tourism</li> <li>• Increased heritage protection in Kilmore</li> <li>• Need for industrial growth, particularly in Wallan and Seymour</li> </ul>	<ul style="list-style-type: none"> <li>• Natural assets have been identified and focus strengthened throughout the strategy</li> <li>• Kilmore's focus to include its heritage strengths</li> <li>• Wallan and Seymour structure plans included as important actions</li> </ul>
Transport linkages	<ul style="list-style-type: none"> <li>• Need to improve public transport and pedestrian linkages particularly in growth areas</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy updated to reflect feedback</li> </ul>
Sustainable agriculture	<ul style="list-style-type: none"> <li>• Need to support sustainable agriculture throughout the Shire including agricultural based tourism</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy updated to reflect feedback and importance of sustainable agriculture</li> </ul>

## ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY (CONT.)

Major infrastructure	<ul style="list-style-type: none"> <li>• Need to include major road infrastructure including Watson Street/Hume Freeway southern ramps</li> </ul>	<ul style="list-style-type: none"> <li>• Major infrastructure included as an advocacy agenda item as per Chapter 7</li> </ul>
Population growth	<ul style="list-style-type: none"> <li>• Population growth is unsustainable and is considered a risk to Mitchell's future prosperity</li> </ul>	<ul style="list-style-type: none"> <li>• Well planned growth is sustainable and relies on other levels of government for support and funding. Mitchell will continue to play an important role in accommodating Victoria's growing population in a sustainable and planned manner.</li> </ul>
Support for local business	<ul style="list-style-type: none"> <li>• Need to involve the community and existing businesses for ideas about growing the local economy</li> <li>• Support for local businesses</li> <li>• Run events such as food festivals, encourage tourism, more activities for children</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy updated to reflect feedback as per Chapter 7</li> </ul>

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The Economic Development Strategy will be delivered within the existing budget and resources of the Economic Development and Tourism unit. The strategy will also guide and support future grant applications to state and federal funding bodies with the aim of growing Mitchell Shire's economy.

**POLICY AND LEGISLATIVE IMPLICATIONS**

- The 2013-17 Council Plan identifies Economic Development and Tourism as a key results area. The Economic Development Strategy aligns with the Council Plan by building upon Mitchell's strong reputation and economy. In particular, the strategy aligns with the objective of "developing a strong regional reputation and promoting local tourism and economic development opportunities."

ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY (CONT.)

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Economic Development Strategy supports the growth of the Mitchell economy and in particular the retention and growth of local employment opportunities. A strong local economy will support social, economic and environmental objectives by providing the local community with increased product choice and diversity, further employment opportunities and reduce the need for car based travel out of the Shire to seek employment, recreation and service needs.

### **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 Mitchell Shire Economic Development Strategy 2016-2021 has been prepared to build upon the Shire's key strengths in order to grow the local economy and provide long term sustainable job growth.

The strategy provides a framework for economic growth and recognizes the Shire's diverse geography, demography and economy. Community feedback has been incorporated into the strategy which has resulted in a dynamic strategy which will guide Mitchell Shire along a pathway to economic growth over the coming five years.



## 7.7 MITCHELL LEARNING AND LIBRARY STRATEGY UPDATE

**Author:** *Adrian Murphy - Acting Active Communities Manager*

**File No:** *LI/01/001-02*

**Attachments:** 1. *ActionPlan Mitchell Shire Learning and Library Strategy 2016-17*

---

### SUMMARY

This report provides an update on the implementation of the *Mitchell Learning and Library Strategy 2014*, including:

- I. Achievements of the 2015/16 Action Plan,
- II. Discussion on issues related to the implementation of the Strategy
- III. Action Plan for 2016-17

### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. W. MELBOURNE

**THAT** Council:

1. Note the achievements of the 2015/16 Action Plan and;
2. Endorse the Mitchell Learning and Library Strategy – Action Plan 2016/17 (Attachment)

**UNANIMOUSLY CARRIED**

### BACKGROUND

In March 2014, Council adopted the *Mitchell Learning and Library Strategy 2014-2024 (MLLS)*. The Strategy identified a vision: *‘to connect, inform and enrich our community’*.

The strategy presents a suite of recommendations guiding Council’s services over the next ten years; establishing a formal role in lifelong learning and further developing existing library services.

The strategic priorities that underpin the Strategy are:

- Investment in staff resources and infrastructure
- Planning and coordination; bringing together service providers to identify partnership opportunities and connections
- Developing community awareness through programs and integration into other Council services
- Programming and activities; continuing to develop and expand as appropriate
- Advocacy; to support the delivery of the strategy and improve community outcomes for lifelong learning and library services

## MITCHELL LEARNING AND LIBRARY STRATEGY UPDATE (CONT.)

- Access and equity; review of operational hours to improve accessibility and cater for the changing needs of the community
- Technology; incorporating new technology
- Flexibility of spaces; creating activated and busy spaces

The MLLS recommended a number of actions, implementation of which is based on annual action plans endorsed by Council.

The 2015/16 Action Plan identified eighteen key projects which resulted in a streamlined, more efficient capacity to deliver services to further expand the reach of the MLLS into the future.

The draft 2016/17 Action Plan (Attachment 1) has been developed to contribute significantly to providing the learning and library outcomes recommended in the MLLS in the third year of implementation.

### ISSUES AND DISCUSSION

The actions identified in the 2015/16 Action Plan were categorized into four priority areas:

1. Programs and activities
2. Planning and Coordination
3. Marketing and Promotion
4. Advocacy

The 15/16 Actions have been achieved with highlights as follows:

- Replacement of public access computers at all library sites
- Grant funded procurement of a class set of tablet devices to support technology-based training
- Delivery of a range of successful programs aimed at seniors, youth and school aged children at each site
- Enhancement of preschooler programming such as Storytime sessions to include parent/carer interaction in the learning process
- Investigation of makerspaces and learning spaces completed and plan for 2016/17 created
- Engagement with schools throughout the Shire including schools visits and assembly and class presentations
- Assessment of and adjustment to Library hours completed
- Expansion of device plug-in points at all sites through Living Libraries grant funding

The 16/17 Action Plan seeks to expand services in line with community needs, with the focus on engaging with the community, expanding on the traditional library services model, modernizing programming and facilitating technology focused training.

---

MITCHELL LEARNING AND LIBRARY STRATEGY UPDATE (CONT.)

## CONSULTATION

The 16/17 actions are informed by a combination of consultation processes and consideration of industry best practice documents.

Key stakeholders engaged throughout the project include:

- Library users
- General community
- Mitchell youth
- Library staff and related Council departments
- Education providers
- Regional development organisations

The draft 2016/17 Action Plan has been informed by the above consultation. Further community consultation will be applied to relevant 2016/17 Action Plan projects.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The Draft Mitchell Learning and Library Strategy Action Plan 2016/17 identifies a number of recommendations for future direction of resources and asset management.

To implement these recommendations a financial, resource and asset commitment from Council is required. The resources required to deliver the 16/17 Action Plan are included in the proposed 2016/17 Budget.

## POLICY AND LEGISLATIVE IMPLICATIONS

The strategy aligns with the following objectives and actions of the Council Plan 2013-2017

### ***Sustainable growth and development***

*“Shaping the future of our communities through forward planning and well built and maintained facilities and infrastructure”*

### ***Strong reputation and economy***

*“Developing a strong regional reputation and supporting local tourism and economic development opportunities”*

### ***Healthy and vibrant communities***

*“Providing and supporting programs and services to build vibrant and healthy communities where people are proud to live”*

## SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The 16/17 Action Plan outlines key themes and recommendations to support the future provision of learning and library services across Mitchell Shire.

It acknowledges the changing socio-economic and cultural community and seeks ways to allow Council to address these changes. Further, it supports Council's capacity to provide library and learning services to the community in a targeted and cost effective manner.

MITCHELL LEARNING AND LIBRARY STRATEGY UPDATE (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 16/17 Action Plan outlines key themes and recommendations to support the future provision of Learning and Library services across Mitchell Shire for the forthcoming ten years.

The action plan endeavors to expand on the achievements of the 2015/16 Action Plan and further enhance learning and library services across Mitchell Shire into the future

## 7.8 MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN

**Author:** Lyn Morling - Recreation and Open Space Coordinator

**File No:** RE/14/15

**Attachments:** 1. MOSS Action Plan 2015/16 Status at 20 May 2016  
2. Draft MOSS Action Plan 2016-17

---

### SUMMARY

This report provides an update on the implementation of the *Mitchell Open Space Strategy (MOSS) 2013-2023*, including:

- i) Discussion on issues related to implementation of MOSS,
- ii) Achievements of the 2015/16 Action Plan, and
- iii) Action Plan for 2016/17.

### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. SANDERSON

**THAT** Council

1. Note the achievements of the 2015/16 Action Plan (Attachment 1), and;
2. Endorse the 2016/17 Action Plan for the *Mitchell Open Space Strategy 2013-2023* (Attachment 2).

**UNANIMOUSLY CARRIED**

### BACKGROUND

In September 2013, Council adopted the *Mitchell Open Space Strategy 2013-2023* (MOSS). The strategy identified a vision – *‘Mitchell Shire Council is committed to providing open spaces that serve the needs of people of all ages, cultural backgrounds and abilities. Our open space will be visually inviting and encourage healthy lifestyles for current and future generations, as they will be well planned, well maintained and accessible to the community.’*

The strategy established the principles for planning and delivery of open space services and recommended a number of Shire-wide and locality or township specific actions. Implementation of the MOSS is based on annual action plans endorsed by Council.

The 2015/16 Action Plan was developed prior to the State Government’s announcement of its Interface Growth Fund (IGF) which provided significant new funding opportunities. Council’s success in attracting IGF 2015/16 funds resulted in two additional MOSS Action Plan projects and, together with a substantial contribution from Bendigo Bank, a significant change in scope of Wallan’s Hadfield Park play space project. As these capital improvement projects are on tight timelines,

---

MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN (CONT.)

officer resources have been diverted to these priority projects, delaying the progress of some others in the Action Plan.

The 2015/16 Action Plan (Attachment 1) details the 20 May 2016 status of the original plan's actions and the new or expanded projects facilitated by IGF. Priority projects are generally on track, despite the pressures created by IGF opportunities. Highlights of the 2015/16 achievements include –

- Sport and recreation projects obtaining \$1.721M of IGF grants towards delivery of projects totaling \$2.621M -
  - o \$950K towards the significantly expanded wet/dry play space project at Wallan's Hadfield Park
  - o \$100K towards a new project - Kilmore's Moore Court Reserve play space upgrade, and
  - o \$421K towards a new project - female friendly change rooms at Green Hill Reserve, Wallan.
- Delivery of the Broadford Leisure Centre Precinct Sports Pavilion,
- Significant work on reviewing and improving Council's management of and the operations of and support provided to Council's Committees of Management, in particular addressing a number of risk management concerns.

The draft 2016/17 Action Plan (Attachment 2) has been developed. It reflects the important role of Council in, and officer resources committed to, strategic, statutory and service planning. These processes contribute significantly in the longer term to providing the community, environmental and health outcomes aspired to in the MOSS and other service plans.

## ISSUES AND DISCUSSION

There were a number of challenges and opportunities in delivering the 2015/16 Action Plan, however, on balance the opportunities for significant external funding presented through the IGF meant timely delivery of these projects became the priority. This has resulted in some delays in other projects.

Funding for open space, recreation and sport service improvements will be a challenge for some time and is impacting on what can realistically be included in MOSS action plans.

It was noted at the time the MOSS was adopted that many of the recommended actions were aspirational and could only be delivered when land was developed and/or funding available. Some recommendations involve multiple agencies and a number are longer term and likely to extend beyond the ten year planning framework of the MOSS. It was however important for Council to establish a vision, hierarchy of service levels and service standards.

### Strategic planning

Council has developed a structure plan for Wallan and is currently developing Structure Plans for Kilmore, Wandong/Heathcote Junction and Seymour. The

---

MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN (CONT.)

development of the Wallan Structure Plan (WSP) identified high level opportunities to improve the open space network. The draft structure plans for Kilmore and Wandong/Heathcote Junction have also identified opportunities for improvements. It is expected that the Seymour Structure Plan, once developed, will also make recommendations about open space provision and connectivity.

Council officers continue to work with the Metropolitan Planning Authority (MPA) and neighbouring councils regarding the development of the MPA's precinct structure plans for the southern Mitchell growth areas. These long term plans are crucial in facilitating well planned, well serviced, healthy, connected and vibrant future communities.

### Service sustainability

A number of Council's assets are ageing and are past their functional and/or useful economic lives, with some suffering from lack of past investment in renewal works. Some may be needed at a higher or lower level of service than currently, others may no longer be required.

Community needs and expectations for services have increased and there is also a need for timely delivery of services in growth areas in Mitchell's south. This 'service gap' is a significant challenge for Council in the context of its current financial constraints.

The MOSS's planning principles are – diversity, appropriateness, co-location and multiple use, access and inclusion, tailored delivery, community and stakeholder partnerships, protection and enhancement of natural and cultural heritage and affordability. These principles will need to be rigorously applied to determine if a proposed capital improvement project is appropriate, a priority and best value use of Council and other funding.

### Master Plans

These can be important documents for Council and any Committee of Management to establish an agreed vision and priorities for a site. They can also assist in attracting external funding for projects. It is now even more important for Mitchell that master plans are understood to be longer term plans based on affordable levels of service for ratepayers and not simply a 'wish list' of desired improvements which the community and Council cannot afford over time. Wherever feasible, new or upgrade works should be based on integrated design outcomes. This may provide opportunities for rationalization or decommission of ageing facilities too costly for Council to continue maintaining or which are redundant.

The development of master plans can however create difficulties in managing community expectations about project delivery and timeliness of delivery of improvement works. This needs careful management in the context of Council's increased financial constraints and the generally low level of user group contributions to capital improvements and maintenance of facilities. In many other places users of facilities may be on lease agreements with greater financial and other obligations on

---

MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN (CONT.)

tenants. Lease rentals are also commonly increased to reflect income generated from using the community facility.

### Policy development

Officers are finalising two 2015/16 Action Plan new policy projects – the Community Facilities Occupancy Policy and the Community Facilities Contributions Policy. Once adopted these will inform future tenancy options.

### Committees of Management and Funding and Service Agreements

Mitchell operates most of its community facilities under a local community-based management model – Committees of Management (CoMs) which operate under a Funding and Service Agreement with Council. Previously these committees were Section 86 ones operating under Council delegation. In 2011/12 Council changed from the Section 86 Committee model to the current which is based on separately incorporated associations.

Over the past four years, three Committees of Management (CoMs) have sought and gained Council support to hand back maintenance of four sporting grounds over the three sites. Last year one of these CoMs was unable to recruit a secretary for 2016. The CoM could therefore not operate as an incorporated association and its activities lapsed. Council has been directly managing the site since. These changes have resulted in financial and other resource implications for Council.

A review of Committees of Management and Funding and Service Agreements has been undertaken over 2015/16 and is the subject of a separate report to Council. Over 2015/16 significant resources have been directed at reviewing and improving Council's oversight of and support to CoMs and addressing a number of potential risk management concerns for Council and the CoMs and their volunteers.

### 2016/17 Action Plan

The proposed 2016/17 Action Plan (Attachment 2) reflects Council's commitments to higher level strategic planning with the development of structure plans for Kilmore, Wandong/Heathcote Junction and Seymour and implementation of the Wallan Structure Plan. There will be ongoing work with the Metropolitan Planning Authority to ensure the best possible outcomes in precinct structure plans for Mitchell's future communities.

The draft Action Plan includes some key capital projects which will be delivered in 2016/17 to improve sport and recreation facilities. These include the Harley Hammond Oval renovation, Wallan Bowls Club synthetic green, second netball court and netball change rooms at Kings Park, delivery of female friendly change rooms at Green Hill Reserve and the acquisition of land south of Green Hill Reserve to meet the recreation and open space needs of the growing southern Mitchell.

Provision of greater practical support to and engagement with Committees of Management operating under Funding and Service Agreements with Council and sporting user groups is also included in the 2016/17 Action Plan.



---

MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN (CONT.)

## **CONSULTATION**

The 2016/17 Action Plan has been informed by consultation undertaken during the development of a number of Council's strategic service plans and feedback from and discussions with community members and groups.

Officers from a number of Council units have also been consulted. Further community consultation will occur during specific planning and project work.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Council's draft *Strategic Resource Plan 2017-2020* (SRP) identifies Council's focus on addressing legacy financial challenges, as well as services for existing communities whilst addressing the needs of a growing community. External influences such as the recently introduced 2.5% rate cap and decreases in grant funding have created challenges to the timely delivery of previously identified MOSS actions. The State Government's Interface Growth Fund has however created new funding opportunities.

Council has now reviewed its overall financial position and resourcing needs to be even more constrained than previous estimates. As a result, officers have developed the 2016/17 Action Plan to reflect what is realistic to achieve/advocate for in an ongoing constrained financial environment.

Of concern is the very limited funds currently available for improvements to and renewal of non-sporting, passive parks and reserves. There is much evidence to demonstrate the importance of passive open space, including trails, to community health and wellbeing for people of all ages. Whilst sporting facilities are also vital services for those involved or interested in sport, a more equitable distribution of investment in active and passive open space will need to be established in future budgets.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

A number of Council strategies and are reflected in the MOSS's recommendations, including the *Municipal Public Health and Wellbeing Plan 2013-2017*, *Environment Strategy 2014-2024*, *Early Years Plan 2012* and *Access and Inclusion disability Plan 2013-2017*.

The most relevant objectives of the *Council Plan 2013-2017* are:

### **SUSTAINABLE GROWTH AND DEVELOPMENT**

*"Shaping future communities through forward planning and well built and maintained facilities and infrastructure."*

### **HEALTHY AND VIBRANT COMMUNITIES**

*"Providing and supporting programs and services to build vibrant and healthy communities where people are proud to live."*

## **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Shire's natural features and open space are an asset, from which social, economic and environmental benefits are generated. Open space areas and off road

MITCHELL OPEN SPACE STRATEGY UPDATE AND 2016/17 ACTION PLAN (CONT.)

trails provided by Council and others create opportunities for social interaction and connectivity as well as for recreation, contemplation and physical activity.

### **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 *Mitchell Open Space Strategy 2013-2023* has established the vision, goals and principles for the provision of open space and off road trails in the Shire. It makes recommendations for enhancing the open space network through robust planning and prioritised delivery of improvements over time.

Council's development of Structure Plans for Wallan, Kilmore, Wandong/Heathcote Junction and Seymour have better informed the MOSS's recommended actions and priorities for provision and enhancement of Mitchell's open space network and recreation services.

A number of significant capital works projects were delivered in the MOSS 2015/16 Action Plan, with a number being added to the original plan due to successful external grant funding applications. Ongoing partnerships with state government, user groups and other funding providers will be vital in delivering open space and recreation service improvements in 2016/17, particularly in Council's current financially constrained environment.

## 7.9 COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW

**Author:** Lyn Morling - Recreation and Open Space Coordinator

**File No:** RE/03/014

**Attachments:** 1. Final DRAFT FASA

---

### SUMMARY

In June 2015, Council endorsed the extension of Funding and Service Agreements (FASAs) with Committees of Management which operate many of Council's sport, recreation and community facilities. Council also resolved that Council officers undertake a review to determine the appropriate format and requirements for the Funding and Service Agreements in 2016 and beyond.

This review has been undertaken and it is recommended that the current local community based management model be continued where feasible and that Council enter into new, revised Funding and Service Agreements, with a term of one year plus one year (Council) option, with all CoMs operating under existing Funding and Service Agreements with Council.

### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. PARKER

**THAT** Council:

1. Endorse the revised Funding and Service Agreement template for implementation on a term of one year plus one year (Council) option.
2. Officers work with each Committee of Management currently operating under a Funding and Service Agreement with Council to sign and implement their individual revised Funding and Service Agreements.
3. Inform Committees of Management that they will be required to amend their incorporated association rules to a set of standard rules provided by Council by 30 June 2017.
4. Formally thank the Committees of Management which worked so constructively with Council on the review of Council's Committees of Management and Funding and Service Agreements.
5. Officers develop policies for Committees of Management and Funding and Service Agreements with Council.

**UNANIMOUSLY CARRIED**

### BACKGROUND

Council has a strong commitment to a local community and user based management model for most of its community facilities. The committee members and other volunteers of these Committees of Management (CoMs) have provided their local

---

**COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW (CONT.)**

communities with great service over many years. They have also made significant voluntary contributions to the development, improvement and maintenance of services at the sites they manage. The CoMs have operated with financial contributions from Council towards operational costs and have collected fees and charges from users to further offset costs. At some sites there has been significant in-kind or sponsored works contributions which have offset operational costs.

In 2011/12 Council changed from a long-standing Section 86 Committee management model, under which CoMs were part of Council, to an incorporated association model, under which CoMs are separate legal entities. The changes became effective in February 2012 and were extended to June 2013 to enable a review. A new FASA was implemented following this review on a two year plus one year option (of Council) basis, which, if exercised would expire on 30 June 2016.

In early 2015, a number of issues were identified with the operations of some CoMs as incorporated associations, their compliance with FASA obligations, application of usage agreements and insurance coverages. Issues were also identified with Council's management of Crown land sites, processes for supporting CoMs and their operations and compliance with reporting and permissions requirements in particular. This was compounded by Council's CoM Operating Manual not having been updated to reflect the change from the Section 86 Committee model to the incorporated association one.

In consultation with CoMs, an initial review of the governance and operations of CoMs and Council's management of CoMs and FASAs was conducted.

In June 2015, Council resolved to exercise its option to extend the FASAs until 30 June 2016 and for officers to undertake, in consultation with CoMs, further review for FASAs in 2016 and beyond.

## **ISSUES AND DISCUSSION**

These actions have occurred since the initial review in early 2015 identified the following issues -

- Greater engagement with CoMs to discuss the issues and potential risks and work towards raising awareness, addressing risk management and improving support for voluntary CoMs,
- More comprehensive analysis of issues and options for improvements by Council and CoMs,
- Consideration of alternative management model options, with the current model assessed as the preferred in the current circumstances,
- Improved governance by Council of FASA obligations, including insurances, financial and other reporting requirements and usage agreements,
- Template occupancy agreements with terms and conditions of use developed for use by Council and CoMs,
- Updated CoM Operations and Resource Manual developed,

---

COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW (CONT.)

- Improved insurance arrangements for CoMs and their volunteers, in particular for those operating on Crown land for which Council has been appointed Committee of Management under the *Crown Land (Reserves) Act 1978*,
- New model rules, compliant with current *Associations Incorporation Reform Act 2012*, developed for use of CoMs
- Review of FASA to identify inconsistencies with *Associations Incorporation Reform Act 2012*
- Development of new, revised FASA, to ensure consistency with *Associations Incorporation Act 2012*, reflective of Council's incorporated association model and to clarify roles, responsibilities and obligations (Attachment 1).
- Review of maintenance schedule of FASA to clarify Council and CoM responsibilities,
- Review of FASA funding formula, with a particular focus on the nature and complexity of a site's facilities and the site's capacity to generate income from its usage,
- Analysis of CoM financial reports to more fully understand the current financial positions of CoMs, how they have used Council and other funding in the past, the level of income they have generated, expenditure on maintenance and capital expenditure, quality of reporting to CoMs, compliance with Consumer Affairs annual statement requirements as an incorporated association.
- Review of Council's compliance with its responsibilities as a Committee of Management for Crown land under the *Crown Land (Reserves) Act 1978* and associated *Committees of Management Responsibilities and Good Practice Guidelines*.
- Supported CoMs which were experiencing some difficulties in putting formal usage agreements in place with some regular users.
- Commenced a review of events management, with a particular focus on risk management, including that the CoMs and event managers have appropriate insurance for the activities being undertaken.

It is expected that with this greater awareness, improved support and resources from Council and ongoing training and development that Council's current CoM and FASA model can continue. There is a high level of commitment from CoM representatives and Council officers to work together to improve CoM facilities, based on a local community management model.

All CoMs will need to update their incorporated association rules to ensure compliance with the current *Associations Incorporation Act 2012*. A set of standard rules have been developed for the use of CoMs and it is recommended that all CoMs be required to adopt these by 30 June 2017.

---

COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW (CONT.)

## **CONSULTATION**

The CoM and FASA review work has been undertaken in collaboration with CoMs who have willingly provided information when requested and completed a comprehensive survey which informed the initial review. CoM representatives have participated in well-attended forums, involving Councillors and Council officers and an independent facilitator, where the CoMs' and Council's challenges, issues and concerns were constructively discussed.

The most recent forum, on 21 April 2016, covered – CoMs & meetings, relationships & communication, challenges & opportunities, risk management, maintenance & capital works and future trends & opportunities. These topics provided valuable feedback for service improvements.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

In its 2015/16 budget, Council committed nearly \$300,000 towards contributions to support CoMs operating under FASAs. In the past, a standard funding formula has determined Council's contribution towards operational costs at all sites. There is some evidence that the formula could be modified for different categories of facilities however there is a wide range of 'facility mix' across CoM sites. There should be no increase in costs to Council, rather a more equitable distribution of current funding, which has not been increased for two years. The current levels of reserves held by most CoMs do not demonstrate a need to increase Council's contributions to operations at most sites. There is also evidence that some CoMs could charge higher fees for use and/or recoup greater utility usage costs from users.

The CoM review process has identified that some CoMs have built up large cash reserves over time (collectively approximately \$280,000), including from when they were Section 86 Committees. Some CoMs have had the capability to fund minor capital works and this has reduced their reserve levels. Some however have undertaken no capital works but still have very little in financial reserves. It has been difficult to properly assess how much some CoMs have in reserves due to incomplete reporting or reporting on only some of their accounts.

It needs to be noted that voluntary contributions by people managing and maintaining CoM facilities have contributed to the financial reserves at some sites and to operational cost savings to Council.

Standardised reporting templates would have assisted in analysis of how CoMs have accumulated high or low reserves over time, including an assessment of whether they are the result of in-kind voluntary contributions, levels of fees and charges applied by CoMs, incorrect/inappropriate FASA funding formula, income from other sources, undertaking capital works from operational or other funding sources or not meeting maintenance obligations. The latter is made more difficult to assess at ageing facility sites where costs of maintenance are higher because renewal works have not been funded in the past (renewal gap) or able to be funded under Council's current financial constraints. Facility renewals are Council's, rather than CoMs' responsibility.

Over the past four years three CoMs have requested that Council take back management and maintenance of a total of four sports ovals. Recently one key CoM site has come, hopefully temporarily, under Council's direct management as a new

---

**COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW (CONT.)**

secretary could not be recruited to the CoM. Whilst these changes have resulted in reduced CoM FASA funding, it has increased Council's costs and placed additional officer resourcing pressures on Council.

Some CoMs and/or their user groups have the capacity to generate significant income from the use of their community facilities although most of these have significant operational costs. Some CoMs however have been able to carry out capital improvement works from funds generated from various sources.

Others have very limited capacity to generate income although the facilities are vital to those usually small township communities.

It is possible that some CoMs are not meeting their facility maintenance obligations under their FASAs although this is based on analysis of financial reports which do not reflect in-kind work by volunteers. There has also been lack of clarity and/or agreement of the roles and responsibilities of CoMs and Council in the FASA maintenance schedules. This will be better addressed through updated schedules and programmed inspections and recording of paid and in-kind voluntary maintenance works undertaken by CoMs.

A standardized financial reporting template is being also developed to ensure that CoM reports to Council are complete and are capturing all maintenance, renewal and capital works undertaken so this can be included in Council's asset management data.

Training and templates will be provided to CoMs to better understand financial reports and to ensure that all CoMs are fully informed of their finances, including reserve and other accounts, assets and liabilities. Some CoM Annual General Meeting minutes indicate that the CoM has considered only a simple annual profit and loss statement.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

The review has been undertaken consistent with the objectives of the Council Plan 2013-2017:

### **HEALTHY AND VIBRANT COMMUNITIES**

*"Providing and supporting programs and services to build vibrant and healthy communities where people are proud to live."*

### **SUSTAINABLE GROWTH AND DEVELOPMENT**

*"Shaping the future of our communities through forward planning and well built and maintained facilities and infrastructure."*

Council does not currently have policies on Committees of Management or Funding and Service Agreements with Council. It is recommended they be developed.

The review considered Council's obligations under the *Local Government Act 1989*, *Crown Land (Reserves Act) 1978*, *Wrongs Act 1958* and *Occupational Health and Safety Act 2004*.

---

COMMITTEES OF MANAGEMENT AND FUNDING AND SERVICE AGREEMENT REVIEW (CONT.)

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The CoM and FASA model provides a mechanism to support sustainable operation of many of Council's recreation, open space and community facilities.

Greater practical assistance from Council, including the updated Operations and Resource Manual, template usage agreements, training and development opportunities for CoMs and their volunteers will support the sustainability of Council's current CoM model.

Trends and issues in relation to volunteer based community groups' capacity to meet growing compliance and other obligations will need to be monitored, as will be their ability to recruit, retain and renew their volunteer base. As evidenced by some key sites choosing to hand facility management and maintenance responsibilities in part or full to Council, these trends and issues may necessitate further review of the sustainability of Council's current CoM model.

Effective management of the potential risks to Council (as land owner or appointed manager of Crown land), the CoMs as incorporated associations and volunteers under Council's current model is essential for sustainability of the model. If this cannot be achieved consistently, Council will need to consider alternative management options. These could still be community-based models but with less potential exposure to Council, CoMs and volunteers.

### **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 current FASA term expires on 30 June 2016. It is recommended that Council enter into new FASAs with Council's current CoMs. The existing FASA to be replaced with a new revised one, with a term of one year plus one year (Council) option. Also, that all CoMs be informed that they will be required to amend their incorporated association rules to a set of standard rules provided by Council by 30 June 2017. Council will provide significant other support to CoMs to facilitate this transition

It is also recommended that Council develop policies for Committees of Management and Funding and Service Agreements with Council.



---

## 7.10 MITCHELL ACCESS AND INCLUSION DISABILITY PLAN

**Author:** Buffy Leadbeater - Coordinator Community Development/Youth Services

**File No:** DS/02/002-02

**Attachments:** 1. Access and Inclusion Year 4 Action Plan 2016/2017  
2. Access and Inclusion Year 3 Report 2015/2016

---

### SUMMARY

The Mitchell Access and Inclusion disAbility Plan 2013 - 2017, adopted by Council on 22 July 2013, detailed measures to direct Council in working towards an inclusive community. The Access and Inclusion disAbility Plan addresses access and inclusion issues within the Mitchell Shire and seeks to improve the lives of our community members through constructing and modifying environments so that they can be enjoyed by all.

This report informs Council of progress on actions that are outlined in the Access and Inclusion disAbility Plan as at June 2016. This report presents the Year Four Action Plan (2016 - 2017) for the Access and Inclusion disAbility Plan 2013 - 2017, as well as outlining the key achievements of the Year Three Action Plan (2015 - 2016).

### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. R. SANDERSON

**THAT** Council:

1. Note the key deliverables of the Access and Inclusion disAbility Action Plan for Year Three (2015 - 2016)
2. Adopt the Access and Inclusion disAbility Action Plan for Year Four (2016 - 2017)
3. Formally thank the Access and Inclusion disAbility Committee for their contribution to the Action Plan.

**UNANIMOUSLY CARRIED**

### BACKGROUND

The Australian Disability Discrimination Act (the Act) is a piece of Commonwealth legislation which requires that people with disabilities be given equal opportunity to participate in and contribute to the full range of economic, social, cultural and political activities. The Act makes it illegal for people or organisations to discriminate against people with disabilities either intentionally or unintentionally.

The Australian Human Rights Commission recommends that organisations, including local government, develop Disability Action Plans to both ensure that they do not

---

MITCHELL ACCESS AND INCLUSION DISABILITY PLAN (CONT.)

discriminate and to act as a defence against possible discrimination claims.

The Mitchell Access and Inclusion disAbility Plan 2013 – 2017 is a strategy which guides Council's priorities and actions to achieve equity for people of all abilities in our inclusive, diverse and fast-growing municipality.

The Plan is divided into the following 4 major areas for Council action:

1. Social Environment
2. Economic Environment
3. Physical Environment
4. Organisational Environment

The Year Four Action Plan comprises actions that Council and partners will deliver during 2016 - 2017 to support the delivery of the priorities and objectives identified in the Access and Inclusion disAbility Plan 2013-2017.

## **ISSUES AND DISCUSSION**

### **Year Three Action Plan (2015 - 2016)**

The third annual action plan continued to build on the foundational work that was undertaken in the first two years. For the period up to June 2016, a number of actions were progressed and/or finalised. Some of the highlights include:

- Increased opportunities for young people with a disability to participate in community and recreational events.
- Community drop in space for people of all abilities opened at the Goulburn Options Art Room with regular Art Sessions and Day Programs available.
- Accessible Events Checklist developed to assist community groups, businesses and Council to run accessible events.
- Mobility Maps developed for the five major town centres across Mitchell.
- Communication Boards developed for use at all Customer and Library Service Centres.
- Hearing Loops housed at Broadford Customer and Library Service Centre and available for loan by community groups.
- Access and Inclusion webpage redeveloped to improve the inclusiveness and accessibility.
- Partnered with Hume Regional Access Network (12 Hume Region LGO's) to develop and implement the "Good Access is Good Business" Project across the region.
- Significant upgrades to council's built and natural environment.

Partnerships with the Access and Inclusion Advisory Committee members were strengthened over the year through working together on joint projects including:

## MITCHELL ACCESS AND INCLUSION DISABILITY PLAN (CONT.)

- Access and Inclusion Advisory Committee meetings held quarterly to provide opportunities for discussion, to identify issues requiring advocacy in the shire and facilitate mechanisms to advocate.
- Event held to celebrate International Day of People with Disability with students of all abilities from Mitchell Shire.
- Access and Inclusion Champion Award presented at Australia Day celebrations.
- Access and Inclusion Advisory Committee provided input into Council plans and strategies.

**Year Four Action Plan (2016 - 2017)**

The Year Four Action Plan builds on the deliverables of the previous three action plans and will continue to be a holistic approach to disability issues within Mitchell Shire.

There are a number of actions of the Year Three Action Plan that will be carried forward into the next financial year. These include:

- Strengthen education and advocacy about all forms of disability.
- Review of Council's Disability Employment Policy and Procedures.
- Ensure accessibility of Council meetings, consultation and events.
- Encourage compliance with Disability Discrimination Act at earliest stage of planning.
- Ensure all communication is current and in accessible formats.

Council will continue to work closely with the Access and Inclusion Advisory Committee and Disability Service Providers who operate within Mitchell Shire. Responsible Directorates will provide quarterly progress reports on relevant actions.

The Mitchell Access and Inclusion disAbility Plan 2013 – 2017 will expire in June 2017. An evaluation and audit of actions will be conducted and reported to Council during the second half of 2016. The process of consultation internally and externally will then commence to develop the next Council Plan.

The Year Four Action Plan can be found at Attachment A.

**CONSULTATION**

The Year Four Action Plan was circulated to Access and Inclusion Advisory Committee members in May 2016 for their comments and endorsement. The action plan was endorsed by the Committee on 16 May 2016.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The Year Four Action Plan will require the commitment of organisational capacity and resources throughout the 2016 - 2017 financial year. Limited financial resources have been allocated to assist the ongoing implementation of actions. In addition, monitoring and implementation of the Annual Action Plan will require a significant

---

MITCHELL ACCESS AND INCLUSION DISABILITY PLAN (CONT.)

commitment of officer time. Primarily, officer time would come from the Community Development Officer. Where possible, Council will also seek additional external grant funding opportunities.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Council's Access and Inclusion disAbility Plan 2013 - 2017 is informed by the:

- Australian Disability Discrimination Act 1992 (DDA)
- National Disability Strategy 2010 - 2020
- Victorian Disability Act 2006
- Victorian State Disability Plan 2013 - 16

The Access and Inclusion disAbility Plan aims to develop a practical framework to address barriers and disadvantage confronting people living with a disability, while aiming to enhance accessibility and inclusiveness within the Mitchell Shire.

The Access and Inclusion Plan sits under and links to the Council Plan and the Municipal Health and Wellbeing Plan 2013 - 2017. These plans aim to ensure we have an accessible and inclusive community that supports and enhances the physical, social, economic and mental wellbeing of people with a disability in the Mitchell Shire.

One of the five objectives of the Council Plan is 'Healthy and Vibrant Communities' which focuses on providing and supporting programs and services to build vibrant and healthy communities where people are proud to live. An objective from the Municipal Health and Wellbeing Plan 2013 - 2017 is to create a shire with confident, resilient, involved communities that work together to achieve shared goals.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Year Four Action Plan ensures that the needs and interests of people of all abilities is recognised by Council and partners into the future. Actions included in the Year Four Action Plan will require ongoing commitment and support from internal and external stakeholders, however, it is envisaged that as the social capacity of community grows through the development of these initiatives the need for Council's intervention will lessen.

This Strategy does not have any impact on environmental sustainability.

### **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.

MITCHELL ACCESS AND INCLUSION DISABILITY PLAN (CONT.)

**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**

Adoption of the Year Four Action Plan of the Access and Inclusion disAbility Plan will demonstrate Council's continued commitment to addressing access and inclusion issues, and increasing the enjoyment and livability of the Shire for all residents.

### 7.11 MITCHELL SHIRE CULTURAL DIVERSITY PLAN 2014-2017

**Author:** Buffy Leadbeater - Coordinator Community Development/Youth Services

**File No:** CS/02/003

**Attachments:** 1. Cultural Diversity Year 3 Action Plan 2016/2017  
2. Cultural Diversity Year 2 Report 2015/2016

---

### SUMMARY

The Mitchell Cultural Diversity Plan 2014 - 2017, adopted by Council on 11 August 2014, detailed measures to direct Council in working towards an inclusive community. The Cultural Diversity Plan sets out a vision for Mitchell Shire to become a 'welcoming community that celebrates cultural diversity and is inclusive of all people'. The Plan seeks to enhance the social, economic and cultural health and wellbeing of the Shires culturally diverse community.

This report informs Council of progress on actions that are outlined in the Cultural Diversity Plan as at June 2016. This report presents the Year Three Action Plan (2016 - 2017) for the Cultural Diversity Plan 2014 - 2017, as well as outlining the key achievements of the Year Two Action Plan (2015 - 2016).

### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. B. CORNISH

**THAT** Council:

1. Adopt the Cultural Diversity Action Plan for Year Three (2016 - 2017)
2. Note the key deliverables of the Cultural Diversity Action Plan for Year Two (2015 - 2016)

**UNANIMOUSLY CARRIED**

### BACKGROUND

A range of policy and legislation across the three tiers of government provides a context for Mitchell Shire to respond to its increasingly culturally diverse community. They outline the obligation to provide services that are accessible, equitable, responsive, effective, efficient and accountable.

The two main pieces of legislation, the Racial Discrimination Act 1975 (the Act) and the Victorian Charter of Human Rights and Responsibilities Act 2006 (the Charter) promote and protect four basic principles of freedom, respect, equality and dignity. They outline Council's responsibility to develop Action Plans to support communities to embrace different cultural traditions and ensure that they do not discriminate on the basis of race, colour, descent or ethnic background.

The Mitchell Cultural Diversity Plan 2014 - 2017 is a strategy which guides Council's priorities and actions to achieve equity for all people in our inclusive, diverse and fast-growing municipality. It was developed in response to the changing demographic

---

MITCHELL SHIRE CULTURAL DIVERSITY PLAN 2014-2017 (CONT.)

characteristics of the Shire and to provide greater recognition to the existing culturally diverse communities.

The Plan is divided into the following 4 major areas for Council action:

1. Service delivery, planning and partnerships
2. Recognition and celebration of cultural diversity
3. Communication, engagement and participation
4. Leadership and advocacy

The Year Three Action Plan comprises actions that Council and partners will deliver during 2016 - 2017 to support the delivery of the priorities and objectives identified in the Cultural Diversity Plan 2013-2017.

## **ISSUES AND DISCUSSION**

### **Year Two Action Plan (2015 - 2016)**

The second annual action plan continued to build on the foundational work that was undertaken in the first year. For the period up to June 2016, a number of actions were progressed and/or finalised. Some of the highlights include:

- Increased opportunities for people from CALD backgrounds to participate in community and recreational events.
- Cultural Diversity webpage redeveloped to improve the inclusiveness and accessibility.
- Increased network and information sharing between Council and partner agencies.
- Increased Council representation on external multicultural committees.
- Increased promotion of culturally diverse stories, activities and events.
- Partnered with the LAN to host cultural celebrations including Reconciliation Week, NAIDOC, and XMAS events.
- A Taste of Harmony held to celebrate Harmony Day.
- Aboriginal Artwork from Taungurung Clan displayed at the Seymour Customer & Library Service Centre.
- Cultural diversity and cultural inclusion embedded into all kindergarten programs.
- Youth Services delivering activities and projects for Aboriginal and CALD young people.
- Say NO to Racism training delivered in Mitchell Shire.

Partnerships with the Cultural Diversity Advisory Committee members were strengthened over the year through working together on joint projects including:

- Cultural Diversity Advisory Committee meetings held quarterly to provide opportunities for discussion, to identify issues requiring advocacy in the shire and facilitate mechanisms to advocate.

MITCHELL SHIRE CULTURAL DIVERSITY PLAN 2014-2017 (CONT.)

- Cultural Diversity Advisory Committee provided input into Council plans and strategies.
- Preparation made for the 2017 Mitchell Multicultural Street Festival.

### **Year Three Action Plan (2016 - 2017)**

The Year Three Action Plan builds on the deliverables of the previous two action plans and will continue to be a holistic approach to multicultural issues within Mitchell Shire.

There are a number of actions of the Year Two Action Plan that will be carried forward into the next financial year. These include:

- Strengthen education and advocacy.
- Review of Council's Diversity Employment Policy and Procedures.
- Ensure Council meetings, consultation and events are inclusive.
- Ensure all communication is current and in accessible formats.

Council will continue to work closely with the Cultural Diversity Advisory Committee and Service Providers who operate within Mitchell Shire. Responsible Directorates will provide quarterly progress reports on relevant actions.

The Mitchell Cultural Diversity Plan 2014 – 2017 will expire in June 2017. An evaluation and audit of actions will be conducted and reported to Council during the second half of 2016. The process of consultation internally and externally will then commence to develop the next Council Plan.

### **CONSULTATION**

The Year Three Action Plan was circulated to Cultural Diversity Advisory Committee members in May 2016 for their comments and endorsement. The action plan was endorsed by the Committee on 24 May 2016.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The Year Three Action Plan will require the commitment of organisational capacity and resources throughout the 2016 - 2017 financial year. Limited financial resources have been allocated to assist the ongoing implementation of actions. In addition, monitoring and implementation of the Annual Action Plan will require a significant commitment of officer time. Primarily, officer time would come from the Community Development Officer. Where possible, Council will also seek additional external grant funding opportunities.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Council's Cultural Diversity Plan 2014 - 2017 is informed by the:

- Racial Discrimination Act 1975
- The People of Australia – Australia's Multicultural Policy 2011
- Charter of Public Service in a Culturally Diverse Society
- Closing the GAP – 2008



---

MITCHELL SHIRE CULTURAL DIVERSITY PLAN 2014-2017 (CONT.)

- Victoria's Advantage: Victoria's Multicultural Affairs and Citizenship Policy 2014
- Victorian Racial and Religious Tolerance Act 2001
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Multicultural Victoria Act 2011
- Victorian Equal Opportunity Act 2010
- Victorian Government Aboriginal Inclusion Framework 2010
- Statement of Commitment to Cultural Diversity 2012

The Cultural Diversity Plan 2014 -2017 links with the Council Plan and Municipal Public Health and Wellbeing Plan 2013-17. These plans have goals which aim to ensure that the Aboriginal & Torres Strait Islander community and culturally diverse people are recognised and included. One of the five objectives of the Council Plan is 'Health and Vibrant Communities' which focuses on fostering cultural inclusion and celebrating diversity. A goal of the Municipal Public Health and Wellbeing Plan 2013 – 2017 is to create a Shire with confident, resilient, involved communities that work together to achieve shared goals.

The Plan is further supported by the Community Engagement Strategy and Policy that was adopted in 2010 which recognises the importance of community input in developing and delivering better services.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The social sustainability of the Mitchell Shire community will be heavily dependent on the inclusiveness of culturally diverse people as Mitchell Shire continues to grow. The Mitchell Cultural Diversity Plan 2014-2017 builds on existing Council activities while proactively responding to the emerging growth in the culturally diverse population in the south of the Shire.

Planning for culturally appropriate services and supporting the increased involvement of culturally diverse groups early on in the growth process will support the ongoing social and economic sustainability of the Shire.

The Year Three Action Plan ensures that the needs and interests of people of all nationalities is recognised by Council and partners into the future. Actions included in the Year Three Action Plan will require ongoing commitment and support from internal and external stakeholders, however, it is envisaged that as the social capacity of community grows through the development of these initiatives the need for Council's intervention will lessen.

This Strategy does not have any impact on environmental sustainability.

### **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.

MITCHELL SHIRE CULTURAL DIVERSITY PLAN 2014-2017 (CONT.)

**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**

Adoption of the Year Three Action Plan of the Cultural Diversity Plan will demonstrate Council's continued commitment to celebrating cultural diversity and increasing the enjoyment and livability of the Shire that is inclusive of all people.

**7.12 LIVING WELL FOR LIFE STRATEGY- YEAR THREE ACTION PLAN  
2016/2017**

**Author:** Jaala Freer - Health and Wellbeing Officer

**File No:** CS/03/008

**Attachments:** 1. Mitchell Living Well for Life Strategy Year 3 Action Plan-2016/2017

---

**SUMMARY**

The Living Well for Life (LWFL) Strategy 2014-2018 was adopted by Council in 2014 with a vision for an age-friendly community that supports and enhances the physical, social, economic and mental wellbeing of older people living in Mitchell. Since 2014 the Year One (2014-2015) and Year Two (2015-2016) action plans have been successfully implemented.

This report provides an update on the achievements for the LWFL Year Two Action Plan, as well as presenting existing and newly developed initiatives for the Year Three Action Plan (2016-2017).

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. B. CORNISH

**THAT** Council:

1. Note the key achievements of the Year Two Action Plan (2015-2016)
2. Endorse the Year Three Action Plan (2016-2017)

**UNANIMOUSLY CARRIED**

---

LIVING WELL FOR LIFE STRATEGY- YEAR THREE ACTION PLAN 2016/2017 (CONT.)

## **BACKGROUND**

In June 2014, Council adopted the Living Well for Life Strategy 2014-2018 which was a strategy designed to promote, support and guide the implementation of objectives and actions to improve the quality of life for older people living in Mitchell.

The LWFL Strategy 2014-2018, seeks to achieve an age-friendly community by promoting and valuing the contributions of older residents, encouraging participation in a comprehensive range of life opportunities and eliminating aged based barriers to participation.

As other strategies and initiatives delivered by Council generally capture those in the community that are under 50 years of age the LWFL strategy specifically seeks to engage community members who are 50 years of age or older.

The Year Three Action Plan (2016-2017) builds on from previous achievements of the Year Two Action Plan (2015-2016) and outlines the activities that Council and both internal and external stakeholders will deliver during 2016-2017 to support the delivery of the priorities and objectives identified in the LWFL Strategy 2014-2018.

## **ISSUES AND DISCUSSION**

The following details the achievements and outcomes arising from the Year Two Annual Action Plan, implemented in 2015-2016. The approach taken to prepare the Year Three Annual Action Plan is also detailed below.

### **Living Well for Life Strategy- Year Two Action Plan 2015-2016 Achievements**

- 45 seniors participated in the Grey Medallion program across both Kilmore and Seymour Leisure centers.
- U3A President facilitated a 'Learn to knit' session as part of the Wallan School holiday program in June with 6 young people attending.
- Three quarterly Mitchell Seniors Newsletters delivered across the year. 1500 copies distributed in total.
- 180 seniors attended the Annual Seniors concert in October 2015 featuring Jade Hurley.
- 41 seniors attended the 'Intro to Android Tablets' and 'Intro to Ipad' sessions held at across all four Mitchell libraries during Seniors Festival 2015.
- Annual Volunteer luncheon held in May 2016 with 160 volunteers across the shire attending.
- Health and Wellbeing presentation delivered to 'The Elm's' retirement village in Kilmore in July 2016 with 45 residents attending.
- World Diabetes Day event held in Wallan in November with 25 seniors attending.
- Fire ready information resources delivered to Senior Citz, U3A, Neighborhood Houses and Leisure centres.
- Diabetes survey produced by Diabetes working group with approximately 61 responses completed.

---

LIVING WELL FOR LIFE STRATEGY- YEAR THREE ACTION PLAN 2016/2017 (CONT.)

### **Living Well for Life Strategy- Year Three Action Plan 2016-2017 Approach**

- Gather data and undertake community consultation processes to identify needs and preferences for age-friendly initiatives to improve livability for older people in Mitchell.
- Continue to collaborate with external agencies to deliver programs e.g. the Grey Medallion Program with Life Saving Victoria
- Implement intergenerational initiatives and projects in partnership with schools, senior citizens, Men's Sheds, Neighbourhood Houses, Nexus, community groups and young people.
- Mitchell Seniors newsletter continued to be published quarterly and available both hard and soft copy versions.
- Seniors Festival calendar of events planned and implemented for October 2016.
- Seniors Concert to be held Tuesday 4 October 2016 with Colleen Hewitt.
- Seniors focused Health and Wellbeing fact sheets developed and published.
- Kilmore, Seymour and Heathcote Junction Structure plans include consultation with older people living within the community.

### **CONSULTATION**

The LWFL Year Three Action Plan has been developed in close consultation with both internal and external stakeholders. This consultation process allowed for a review of current initiatives and evaluation of the successes and challenges, as well as development of new initiatives for the Year Three Action Plan (2016-2017).

The consultation involved individual meetings both face-to-face and via teleconference with service agencies, as well as Council Officer from, Leisure Services, Youth services, Statutory Planning, Strategic Planning, Social Planning, and Parks and Assets.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The previous funds allocated to Nexus Primary Health relating to the provision of HACC services will no longer be allocated in future.

Monitoring and implementation of the 2015-2016 Action Plan required a commitment of officer time, particularly from the Health and Wellbeing Officer. This will also occur for the implementation of the 2016-2017 Action Plan. Grant funding for specific projects will also be sought where available.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The Living Well for Life Strategy 2014-2018 sits below the Council Plan 2013-2017 as well as the Municipal Public Health and Wellbeing Plan 2013-2017. These plans aim to ensure we have an age-friendly community that supports and enhances the physical, social, economic and mental wellbeing of older people living in Mitchell.

One of the five objectives of the Council Plan is 'Healthy and Vibrant Communities' which focuses on providing and supporting programs and services to build vibrant and healthy communities where people are proud to live. An objective from the

LIVING WELL FOR LIFE STRATEGY- YEAR THREE ACTION PLAN 2016/2017 (CONT.)

Municipal Public Health and Wellbeing Plan 2013-2017 is a healthy and active community which focuses on supporting opportunities for lifelong learning across all age groups.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The continued implementation of the Living Well for Life Strategy 2014-2018 ensures the social sustainability of Mitchell's older people is considered via capacity building through education, lifelong learning, and preparedness to respond to emergency situations. The strategy does not have any impact on environmental sustainability.

### **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 Living Well for Life Strategy 2014-2018 supports a community where older people can enjoy physical and mental health and wellbeing, as well as engage in economic, social, cultural, community and family life.

Endorsement of the Year Three Action Plan demonstrates Council's continued commitment to creating an age-friendly shire, as well as continuing to strengthen the networks and partnerships which support this goal.

**7.13 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013-2017- YEAR FOUR ACTION PLAN 2016-2017**

**Author:** Jaala Freer - Health and Wellbeing Officer

**File No:** CS/12/028

**Attachments:** 1. MPHWP Year Four 2016-2017 Annual Action Plan

---

**SUMMARY**

The Mitchell Shire Municipal Public Health and Wellbeing Plan (MPHWP) 2013-2017 was endorsed by Council in October 2013. Since 2013, three yearly action plans have been successfully implemented.

This report provides an update on achievements for the Year Three Action plan, as well as presenting the existing and newly developed initiatives for the final year (Year Four 2016-2017) action plan. The aim is to ensure increased opportunities are available shire-wide to continue to improve the health and wellbeing of the Mitchell population.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. D. CALLAGHAN

**THAT** Council:

1. Note the key achievements of the Year Three Action Plan (2015-2016), and;
2. Endorse the Mitchell Shire Municipal Public Health and Wellbeing Plan Year Four Action Plan (2016-2017)
3. Formally thank the Municipal Public Health and Wellbeing Committee for their contribution to the Action Plan.

**UNANIMOUSLY CARRIED**

**BACKGROUND**

The MPHWP 2013-2017 was endorsed in October 2013 with a purpose of identifying community priorities and seeking to build a healthier, more livable community through the delivery of improved services in strong partnership settings while reducing inequalities and disadvantage.

The Year Four Action plan will be the final year action plan for the MPHWP 2013-2017 as preparation for the next MPHWP takes place ready for implementation in June 2017. The Year Four Action Plan includes actions that Council and stakeholders both internal and external will deliver during 2016-2017 to support the delivery of the priorities and objectives identified in the MPHWP 2013-2017.

The Year Four Action Plan builds on the deliverables of the previous three action plans. Actions that have not been fully completed from the Year Three Action Plan or require continuous action have been rolled over into the next year's action plan.

---

MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013-2017- YEAR FOUR ACTION PLAN 2016-2017  
(CONT.)

## ISSUES AND DISCUSSION

The following details the achievements and outcomes arising from the Year Three Action Plan. The approach taken to prepare the Year Four Action Plan is also provided below.

### MPHWP Year Three Action Plan 2015-2016- Achievements

- SSAC visitation increased by 16% and KLC by 17% from same quarter last year.
- Walk to School grant funding received in 2015. Increase in schools participating from 5 schools in 2014 to 6 schools in 2016.
- Funding received as part of the Interface Grant MSC was successful for including the delivery of the play space upgrade at Hadfield Park, Wallan based on universal design principles.
- Four boxes from the Wallan Edible Garden moved to Wallan Multipurpose Centre in December due to strong demands from community for a garden. The Wallan Neighbourhood house has since then taken over the successful running garden.
- 17 Early years services in Mitchell are registered for Smiles 4 Miles program. All 8 Mitchell Shire cluster kindergartens are also registered for the program.
- Water Fluoridation implemented in Kilmore by DHHS in 2015.
- Three Community Fact sheets completed to date including: Community Safety; Drug and Alcohol & Income and Employment.
- Successful H30 Challenge initiative took place shire-wide in August 2015.
- Tallarook Primary School become a 'Water only' school in September 2015.
- 4 healthy cooking workshops delivered as part of The Break the Chain Project (successful grant project between HWBO & Youth Services) with 20 participants.
- 9 primary schools and 1 Secondary school are registered with the Achievement program to date.
- 43 Businesses in Mitchell Shire registered as Breastfeeding Friendly Businesses with Australian Breastfeeding Association (ABA).

### MPHWP Year Four Action Plan 2016-2017- Approach

- Development of the MPHWP 2017-2021 including close consultation undertaken with the community, internal and external stakeholders.
- Implementation of Mitchell Food policy in a phased method.
- Hadfield Park play space upgrade completed by the end of 2016.
- Increased number of schools participating in Walk to School in October 2016.
- Shire-wide Pedometer challenge implemented in the month of October to encourage sustained physical activity.
- Health and Wellbeing Expo to be held in early 2017 with a focus on a rotating event to include other townships.



---

MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013-2017- YEAR FOUR ACTION PLAN 2016-2017 (CONT.)

- A local model for diabetes care is developed by the Mitchell Diabetes working group.
- Continue Implementation of the Communities Latching onto Breastfeeding campaign throughout the shire with a further increase in businesses registered.
- Implementation of Elly the Elephant community coaster initiative.

## **CONSULTATION**

The MPHWP Year Four Action Plan has been developed in close consultation with internal and external stakeholders. This consultation process allowed for a review of current initiatives and evaluation of the successes and challenges experiences, as well as development of new initiatives for the Year Four Action plan.

The consultation involved individual meetings both face-to-face and via teleconference with service agencies, as well as Council officers from, Leisure Services, Youth Services, Statutory Planning, Strategic Planning, Social Planning, Parks and Assets and Recreation and Open Space.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The cost to Council of the proposed initiatives in the final year Action plan is officer time and use of funds within existing budget resources. Where actions which require committed resources are listed, relevant stakeholders will have assigned resources in their respective budgets. Where possible, Council works closely with partner agencies to encourage collaboration and minimise costs. Council Officers continually source and apply for grant funding to resource initiatives where possible.

The implementation of the Year Four Action Plan will be coordinated by the Health and Wellbeing Officer. The Health and Wellbeing Officer will be responsible for working with agencies and internal Council Officers to monitor and report on progresses made in line with the action plan.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

As per the Public Health and Wellbeing Act 2008 it is a statutory requirement for all local councils to conduct an annual review of the MPHWP. This review allows for ongoing accountability to ensure that the plan is being implemented satisfactorily and remains updated and relevant to the MPHWP 2013-2017.

The Mitchell Shire Council Plan 2013-2017 sits alongside the MPHWP 2013-2017. One of the five objectives of the Council Plan is 'Healthy and Vibrant Communities' which focuses on providing and supporting programs and services to build vibrant and healthy communities in which people are proud to live.

## **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The continuous implementation of the MPHWP 2013-2017 ensures the social sustainability of Mitchell's community is considered through the collective and community driven focus.

---

MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013-2017- YEAR FOUR ACTION PLAN 2016-2017 (CONT.)

The third priority of the MPHWP 2013-2017 specially addresses environmental sustainability with six actions describing how the goal *'Protect and enhance the environmental landscape and reduce the impacts of climate change'* will be achieved.

### **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 MPHWP 2013-2017 aims to build a healthier, more resilient, connected community in order to protect and enhance the natural environment whilst strengthening the local economy. To create a balance between these environments this will enhance the overall health and wellbeing of both the current and future Mitchell Shire community.

Endorsement of the Year Four Action plan demonstrates Council's sustained commitment to creating a healthier and more vibrant community, while continuing to strengthen the networks and partnerships to achieve this goal.

## 7.14 RESILIENT MELBOURNE STRATEGY

**Author:** *Travis Heeney - Director Sustainable Communities*

**File No:** *CM/04/009*

**Attachments:** *1. Resilient Melbourne Strategy - Under Separate Cover*

---

### SUMMARY

The purpose of this report is to inform Council about the Resilient Melbourne strategy and consider appropriate involvement going forward (Attachment 1).

The Resilient Melbourne strategy has been developed with the active support and input from Melbourne's metropolitan councils, Victorian government departments, academics, the community and private sectors. It was the CEOs of councils that particularly informed the guiding principles for the strategy development that it must: build on existing structures; avoid duplication; and deliver tangible benefits for our communities today, with the long-term in mind.

The final stage of engagement was a metropolitan meeting of Mayors and CEOs on 14 April 2016 at which councils were provided with an overview of feedback received from councils and how it has been incorporated into the now final strategy (Attachment 2). Comments from Mayors and CEOs at the meeting also informed the finalisation of the document.

### COUNCIL RESOLUTION

**MOVED:** CR. R. PARKER

**SECONDED:** CR. W. MELBOURNE

**THAT** Council:

1. Note the Resilient Melbourne strategy (Attachment 1).
2. Consider including a Council Action about working with Resilient Melbourne: 'To work with Resilient Melbourne and determine the most effective ways for the Mitchell Shire Council to be involved in and benefit from delivery of the strategy and its associated actions'.

**UNANIMOUSLY CARRIED**

### BACKGROUND

Melbourne applied for and was selected to join the 100 Resilient Cities network (pioneered by the Rockefeller Foundation) in 2014. Melbourne's Chief Resilience Officer has led the Melbourne project, tasked with the development of a resilience strategy to deliver tangible benefits for metropolitan Melbourne and its communities.

---

RESILIENT MELBOURNE STRATEGY (CONT.)

## ISSUES AND DISCUSSION

### The Strategy

Resilient Melbourne marks an important point in Melbourne's development. It presents the first of our city's resilience strategies: a starting point that brings together individuals and organisations critical to the resilience of Melbourne and its diverse communities. It offers a new way to deal with the chronic stresses and acute shocks we are likely to experience, and to achieve our vision of a city that is viable, sustainable, liveable and prosperous, today and long into the future.

This vision is supported by four long term objectives and related action areas, which developed from our Preliminary Resilience Assessment published in June 2015, which had itself been informed and supported by metropolitan Council representatives. The objectives will be achieved through collaboration between disciplines and sectors on three flagship actions, 15 supporting actions and 15 aligned local actions.

Actions presented in the strategy were selected upon recommendation from focus area working groups, each led by a CEO from inner, middle and outer metropolitan councils. The proposed actions were further reviewed by the project Steering Committee, an expert panel and the five council CEOs, as well as with the 100 Resilient Cities executive.

### CONSULTATION

This strategy is the result of the work of more than 1000 individuals from 230 organisations, representatives of Melbourne's 32 councils, and many Victorian Government departments. The strategy has been widely tested with metropolitan councils in its development and highlights of specific local government engagement are listed in Attachment 1.

The document has been reviewed and feedback provided by representatives of local government authorities, the Victorian Government, community and private sector organisations.

A draft was circulated twice for stakeholder consultation; the second round was specifically for local government input. Feedback on the draft Resilient Melbourne strategy was received in the following ways: 56 full document reviews and over 1200 individual comments. Additionally, the Chief Resilience Officer, Toby Kent, met with 30 of 32 metropolitan council CEOs during February and March 2016 to discuss the draft strategy.

To ensure the strategy built on existing efforts and to avoid the risk of duplication, a survey was circulated and responded to by 80% of metropolitan Melbourne councils documenting exemplary projects already building resilience.

### FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The implementation of the strategy is proposed to be led by a Resilient Melbourne Delivery Office (Office), a unit to be hosted at City of Melbourne for five years, staffed by a cross-section of councils, and jointly funded by City of Melbourne, State

## RESILIENT MELBOURNE STRATEGY (CONT.)

agencies (through the Department of Premier and Cabinet) and from the second year onwards, by participating metropolitan councils. The Office will be guided by an expanded Steering Committee comprising representatives from Melbourne's five sub-regions and will:

- 1.1. facilitate the projects and commitments in the strategy;
- 1.2. develop resilience capacities in metropolitan local government; and
- 1.3. embed resilience principles across metropolitan Melbourne and relevant institutions, as well as determining the appropriate institution to take forward this work over the long term.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

### **Value to councils**

- Leverage metropolitan collaboration to attract funding and greater investment for project implementation, notably through the 'Platform Partners' made available through participating in the 100RC network;
- New opportunities to achieve efficiencies of scale;
- Effective sharing of information and knowledge about what is working and what isn't and build on each other's experiences, both within Melbourne and by drawing from the international network of 100 Resilient Cities;
- Participate in actions that correspond to and implement individual council plans;

## **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

### **Value to councils**

- Acknowledge the issues that occur across municipal boundaries and work together to build long term effective solutions.

## **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**

That Council note the Resilient Melbourne Strategy attached to this report and consider the recommendations made.

## 8 CORPORATE SERVICES

### 8.1 ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020

**Author:** *Nicole Maxwell - Manager Finance*

**File No:** *FN/09/022*

**Attachments:** *Nil*

---

#### SUMMARY

This report presents the 2016/2017 Budget, Rating Strategy and Strategic Resource Plan 2017-2020 (SRP) for adoption.

The Draft 2016/2017 Budget, Rating Strategy and Strategic Resource Plan 2017-2020 were endorsed by Council on 18 April 2016. 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 24 May 2016 and a total of twenty one submissions were received. Ten of the written submitters elected to be heard by Council at a special Hearings Committee held on Monday 6 June 2016 and eight attended.

Council, having considered public submissions and other information contained in this report in relation to the 2016/2017 Proposed Budget, Draft Rating Strategy and Draft Strategic Resource Plan 2017-2020, must resolve to:

- Adopt the 2016/2017 Budget, Strategic Resource Plan 2017-2020 and Rating Strategy 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 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. W. MELBOURNE

**THAT** Council:

1. Adopt the Strategic Resource Plan 2017-2020 as the final Adopted Strategic Resource Plan of Council for the 2017-2020 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 2016/17 as the final Adopted Budget of Council for the 2016/2017 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. Adopt the 2016/17 Rating Strategy as the final Rating Strategy.
4. Makes copies of the 2016-17 Adopted Budget, Rating Strategy and Strategic Resource Plan 2017-2020 available at Council offices, Libraries and on Council's website.
5. Authorise the Chief Executive Officer to give public notice of the decision to adopt the 2016/17 Annual Budget, Rating Strategy and Strategic Resource Plan 2017-2020 and submit copies as required to the Minister for Local Government, in accordance with Section 130 of the Act.
6. Notify in writing the persons who have made a submission regarding the 2016/17 Budget, Rating Strategy and / or Strategic Resource Plan 2017-2020 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.
7. Declare an amount of \$37,596,183 (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 2.5% rate increase outlined in the draft 2016/17 Budget, which is made up of the following:
  - a) General Rates \* \$27,448,427;
  - b) Garbage Charges \* \$4,567,785;
  - c) Municipal Charges \$5,579,971;
  - d) Total Rates and Charges \$37,596,183;\* including supplementary rates
8. Advises in respect of general rates:
  - (i) A general rate be declared in respect of and for the entire duration of the 2016/17 financial year;
  - (ii) It further be declared that the general rate be raised by application of differential rates;
  - (iii) Council declare the differential rates (shown as cents/\$CIV) for the 2016/17 year as follows:
    - General Land: 0.3701;
    - Vacant Land: 0.7402;

---

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

- Vacant Commercial or Industrial Land: 0.7772;
  - Rural Agricultural Land (40ha-100ha): 0.3331;
  - Rural Agricultural Land (greater than 100ha): 0.2961;
  - Subdivisional Land: 0.7402.
9. Declares a Municipal Charge of \$302.70 in respect of the 2016/2017 financial year.
10. Declares:
- a) Garbage charge (full service) of \$305.00;
  - b) Garbage charge (extra service) of \$195.00; and
  - c) Recycling Charge (extra service) of \$110.00.
11. Authorises the Chief Executive Officer to effect minor administrative and wording changes to the 2016/2017 Annual Budget, Rating Strategy and Strategic Resource Plan 2017 – 2020 documents, which may be required.

**UNANIMOUSLY CARRIED**

## **BACKGROUND**

### Annual 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 considered the first section of the Council Plan at its meeting on 16 May 2016, it has been prepared against the background of the proposed budget and the new rate capped environment. It is also the final year of four year Council Plan which provides an opportunity for Council to consolidate and reinforce the Council Plan priorities.

### 2016-17 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. Like most Councils, Mitchell faces a range of short term and long term financial challenges.

The revised SRP and the 2016/17 Budget seek to balance the demand for services and infrastructure with revenue while working within the Rate Cap Framework, and rebuilding Council's cash position, in the short term. These plans continue to take



---

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

corrective measures commenced by Council in recent years to improve long term financial sustainability.

Annual budgets and SRPs are formed using a combination of confirmed factors and assumptions. The key assumptions reviewed are:

- 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 revised SRP include:

- **Rate Capping** – The 2016/17 rates are to be capped at 2.5% and Mitchell Shire Council did not seek an exemption. This is a 2% reduction each year compared with the previous SRP where 4.5% was planned. To ensure this reduction in rates revenue does not compromise the work to improve long term financial sustainability, a reduction of \$633K in operating costs in 2016/17 has been undertaken. The remaining three years within the SRP have also been reduced to an assumed 2.5% cap.
- **Population growth** – Mitchell Shire comprises both rural and urban areas with continued strong growth expected. This brings with it a requirement to plan appropriately, build new infrastructure for our new communities as well as the provision of additional and appropriate services to these communities. Challenges in this area include having sufficient capacity to plan for and provide the infrastructure and services to these growing communities within the timeframes and levels expected.
- **Underlying Operating Deficits** – Ongoing underlying operating deficits are not financially sustainable in the long term. The previously adopted SRP expected an adjusted underlying result of -\$4.1M in 2016/17 and Council has reduced this result to -\$2.1M in the 2016/17 Budget, a \$2M improvement. A further \$2M is planned to be reduced in 2017/18. This is to assist in reducing ongoing deficits and provide increased funding for capital. Council has commenced critically 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 of course continue to advocate to other levels of government for increased funding to support its operational and investment requirements.
- **Replenishing 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 notional reserves which are not cash backed at this time. Council should hold roughly \$10M in cash holdings at a minimum in addition to the value held for reserves to ensure we can fund all works during periods of high expenditure and low income. The SRP remains focused on

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

- returning some of Council's cash from operations towards improving cash balances.
- **Investment in Infrastructure** – The capital works budget is insufficient at this time to meet all capital demands, however the capital works funds available has improved from the previous SRP with the redirection of \$4M over two years to Capital. The past SRP forecast \$25.6M in capital works expenditure whereas the revised SRP over those same three years, excluding carry forwards, forecasts \$43M. There is now a declining gap between what needs to be spent and what is being spent on renewing our assets as well as building new assets. This improvement has been a priority area for Council and is improving over the long term.
  - **Borrowing for long term benefit** – Future borrowings will continue to be linked to capital projects that provide cross generational benefits. Borrowings have been identified in the SRP for strategic land purchases in the South of the Shire in order to provide future community infrastructure, planning and construction of Seymour's flood levee and Council's contribution towards community infrastructure obligations resulting from new residential developments.
  - **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.

Key areas included in the revised SRP and Draft 2016/17 Budget are as follows:

#### Services (Operational Budget)

Council has scrutinised its operational budgets and achieved efficiencies to turn things around and redirect \$2M towards Capital and work within the 2.5% 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 2.43% when compared with the 2015/16 Forecast.

Staffing levels will reduce with a restructure that will see employee costs reduced by \$40K compared to the 2015/16 forecast, this may seem small but it shows that Council has contained the 3% EBA increase as well as other staff entitlement changes. This reduction is achieved through an FTE reduction of 5 compared to the 2015/16 forecast, a reduction of 20 FTE when compared to the 2014/15 Actuals. Council will continue to review vacancies and ensure that staffing structures are efficient and fit for purpose.

#### 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.

The Budget proposes an overall increase in total rates and charges revenue to be collected. The proposed increase in revenue is 2.5%, an assumed rate cap for the

---

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

four years and will be subject to the annual notification. The 2.5% is less than projected in Council's past SRP, which identified a 4.5% increase for the 2016/17 financial year and beyond.

### Capital

Council's Draft 2016/17 Budget supports a new capital works program of \$16.92M and a total program of \$26.02M which includes 2015/16 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 \$7.41M in borrowings to support strategic land purchases, the Seymour Flood Levee project and the Mandalay Community Centre.

### 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 Draft 2016/17 Budget assigns \$7.972M to the renewal of Council assets. This amount will increase each year with renewal funding continuing to be Council's first priority for capital works.

### Borrowings

Provision has been made for \$7.41M in new borrowings during 2016/17. \$5M is to fund a strategic land purchase in the South of the Shire which is carried forward from the 2015/16 Budget. These funds will be drawn down when the purchase is ready to proceed. \$0.91M relates to Stage 2 of the Seymour Flood Levee project and \$1.5M towards the Mandalay Community Centre.

## **CONSULTATION**

Councillors and Executive have worked together in the development of this Budget over a number of briefing and discussion sessions.

In accordance with Section 129 of the Act, the revised SRP and Draft 2016/17 Budget were made available for inspection for 28 days and submissions received:

1. The Proposed 2016/17 Budget, Draft Rating Strategy and Draft SRP 2017-2020 was presented to the Ordinary Council Meeting on 18 April 2016 and public notice advertised in the,
  - a. North Central Review 26 April 2016;
  - b. Seymour Telegraph 27 April 2016;
  - c. Mclvor Times 27 April 2016.
2. The Proposed 2016/17 Budget, Rating Strategy and SRP 2017-2020 were made available for public inspection at Council's Library and Customer Service Centres and published on Council's website from 19 April 2016 to 24 May 2016.
3. Full copies of submissions were provided to Council and verbal submissions heard by Council at its Special Hearings Committee meeting on Monday 6 June 2016.

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

### **Revisions to the 2016/17 Proposed Budget – Submissions**

The submission period ended on 24 May 2016 and a total of twenty one submissions were received. Ten of the written submitters elected to be heard by Council at a Special Hearings Committee held on Monday 6 June 2016 and eight attended.

The key themes from these submissions included:

- Requests for a new supervised school crossing to be provided in White Street Kilmore;
- Request for new footpaths in White Street Kilmore (between Lumsden Street and Allen Street); Kilmore – Lancefield Road Kilmore (from Willowmeade to Sydney Road); and Lithgow Street Beveridge;
- Support and non-support for the \$50k Town Entry Signs,
- Concern in relation to no mention or funding for the Old Log Lock up Seymour and the Goulburn River Bridge Seymour;
- Request for continued Grant Support for the Tastes of Goulburn Committee, Wallan Carols by Candlelight and Wandong / Heathcote Junction Carols by Candlelight;
- Concern in relation to the reduced outdoor pool hours;
- Concern in relation to investment for the Seymour Flood Levee project and Broadford Pound Customer Service Facilities;
- Requests in relation to Waste Fees.

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

- Reduction of \$815k in Roads to Recovery Funding and Road Specific Capital works due to the reallocation of part funding from 2016/17 to 2017/18;
- Removal of the Broadford Pound Customer Service Facilities project of \$23k due to the long term viability of the Pound currently being reviewed;
- Inclusion of \$10k grant funding to the Tastes of the Goulburn to honour the second year of a three year agreement for \$10k to be provided annually;
- Inclusion of fees into the Fees and Charges Schedule for the use of the Community Bus; and
- Inclusion of volume of waste for trailer load waste pricing.

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

- Appendix D fees and charges schedule; and
- 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:

- 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;

---

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

- A formal review of school crossing supervision to be undertaken to explore additional revenue opportunities to assist with funding and / or the relocation of existing crossing locations;
- Construct a crushed rock path in Lithgow Street in Beveridge utilising existing funds within the 2015/16 Budget;
- Continue to advocate for grant funding to construct missing link footpaths and consider future footpath constructions within the annual budget process according to priorities and funding availability;
- Continue to advocate for funding for Council's Historical Priorities including the Goulburn River Bridge Seymour;
- Council to receive a further review and feedback on the method and changes to be implemented to meet the \$50k efficiency target set for the outdoor pools.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Financial, resource and asset management implications associated with the 2016/17 Budget, Rating Strategy and revised SRP have been detailed in the body of this report and the attached documents.

The costs of preparing these documents, such as public notices, are funded from operating budget allocations.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The Draft 2016/17 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989* Section 125.

The revised Strategic Resource Plan 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.

### **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 2016/17 Budget, Rating Strategy and revised SRP frame 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.

ADOPTION OF THE 2016-2017 BUDGET, RATING STRATEGY AND STRATEGIC RESOURCE PLAN 2017-2020 (CONT.)

Council believes the documents strike a reasonable balance between ensuring the continuing provision of the operational services and infrastructure investment that support the community while minimising rate increases as far as possible.

## 8.2 WALLAN BOWLING CLUB - LOAN GUARANTEE

**Author:** Nicole Maxwell - Manager Finance

**File No:** GS/04/093

**Attachments:** Nil

---

### SUMMARY

This report recommends that the Wallan Bowling Club be granted a Loan Guarantee of \$60,000 for 10 years for a new synthetic green, provided the Wallan Bowling Club complies with the loan guarantee criteria set out in this report.

### COUNCIL RESOLUTION

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. PARKER

**THAT** Council:

1. Receive and note the report.
2. Provide the Wallan Bowling Club with a \$60,000 loan guarantee for 10 years subject to the Wallan Bowling Club meeting the loan guarantee criteria set out in this report.
3. Authorise the CEO to sign and seal the loan guarantee documents with the Wallan Bowling Club and the Bendigo Bank for the \$60,000 loan guarantee if Council's loan guarantee criteria referred to in 2 above is met.

**UNANIMOUSLY CARRIED**

### BACKGROUND

In October 2015, Council submitted an application on behalf of the Wallan Bowling Club (the Club) for a \$100,000 grant under the State Government's 2016-2017 Community Sports Infrastructure Fund, Minor Facilities Category.

The purpose of the grant is to enable the Club to convert one of their current grass greens to a synthetic surface, significantly reducing ongoing maintenance requirements and water usage. It was submitted that this project will not only support the club's sustainability, it will provide the community with a high quality facility that can be utilised by all ages, all year round.

In support of the application, the CEO at that time, provided a letter of support which confirmed that "*should the project be successful in attracting funding through the 2016-2017 Community Sports Infrastructure Fund, Mitchell Shire Council is happy to consider a resolution to act as guarantor for a loan of up to \$60,000*". In making this undertaking, it was noted that "*such a loan would be accessed by the Club from Bendigo Bank to enable the full delivery of the project*".

---

WALLAN BOWLING CLUB - LOAN GUARANTEE (CONT.)

A letter was also provided by the Bendigo Bank in October 2015 in support of the grant application. The Bank gave the undertaking that it would consider an application from the Club, subject to the following:

- Guarantee from the Shire of Mitchell to support this loan
- Normal lending criteria to apply
- Term of 10 years
- Current financials of the Club to prove servicing

Council has recently been advised that the \$100,000 grant has been approved and has subsequently executed the funding agreement with the Department of Health and Human Services (DHHS).

### **ISSUES AND DISCUSSION**

The execution of this grant agreement does not bind Council to proceed with the project if it is not prepared to provide the guarantee sought by the Club. If Council decided not to provide the guarantee, assuming that the Club could not find an alternative guarantor or source of funds, an application for variation to the funding would be made and the \$100,000 grant provided to Council would be returned to DHHS.

Council, in the past had a Loan, Guarantees and Contribution Policy that expired as at 30 June 2006. The Executive Leadership Team in late 2014 reviewed the Policy and agreed to lapse the Policy and not renew. If Council was to grant a guarantee to the Club at this time, the approval would need to be seen as an exceptional case and should not be treated as a precedent for other similar community organisations.

In the absence of a policy, the following criteria should be satisfied for a guarantee to be provided in this instance.

### **GUARANTEE CRITERIA**

1. The applicant must submit the following information where applicable:
  - a) Audited financial statement which must be no more than 6 months old and include comparative figures for the previous 12 months;
  - b) Current Operating Budget;
  - c) Complete cash flow projections of operations for the term of the loan, with the inclusion of debt servicing and redemption of the proposed loan;
  - d) Interest rate and any other assumptions made, particularly in relation to other source income;
  - e) Detailed cash flow and total costing of project costs;
  - f) Details of management plans for both the construction phase and the operating of the facility after completion;
  - g) Details of marketing plans;
  - h) Levels of equity in the project provided by the applicant and any liabilities attached to any funds contributed;
  - i) Other information as deemed appropriate should be submitted.



## WALLAN BOWLING CLUB - LOAN GUARANTEE (CONT.)

- j) It should be noted that Council will require progress reports and final reports of asset construction costs and may wish to send an observer to attend meetings during planning and construction.
2. The maximum guarantee amount to be \$60,000.
  3. The maximum guarantee and loan term will be either 10 years, or the economic life of the capital asset, whichever is lesser.
  4. Over the life of the guarantee, the community body must provide annual audited financial statements within 3 months of their financial year end. Unaudited statements will also be required midyear.
  5. If a material event/s occurs during the financial year which in any way jeopardises the Club's ability to meet the agreed repayment schedule for the loan guaranteed, this must be communicated to the Council within 30 days.
  6. All guarantees will be subject to commercial bank/financial institution evaluation. Instruction will be provided to the lending authority to evaluate proposals on their merit without primary recourse to the guarantee.
  7. Council will require the lending authority, at cost to the borrower, to provide Council with a copy of loan statements every 6 months.
  8. Council will require the lending authority, at cost to the borrower, to provide within 30 days written notification of any default in repayments. Within one month of default, the borrower must provide Council with a plan to address the problem, including a fund raising action plan.
  9. An agreement between Council and the lending authority will be sought regarding procedural steps to be followed in the event of a loan default. Such issues to include:
    - a) Communication between bank/financial institution and Council of any non-payment of loan instalments;
    - b) The right for Council to continue with the loan repayment schedule rather than lump sum payment;
    - c) The procedure used by the Bank/Financial institution prior to calling upon the guarantee, including the giving of initial notification of intent and the provision of an agreed time period of rectification.
  10. The lender will be required to exhaust its legal rights against the borrower and other guarantors prior to calling on the Council guarantee.
  11. The Loan must not include a redraw facility.

It is considered that these guidelines are prudent and if applied will minimise Council's exposure to financial risk.

**CONSULTATION**

The Finance Manager has consulted with legal representation and the Executive Leadership Team.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

WALLAN BOWLING CLUB - LOAN GUARANTEE (CONT.)

Providing guarantor assistance will be at no cost to Council. However a risk exists that the Club may default on repayments and Council will become liable in servicing the loan repayments.

The guarantee amount will also be listed as a liability of Council as part of the Annual Financial Statements.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

This arrangement will be deemed as a one off, no policy will be developed to support future arrangements and there are no legislative implications.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

In offering financial support to complete the project, this project will not only support the club's sustainability, it will provide the community with a high quality facility that can be utilised by all ages, all year round.

### **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**

On the basis that the grant from the Community Sports Infrastructure Fund of \$100,000 for the new synthetic green provided for the Wallan Bowling Club has been approved, and that the application for funding was supported by Council's former CEO and an undertaking given that Council would consider a resolution to act as guarantor for a loan of up to \$60,000, it is recommended that Council provide a loan guarantee for a loan of \$60,000 to be obtained by the Club from the Bendigo Bank where the Club is able to meet the loan guarantee criteria set out in this report.

The granting of this loan guarantee should be treated as a one-off case and should not be viewed as a precedent for other community groups.

### 8.3 PROCUREMENT, TENDERING AND CONTRACT MANAGEMENT POLICY SUITE REVIEW

**Author:** Ty Harmer - Procurement Advisor

**File No:** LG/10/001-02

**Attachments:**

1. Current Authorised Officers
2. Procurement Policy
3. Contract Management Policy
4. Tendering Policy

---

#### SUMMARY

This report recommends that Council adopt the revisions to the following Mitchell Shire Council Policies.

- Procurement Policy – adopted by Council on 23 April 2012 and last revised on 22 June 2015.
- Contract Management Policy and Tendering Policy – both adopted by Council on 17 December 2012.

The Policies have now been reviewed and amended and are in line with Victorian Local Government Best Practice Procurement Guidelines.

Most of the changes to these policies relate to correcting errors in employee titles and correcting the alignment with the current organisational structure.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. PARKER

**SECONDED:** CR. W. MELBOURNE

**THAT** Council:

1. Adopt the changes to the Procurement Policy.
2. Adopt the changes to the Contract Management Policy.
3. Adopt the changes to the Tendering Policy.

**UNANIMOUSLY CARRIED**

#### BACKGROUND

##### Procurement Policy

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

---

PROCUREMENT, TENDERING AND CONTRACT MANAGEMENT POLICY SUITE REVIEW (CONT.)

with this section, amend the procurement policy. The annual review for the current financial year has been completed and amendments suggested where operationally practical.

### **Tendering Policy & Contract Management Policy**

The Contract Management and Tendering Policies are to be referenced as subordinate and in conjunction with the Procurement Policy.

These policies have a requirement to be reviewed every two (2) years to ensure that they remain current and in line with Council processes.

### **ISSUES AND DISCUSSION**

The Procurement Policy, Contract Management Policy and Tendering Policy have been updated in line with the current organisational structure position titles and minor changes have been made in order to align with current processes and procedures.

### **CONSULTATION**

An email was sent to all Coordinators, Managers and Directors on Thursday, 12 May 2016 requesting feedback on the current versions of the policies. The responses to this process were taken into account during the review.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Employee titles have been updated in the financial delegations to reflect the current organisational structure. A list of the current ELT approved authorised officers has been attached to this report.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The changes to the Procurement, Contract Management and Tendering Policies are in line with current processes, procedures and systems.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

Corporate Social Responsibility and Environmental Sustainable procurement are key drivers of the Procurement Policy. Mitchell Shire is committed to considering all environmental factors in the procurement of goods, services and works.

A Sustainable Procurement Policy is currently being drafted that will complement the Procurement Policy.

### **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.

PROCUREMENT, TENDERING AND CONTRACT MANAGEMENT POLICY SUITE REVIEW (CONT.)

**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, Contract Management Policy and Tendering Policy have been updated to reflect the current organisational structure, processes and procedures.

## 9 ENGINEERING AND INFRASTRUCTURE

### 9.1 WEED MITIGATION IN MITCHELL SHIRE

**Author:** Elyse Kelly - Environment Coordinator  
Julian Edwards - Manager Planning & Compliance

**File No:** CL/04/001-03

**Attachments:** Nil

**Reference:** NOM 843 15 February 2016

---

#### SUMMARY

This report relates to the following Notice of Motion made at the 15 February Council 2016 Council meeting:

**THAT Council**

1. *Request officers commence the process to include a Local Law to address weed management within Mitchell Shire, including consideration for measures to fine those land owners who do not properly implement strategies to reduce weed infestation on their properties.*
2. *Request officers prepare a report outlining the options available to Council to reduce the spread of weeds within Mitchell Shire.*

---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. B. CHISHOLM

**THAT** Council:

1. Write to the Secretary of the Department of Environment, Land, Water and Planning seeking appointment of nominated staff as Authorised Officers under Part 9 of the *Conservation, Forests and Lands Act 1987*;
2. Pending the outcome of 1 above, include a new clause in the Local Law at the next formal review relating to the eradication of noxious weeds from private land and appropriately resource the enforcement through additional allocation of resources in the relevant budget year of implementation;
3. Commence preparation of a Weed Action Plan to support education, management and future enforcement;
4. Continue the weed control program for Council managed land, including roadsides;
5. Continue and expand the community engagement and educational activities relating to sustainable land management;
6. Continue to work collaboratively with government and community group's partners to address weed control throughout the Shire;
7. Continue to advocate to the state government for improved resourcing and governance systems for weed control;
8. Continue to advocate for weed control works and collaborate with other public land managers, such as VicRoads.
9. Review opportunities to reintroduce financial incentives for sustainable land management, including weed control, as part of future budget considerations.

**UNANIMOUSLY CARRIED**

### BACKGROUND

#### Land Owner Obligations

Section 20 of the *Catchment and Land Protection Act 1994* (CaLP Act) includes in the general duties of a landowner that a landowner must take all reasonable steps to;

- Eradicate regionally prohibited weeds;
- Prevent the growth and spread of regionally controlled weeds; and
- Prevent the spread of, and as far as possible eradicate, established pest animals.

The CaLP Act also states that a person must not (without a permit from the Secretary) transport within Victoria a noxious weed or any part of a noxious weed capable of growing.

Council's Local Law No. 1 'Community and Environment 2013' currently requires at Clause 26.1 'Condition of Land'

*An **owner** or **occupier** of **land** must ensure that the **land**:*

---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

- (a) *does not constitute or is not likely to constitute a danger to health or property;*
- (b) *is not **unsightly** or detrimental to the general **amenity** of the neighborhood in which it is located;*
- (c) *does not have grass or weeds present on the **land** which exceeds 200 millimetres in height; and*
- (d) *does not have on it a building that has been deemed by **Council** to be **unsightly**, dilapidated or unsuitable for human habitation.*

This carries an infringement penalty of \$200 or a maximum penalty of \$1000 and can be enforced by authorised Council Officers, however only applies in township areas.

State Government Responsibilities

In Victoria, the CaLP Act is currently the lead legislation with the objective to provide for the control of noxious weeds and pest animals.

Due to the overlap of State Government Departments, both the Department of Environment, Land, Water and Planning (DELWP) and the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) play a key role in regulating and enforcing land owner obligations under the CaLP Act.

The CaLP Act specifies that the responsibilities of the Secretary of the DELWP/DEDJTR is to take all reasonable steps to:

- *Eradicate State Prohibited weeds from all land in the State;*
- *Control restricted pest animals on any land in the State; and*
- *Eradicate regionally prohibited weeds on roadsides on Crown land.*

The State Government is also responsible for enforcing the CaLP Act as it applies to private land owners. The Secretary delegates responsibilities to Authorised Officers employed by the DELWP to issue enforcement notices as a result of a landowner's failure to meet their obligations under the Act. The Secretary may appoint as an authorised officer 'any specified person or any specified class of persons'

This means that land owners who fail to control noxious weeds or established pests on their land can be issued with directions or land management notices. Failure to comply with these notices can result in fines or court action.

Local Government Responsibilities

In addition to its responsibilities under Section 20 of the CaLP Act for land owned or managed by Council, in 2013, the CaLP Act was amended to clarify that municipal Councils are responsible for controlling declared species on roadsides if the land is a municipal road.

## ISSUES AND DISCUSSION

### 1. Enforceable weed management within Mitchell Shire.



---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

There are two main components to achieving an enforceable weed management strategy for Mitchell, which include the legislative component and the resourcing component.

Legislative Component

The *Local Government Act 1989* (LG Act) provides the Council power to make Local Laws and Schedule 8 section 2(e) of the Act states:

*A Local Law must not embody principles of major substance or controversy or contain any matter which principles or matter should properly be dealt with by an Act and not by subordinate legislation.*

Additionally. Section 2(i) of Schedule 8 states:

*A Local Law must not- ... duplicate, overlap or conflict with other statutory rules or legislation...*

Section 123 of the LG Act provides that a local law may be revoked (in whole or part) by the Governor in Council by an Order in Council on the recommendation of the Minister for Local Government. In deciding whether to recommend that a local law be revoked, the Minister must consider whether there is a substantially breach of any of the matters specified in Schedule 8,

Section 111 of the LG Act also governs the power of councils to make local laws. Section 111(2) provides as follows:

*A local law must not be inconsistent with any Act or regulation.*

Section 111(3) then provides:

*A local law is inoperative to the extent that it is inconsistent with any Act or regulation.*

There is a risk to Council that the introduction of a clause in the local law relating to weed eradication may be deemed inoperative and unenforceable to the extent of inconsistency and conflict with existing legislation in the form of the CaLP Act.

To avoid any potential risks to Council, it is therefore recommended in the first instance that Council write to the Secretary of the Department of Environment, Land, Water and Planning seeking appointment of nominated staff as Authorised Officers under Part 9 of the *Conservation, Forests and Lands Act 1987*. This would ensure that any enforcement action taken by officers was less likely to be challenged as it relates to existing established legislation.

In the event that the Secretary declined to authorise the nominated officers of Council, consideration could then be given further, notwithstanding the risks as identified above, for inclusion of a clause relating to eradication of weeds.

---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

There is a defined process for amending or creating a Local Law within the LG Act which can take considerable time once the statutory steps have been undertaken in addition to consultation. There is also a cost associated with this process in officer time, legal input, advertising and so forth.

The current Local Law was implemented in 2013 and contains a sunset clause of 10 years, however they are usually reviewed and updated prior to that time due to changes in what is important to Council and community. Since its implementation, officers have been compiling matters that are either not covered by the current Local Law or wording changes to existing provisions with a view of potentially undertaking an update in 2017/18 financial year.

It is recommended that should Council proceed with amending the Local Law to include a weed management clause, it is done in conjunction with a broader review and update in 2017/18 and would contain wording similar to the following:

*When required by an authorised officer to do so, an owner or occupier of land must eradicate from those premises any plant listed in the Mitchell Shire Weed Action Plan XXXX-XXXX unless to remove it is prohibited by the Planning Scheme.*

It is further recommended that the breach carry an infringement penalty similar to that at the current Clause 26.1.

A weed action plan will provide Council with a strategic approach for effective weed management within the Shire by prioritising control areas and species to target, as well as outlining the important role that education and collaboration play in implementing an effective weed management program.

### Resources

Where a law is introduced, it needs to be enforced to be effective. The existing requirements within the Local Law are all enforced by Council's Community Compliance Officers and do not require any technical abilities to ascertain whether a breach exists or doesn't.

The introduction of either authorisation under the CaLP Act or a clause in the Local Law relating to weeds requires a technical ability to identify what is a listed weed and how it might need to be eradicated to prevent further spread.

Without extensive training, which may require a diploma and/or degree, Council's Community Compliance Officers would be unable to identify all the listed weeds and therefore could not enforce the requirement without expert assistance from a suitably qualified person.

A second option would be to authorise existing qualified staff from the Environment team at Council, however this new time demand has not been allocated into current workloads and practices.

---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

The third option would be to either redirect or allocate resources to a new position that could sit within either the Community Compliance or the Environment Team who would have the appropriate qualification and they would be charged with undertaking this function and enforcing either this clause of the Local Law or the CaLP Act.

## **2. Options available to Council to reduce the spread of weeds within Mitchell Shire**

The points below outline options available to Council to reduce the spread of weeds within the Shire. Many of these actions are ongoing and are supported by the Mitchell Shire Environment Strategy 2014-2024

### Weed Control

Continue and expand the current weed control program on Council managed land, including reserves and roadsides.

### Education and Engagement

The Mitchell Shire Environment Strategy 2014-2024 includes the vision to;  
*“Engage, empower and enable people to address the challenges and threats to Mitchell Shire’s natural environment”.*

Council’s Environment Team undertakes a variety of educational activities relating to weed identification and control including;

- Development, review and distribution of the Weeds of Central Victoria booklet. This booklet is also sent to all new rural landholders and is available online.
- Distribution of personalized sustainable land management kits, including weed control;
- Online information on the Mitchell Shire Mitchell Shire Website and Facebook site;
- Attendance at and supply of information for local community events the Seymour Alternative Farming Expo, Kilmore and Seymour Shows, Health and Wellbeing expo etc; and
- Properties identified with significant weed infestations receive a letter from Council officers informing them of the weeds, their responsibilities as landholders, control methods and a list of local contractors. If no response is received or insufficient works undertaken the matter is referred to the Department of Economic Development, Jobs, Transport and Resources recommending enforcement procedures commence.

### Collaboration

Mitchell Shire Council continues to work collaboratively with government and community group’s partners to address weed control throughout the Shire. Recent examples of collaboration include;

- Support of the Dabyminga Blackberry Taskforce. This is a new initiative that as initiated through Council contract with the Victorian Blackberry taskforce following a Council recommendation at the 11 August 2014 Council meeting;

---

**WEED MITIGATION IN MITCHELL SHIRE (CONT.)**

- Review and publication of the Central Victorian Weeds Guide was a joint project with the Shires of Macedon Ranges and Mount Alexander and south West Goulburn Landcare Inc.;
- Council supported the recent publication of the Campapse Valley Landcare groups Chilean and Texas Needle Grass booklet

**Advocacy**

Mitchell Shire council has an advocacy role to play in relation to sustainable land management. This includes advocating for improved resourcing and governance procedures. Examples of Councils past advocacy includes;

- At the 11 August 2014 Council meeting, Council resolved “*In partnership with the South West Goulburn Landcare Network, advocate for a State government sponsored trial project to target weed control on private land under a similar framework to that currently in place for fire prevention purposes and make representation to the State Government for appropriate funding to implement the trial project for four (4) years*”. Unfortunately his was unsuccessful.
- Notice of Motion to the Municipal Association of Victoria in October 2014 regarding roadside weed funding for local government, requesting input into DEPI (now DEDJTR/DELWP) operational plans and advocating for funding to implement a four (4) year trail weed local law.

Council officers will continue to advocate to other public land managers such as VicRoads, the Department of Environment, Land, Water and Planning, VicTrack and water authorities to control weeds on land under their management and coordinate works where possible.

**Incentives**

Councils can offer rebates or grants to private landholders for sustainable land management activities such as weed control. Mitchell Shire council offered a Land Management Rebate from 1997 to 2013 and an Environmental Grants program in 2015/2016. Unfortunately due to financial constraints these incentive programs are no longer operational.

**Existing Local Laws**

For properties within a township area, Council currently can use what is often referred to as the unsightly provision of the Local Law, as detailed earlier in this report.

This clause is about appearance and not environmental considerations and does not require removal or eradication, rather it is about keeping the height down.

**CONSULTATION**

This report was driven by the South West Goulburn Landcare Network who wrote to Council seeking the introduction of an appropriate by-law to enforce weed control in the municipality. The matter was discussed by the Mitchell Environment Advisory Committee who resolved to increase advocacy to the then DEPI for weed control enforcement, amongst other educational measures.

## WEED MITIGATION IN MITCHELL SHIRE (CONT.)

Council officers have spoken with the Municipal Association of Victoria who have advised that they know of only one (1) Council that has a weed local law, being the City of Whittlesea. The MAV have spoken to DEDJTR/DELWP officers who believe the local law would be inconsistent with the CaLP Act and may not be legally binding, which is consistent with legal advice sought by Council officers.

Consultation was also undertaken through the VicRangers web forum which is a site established by and for predominantly Council officers working in the field of Community Compliance/Local Laws across the State of Victoria to ascertain whether other Council's were or had previously sought authorisation to enforce the CaLP Act, however no such examples could be cited.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The changes to the CaLP which clearly defines roadside weeds as a local government responsibility has been a significant financial impost on local government. Mitchell Shire Council has received government funding of \$27,135 each year for five years to control weeds on roadsides. Council will have to advocate to the State Government to continue this program or will have to self-fund the roadside weed program from 2017/2018 year onwards.

Council officers have undertaken research into the existing City of Whittlesea local law for the control of pest plants. City of Whittlesea Officers have reported that the implementation of the Pest Plant Local law is very labour intensive. The City of Whittlesea have also undertaken extensive weed mapping of the entire shire to direct works and enable meaningful monitoring and evaluation.

It is estimated that the development and implementation of a local law for pest plant control will cost in the order of \$170,000. The costs involved in the development and implementation of year 1 (one) are detailed below;

**Estimated Year 1 costs**

Development of a Local Law	\$15,000*
Administration fees, including advertising, community engagement	\$ 5,000
Development of a Weed Action Plan (community engagement etc.)	\$ 5,000
Full Time Land Management Officer	\$62,000
Vehicle	\$50,000
Mapping for evaluation and monitoring	\$15,000
<u>Project management and evaluation (15%)</u>	<u>\$22,800</u>
<b>TOTAL</b>	<b>\$174,800</b>

\* Development of the local law solely for the weed change would likely be a \$5000-\$10,000 cost, however a further \$10,000 - \$15,000 cost would be incurred within a couple of years for the broader review of the local law, making it more cost effective for Council to wait until the broader review.

The costs would modestly reduce over subsequent years, however much of the cost becomes ongoing largely through operational aspects of staff and vehicles.

Alternative costs would become involved where upskilling of existing staff occurred which could range between \$5000 and \$25,000 per officer depending on the type of formal training required.

---

WEED MITIGATION IN MITCHELL SHIRE (CONT.)

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Appointment of officers authorised under the CaLP Act will have limited policy and legislative implications, other than identifying an approach to enforcement and management.

Preparation of a Local Law clause with associated action plan would require statutory steps outlined within the LG Act and associated consultation. Also as noted earlier, there are legislative implications where Council will be open to being challenged through the risk that the introduction of a clause in the local law relating to weed eradication may be deemed inoperative and unenforceable to the extent of inconsistency and conflict with existing legislation in the form of the CaLP Act.

The continuation of the community engagement, weed control program and advocacy actions outlined in this report are supported by the Environmental Resilience priority of the 2013-2017 Council Plan *“Responding to changing environmental conditions and protecting and enhancing our natural environment to ensure long term sustainability”* and in particular the four (4) year focus to *“Encourage environmental best practice”*.

The actions also assist in achieving the desired outcomes of the Mitchell Environment Strategy (2014-2024) and the Mitchell Shire Rural Roadside Environmental Management Plan (2016-2026).

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

Weeds have a significant impact on both the natural environment and agricultural production. The continuation of the existing environmental programs and activities detailed in this report aim to improve the environmental integrity of the landscape and increase agricultural production.

### **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**

Weeds pose a significant environmental and economic threat to biodiversity and agriculture in the Mitchell Shire.

## WEED MITIGATION IN MITCHELL SHIRE (CONT.)

This was recognised in a Council recommendation for officers to “*commence the process to include a Local Law to address weed management within Mitchell Shire...*” In response to this recommendation, Council officers have sought legal advice regarding options for local government to enforce weed control on private property. This legal advice has informed the officer recommendations within this report.

Officers have also identified other options to reduce the spread of weeds in the Shire including on-ground works, community engagement, collaboration with other government agencies and community groups, advocacy to state government and the possible reintroduction of financial incentives.

---

## 10 EXECUTIVE SERVICES AND GOVERNANCE

### 10.1 SECTION 193 ENTREPRENEURIAL POWERS INCORPORATION OF RURAL COUNCILS VICTORIA

**Author:** David Turnbull - CEO

**File No:** CL/04/001-03

**Attachments:** 1. Draft Rules for RCV Incorporated

---

#### SUMMARY

Rural Councils Victoria (**RCV**) is an unincorporated organisation which represents the interests of rural councils within Victoria and currently has 38 members, of which Council is one.

To address this, and to enable the RCV to operate with greater independence and ease, it is proposed to incorporate the RCV as an incorporated association. It will be called 'Rural Councils Victoria Incorporated' and will operate in accordance with the draft Rules.

#### COUNCIL RESOLUTION

**MOVED:** CR. W. MELBOURNE

**SECONDED:** CR. D. CALLAGHAN

**THAT** Council's:

1. Participation in the incorporation of Rural Councils Victoria does not involve an investment and/or risk exposure that exceeds the thresholds set out in s 193 (5C) of the Local Government Act 1989
2. Council becomes a member of Rural Councils Victoria Incorporated

**UNANIMOUSLY CARRIED**

#### BACKGROUND

Rural Councils Victoria (**RCV**) is an unincorporated organisation which represents the interests of rural councils within Victoria and currently has 38 members, of which Council is one.

The RCV's work includes:

1. Providing opportunities for networking and professional development
2. Activities directed at ensuring the sustainability of rural council
3. Activities to assist rural communities to remain sustainable

This occurs via a number of mechanisms, including the:



---

**SECTION 193 ENTREPRENEURIAL POWERS INCORPORATION OF RURAL COUNCILS VICTORIA (CONT.)**

1. Organisation of forums and conferences for member councils
2. Engagement of consultants to undertake project work
3. Applying for Government grants, particularly through Regional Development Victoria

Given that the RCV is not a separate legal entity, it conducts its business through a 'Secretariat'. This involves the Executive appointing a willing council member to, essentially, act as its agent, providing administrative support and entering into contracts on its behalf.

**Incorporation of RCV**

As the RCV is currently unincorporated, Council is, together with all other member councils, exposed to liability in respect of its operations.

To address this, and to enable the RCV to operate with greater independence and ease, it is proposed to incorporate the RCV as an incorporated association. It will be called 'Rural Councils Victoria Incorporated' and will operate in accordance with the draft Rules, attached to this report as 'Attachment A'.

The benefits of the RCV being incorporated include that it:

1. Is recognised as a separate legal entity, with protection from debts for members and perpetual succession
2. Has the power to own and hold property, enter into contracts and otherwise act as any other legal entity would
3. Cannot distribute profit to its members
4. Must operate in accordance with a set of rules, including a statement of purpose – being the draft Rules attached to this report as 'Attachment A'
5. Is operated by a Committee of Management and a Secretary, which are responsible for ensuring that all legislative obligations are complied with, and purposes are being achieved

The RCV fulfils a number of functions that are important to rural councils in Victoria. Perhaps most importantly, it currently has responsibility for applying for Government grants, particularly through Regional Development Victoria, which are of benefit to rural councils.

It will be important that the RCV is incorporated to enable it to carry on those functions with greater independence and flexibility while still being subject to the views of its member councils.

It is not expected that the manner in which the RCV operates will be different from its current operations, although election to the Committee of Management will be based on slightly different zones, as set out in the draft Rules attached to this report as 'Attachment A'.

**Exercise of Entrepreneurial Powers**

## SECTION 193 ENTREPRENEURIAL POWERS INCORPORATION OF RURAL COUNCILS VICTORIA (CONT.)

As Council will, if in favour of this proposal, be participating in the formation and operation of a separate legal entity, it is required, in accordance with s 193 of the *Local Government Act 1989 (LG Act)*, to have regard to the risks involved and comply with ss 193(5A) and (5B) of the LG Act.

Council is advised that:

1. The **total investment** involved in Council's participation in the formation of Rural Councils Victoria Limited is **\$0**

Council will be required to continue paying membership fees, as fixed by the Committee from time to time, but will not be required to invest anything in respect of the incorporation

2. The **total risk** involved in Council's participation in the formation of Rural Councils Victoria Limited is **\$0**

Any liability for the activities of Rural Councils Victoria Limited will attach to it, not to the individual members.

So, the total investment and risk exposure will be \$0, meaning that Council is not required to take any further action in relation to this matter under s 193(5C) of the LG Act.

### **Next Steps**

If the RCV continues operating as an unincorporated association, there is a risk that its individual members, including Council, will be exposed to liability if the RCV fails to properly conduct its business. Furthermore, it will be unable to enter into contractual arrangements on its own behalf – instead relying on the Secretariat council to do so.

It is therefore recommended that Council accepts the analysis of Council's investment and risk exposure and votes in favour of the RCV being incorporated on the basis of the draft Rules attached to this report as 'Attachment A'.

It is proposed that a vote of all current members will be held at the next meeting of RCV to be held on 10 June 2016. The vote will, if a majority is in favour, authorise Jim Nolan, Chief Executive Officer of Pyrenees Shire Council (the current Secretariat council), to apply to the Registrar of Incorporated Associations for the incorporation of RCV and approve the draft Rules.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no financial, resource or asset management implications.

### **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.

SECTION 193 ENTREPRENEURIAL POWERS INCORPORATION OF RURAL COUNCILS VICTORIA (CONT.)

**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 endorses the recommendation.

## 11 NOTICES OF MOTION

### 11.1 NOTICE OF MOTION: NO. 859 - KILMORE ART TRAIL PROJECT UPDATE ON LEGO PLANE INSTALLATION

**Author:** *Councillor Des Callaghan*

**File No:** *AR/05/001*

**Attachments:** *Nil*

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. B. CORNISH

**THAT** Council:

1. Consider a report on the request of Mr Vivian Kenney's to increase the number of Lego planes to six to form a squadron for the sculpture in the Sam deGabrielle Reserve as part of stage 3 concept of the Kilmore Heritage and Art Trail.
2. As part of the same report, request Officers to investigate the opportunity for each model to include a small plaque to recognise the sponsor.

**UNANIMOUSLY CARRIED**

#### Councilor Comments

The Lego Plane Sculpture is part of the stage 3 concept of Kilmore Heritage and Art Trail and is going to be in the Sam deGabrielle Reserve.

The initial project was approved by Council on 19<sup>th</sup> October 2015 (see CM15/211) for five planes.

Signed: \_\_\_\_\_

Cr Des Callaghan

Date: 2 June 2016

**11.2 NOTICE OF MOTION: NO. 860 - LOBED NEEDLE GRASS**

**Author:** Councillor Kevin Mulroney

**File No:** ET/02/010-03

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. W. MELBOURNE

**THAT** Council: writes to the Victorian Government, The Hon. Jaala Pulford MLC, Minister for Agriculture outlining Council's concern with the lack of action on the eradication of Lobed Needle Grass.

**UNANIMOUSLY CARRIED**

Signed: \_\_\_\_\_

Cr Kevin Mulroney

Date: 6 June 2016

**Councillor Comments**

Lobed Needle Grass (LNG) (*Nassella charruana*) is a state prohibited weed under the Catchment and Land Protection Act 1994 and the weed has been found within the City of Whittlesea. Prior to 2013 the then Department of Primary Industries had an active program to undertake weed control on effected properties in an attempt to control this weed. Unfortunately the Department of Environment, Economic Development, Jobs, Transport and Resources (DEDJTR) is not currently supporting the eradication of this weed and has assessed it as being no longer feasible to eradicate it from Victoria.

The City of Whittlesea has written to the Minister for Agriculture and the MAV State Council calling on the government to restore funding for the eradication program and has sought the support of Mitchell Shire Council, as it is likely that the weed will spread into the Mitchell Shire.

The matter was discussed at the Mitchell Environment Advisory Committee meeting on the 1 June 2016 and the following recommendation made;

**RECOMMENDATION**

NOTICE OF MOTION: NO. 860 - LOBED NEEDLE GRASS (CONT.)

**THAT** *The Mitchell Environment Advisory Committee recommends Council write to the Minister for Agriculture outlining Council's concern with the lack of action on the eradication of Lobed Needle Grass.*

**MOVED** : G. Mabbett

**SECONDED** : K. McBean

CARRIED

**11.3 NOTICE OF MOTION: NO. 861 - TRANSPARENCY IN PLANNING MATTERS****Author:** Councillor Rhonda Sanderson**File No:** CL/04/001-03**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION****MOVED:** CR. R. SANDERSON**SECONDED:** CR. B. CHISHOLM

Regarding planning permit matters which may proceed to Council for a decision:

**THAT:** when proposing to meet with a known or potential applicant, either for the purpose of discussing the application or where the application is likely to become a topic of discussion, Councillors should, unless not practicable, hold the meeting with a senior Council planning officer present

Councillors should advise the Manager Planning and Compliance and Governance Officer by email when meetings are held without an officer present.

**CARRIED**

A division was called by Cr Sanderson.

The division resulted in as follows:

<b>For:</b>	<b>Against:</b>	<b>Abstained:</b>
CR. B. CHISHOLM	CR. D. CALLAGHAN	
CR. B. CORNISH	CR. W. MELBOURNE	
CR. S. MARSTAELLER		
CR. R. PARKER		
CR. R. SANDERSON		

The *Chair* announced the result of the Division and declared the **MOTION**

**CARRIED****Councillor comments:**

The purpose of this procedure is to increase public confidence in the transparency of Council planning processes and ensure the highest standards of Councillor behaviour.

This motion is based on a section of the Melbourne City Council Code of Conduct.

Signed: \_\_\_\_\_

Cr Rhonda Sanderson

Date: 8 June 2016

**11.4 NOTICE OF MOTION: NO. 862 - PLACE NAMING POLICY**

**Author:** *Councillor Rhonda Sanderson*

**File No:** *CL/04/001-03*

**Attachments:** *Nil*

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. R. PARKER

**THAT** Council Officers prepare a report to Council recommending a Place Naming Policy to provide guidance for the naming of places within Mitchell Shire.

**UNANIMOUSLY CARRIED**

Councillor comments:

'Places' to include roads, reserves, buildings, parks, public facilities and other features

Signed: \_\_\_\_\_

Cr Rhonda Sanderson

Date: 14 June 2016



**11.5 NOTICE OF MOTION: NO. 863 - COMMUNITY MEETINGS - SEYMOUR WAR MEMORIAL OUTDOOR POOLS**

**Author:** Councillor Rhonda Sanderson

**File No:** CL04/001-03

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. W. MELBOURNE

**THAT** Council officers organise a series of meetings over the next three to four months with interested residents regarding the Seymour War Memorial Outdoor Pools. The meetings should be based on a format similar to those held in relation to the Tallarook Outdoor Pools in 2015.

**UNANIMOUSLY CARRIED**

Councillor comment:

The involvement of residents in meetings regarding the Tallarook Outdoor Pools in 2015 resulted in the formation of the 'Friends of Tallarook Pool' community group and a reported 45% increase in attendances to the TOP in the recent summer pool season.

It is envisaged that a similar process may result in increased community involvement and attendances at the SWMOP.

Signed: \_\_\_\_\_

Cr Rhonda Sanderson

Date: 14 June 2016

**11.6 NOTICE OF MOTION: NO. 864 - RECORDING OF VOTING**

**Author:** Councillor Rodney Parker

**File No:** CL/04/001-03

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. PARKER

**SECONDED:** CR. B. CHISHOLM

**THAT** Council:

1. Adopt a policy of recording Councillors voting preference on every agenda item, firstly with the chair calling for those in favor and stating the Councillors names, those against and stating the Councillors names and those abstaining and stating the Councillors names
2. The Chair may call unanimous if all Councillors vote in the affirmative.
3. A councilor may request a division if the Chair calls unanimous.
4. This would replace the current policy of calling for a division.

**CARRIED**

A division was called by Cr Cornish.

The division resulted in as follows:

<b>For:</b>	<b>Against:</b>	<b>Abstained:</b>
CR. B. CHISHOLM	CR. D. CALLAGHAN	
CR. S. MARSTAELLER	CR. B. CORNISH	
CR. R. PARKER	CR. W. MELBOURNE	
CR. R. SANDERSON		

The *Chair* announced the result of the Division and declared the **MOTION**

**CARRIED**

**Councillor Comments:**

To provide complete and open transparency to the community now and in to the future.

Signed: \_\_\_\_\_

Cr Rodney Parker

Date: 14 June 2016

**11.7 NOTICE OF MOTION: NO. 866 - ROAD INFRASTRUCTURE FUNDING**

**Author:** Councillor Bill Chisholm

**File No:** CL/04/001-03

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. B. CORNISH

**THAT** Council take immediate steps to develop and implement a community consultation program to gauge the level of community concern regarding road infrastructure in Mitchell Shire and work in conjunction with our communities to address these issues.

**CARRIED**

The vote resulted in as follows:

<b>For:</b>	<b>Against:</b>	<b>Abstained:</b>
CR. D. CALLAGHAN	CR. W. MELBOURNE	
CR. B. CHISHOLM		
CR. B. CORNISH		
CR. S. MARSTAELLER		
CR. R. PARKER		
CR. R. SANDERSON		

A division was called by Cr Melbourne.

The division resulted in as follows:

<b>For:</b>	<b>Against:</b>	<b>Abstained:</b>
CR. D. CALLAGHAN		
CR. B. CHISHOLM		
CR. B. CORNISH		
CR. S. MARSTAELLER		
CR. W. MELBOURNE		
CR. R. PARKER		
CR. R. SANDERSON		

The *Chair* announced the result of the Division and declared the **MOTION**

**UNANIMOUSLY CARRIED**

**Councillor Comments:**

There appears to be a high level of disquiet from our communities and this Council regarding the available funding for local road maintenance and improvements and

---

NOTICE OF MOTION: NO. 866 - ROAD INFRASTRUCTURE FUNDING (CONT.)

the associated difficulty of pro-actively improving these through our capital works program.

There has been a high level of disquiet and concern from our communities and Council regarding the inadequate funding and reactive implementation of capital works and maintenance programs on roads, in both rural but particularly in the towns and the urban interface in the South of Mitchell Shire.

Council has been advocating extremely hard for a long time to try and address the transport issues faced by this Shire, but as our population rises the list only gets longer and the renewal gap gets wider. With our existing constraints allied with Rate Capping we must make sure the politicians are aware of our concerns. Most residents who travel in this Shire should be aware of the need for a rapid implementation of the following projects: Northern Highway, Kilmore Wallan Bypass, Wallan Diamond Interchange and the need for proper maintenance of the VicRoads network.

Within Mitchell Shire, it appears that these roads are only patched and that Mitchell Shire priorities need to be considered in future reconstruction and widening programs. The current funding that councils receive from all levels of Government is completely inadequate, to maintain and improve the local roads network. The Federal Government receives \$17.7 Billion in Fuel tax we want our fair share.

Signed: \_\_\_\_\_

Cr Bill Chisholm

Date: 14/06/2016

**11.8 NOTICE OF MOTION: NO. 867 - REVIEW OF WASTE SERVICES FOR RURAL PROPERTIES**

**Author:** Councillor Bill Chisholm

**File No:** CL/04/001-03

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 June 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. SANDERSON

**THAT** Council Officers prepare a report which:

1. Identifies and reviews the waste services and other opportunities provided to rural properties in Mitchell Shire;
2. Investigates the feasibility to supply additional Tipping Vouchers per year to rural properties that do not receive a waste collection service.

**UNANIMOUSLY CARRIED**

Signed: \_\_\_\_\_

Cr Bill Chisholm

Date: 15/06/2016

---

## 12 DELEGATES REPORTS

### 12.1 DELEGATE REPORT: MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE

**Author:** Elyse Kelly - Environment 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 at an ordinary Meeting on 1 June 2016.

Cr. Kevin Mulroney, was the meeting chairperson. Council's Director Engineering and Infrastructure and Environment Coordinator also attended the meeting.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. W. MELBOURNE

**THAT** the Delegates Report: Mitchell Environment Advisory Committee overview and update be received and noted.

**UNANIMOUSLY CARRIED**

#### 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*".

This was the first meeting of the new Mitchell Environment Advisory Committee. The meeting date coincided within the week of World Environment Day, which was Sunday 5 June 2016.

Being the first meeting of the new Committee, members were invited to introduce themselves. The introductions were followed by a presentation by Council's Environment Coordinator on the Environment programs and projects.

The Draft Goulburn Valley Regional Waste Infrastructure Plan was also tabled. The Committee discussed Council's priorities for waste management, the pressures of population growth, waste generated from construction activities and the need for

---

DELEGATE REPORT: MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE  
(CONT.)

waste education and agreed to pass the following comments onto Council's Waste Management Coordinator in relation to the draft Goulburn Valley Regional Waste Infrastructure Plan:

- The environmental impact of transporting waste needs to be considered as part of the ecological footprint of the waste system;
- When commercial and industrial waste is referred to in the draft plan, it should be clear that waste from the Building industry is included; and
- Waste management objectives should be incorporated into planning and tender documents.

The draft 2016/2017 Mitchell Environment Strategy action plan was tabled and discussed, in particular the collection of baseline data for monitoring and evaluation and opportunities for Council to seek funding for environmental projects.

Following discussions on new and emerging weeds, a recommendation was made that Council write to the Minister for Agriculture outlining Council's concern with the lack of action on the eradication of Lobed Needle Grass.

The Committee was informed of the recent roadside vegetation training day for Council staff, which is part of the implementation of the Mitchell Shire Rural Roadside environmental Management Plan 2016-2026.

Finally, the following items were discussed in general business:

- Septic Tank issues in Waterford Park; and
- Various environmental issues raised through a Committee members discussions with local residents.

**12.2 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR SUE MARSTAELLER**

**Author:** *Councillor Sue Marstaeller*

**File No:** *CL/04/001-03*

**Attachments:**

---

**SUMMARY**

This delegates report provides and update on activities and deliberations of groups and associations for which Cr Marstaeller is an appointed delegate and the Mayor's monthly report.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. PARKER

**SECONDED:** CR. B. CHISHOLM

**THAT** the Delegates Report on Overview and Update on Activities and Delegate Deliberation by Cr Marstaeller for period 15 May 2016 until 15 June 2016 be received and noted.

**UNANIMOUSLY CARRIED**

**DISCUSSION**

On 16 May, I, along with all the Councillors attended a welcome lunch for the new CEO and later the monthly Council meeting.

On 19 May, I attended the monthly LB Davern Reserve Committee Meeting.

On 23 May, the South Ward Councillors and I attended Wallan Town Steering Committee Meeting with our Strategic Planners, which was followed by our Council Strategy meeting and a Special Council Meeting to endorse our new Councillor Code of Conduct Policy.

On 14 June, the South Ward Councillors and I attended the Project Steering Committee meeting for the Wandong and Heathcote Junction Structure Plan with our Strategic Planners. This was followed by our regular Council Strategy session and our monthly Hearings Committee meeting.



---

### 12.3 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR RHONDA SANDERSON

**Author:****File No:** CL/04/001-03**Attachments:** Nil

---

**SUMMARY**

This delegate's report provides an update on activities and deliberations of groups and associations for which Cr Sanderson is an appointed delegate between 11 May and 14 June 2016.

**COUNCIL RESOLUTION****MOVED:** CR. R. SANDERSON**SECONDED:** CR. W. MELBOURNE

**THAT** the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Cr Sanderson be received and noted.

**UNANIMOUSLY CARRIED**

**DISCUSSION**

Meetings attended as a Council delegate:

Australian Light Horse Memorial Park (ALHMP) Inc - 19 May

The main topics discussed were signage for the Seymour Railway Station carpark and an Open Day event planned for 29 May.

Bushland Park Seymour Committee of Management - 26 May

Ongoing management issues were discussed including seating and signage.

Old Court House Committee of Management - 2 June

This committee met on to discuss ongoing management of the historic Old Court House and its surrounds, including the Old Log Lockup. The main topic of discussion was the installation of air conditioning.

Australian Local Government Women's Association - 10 June

Former and current female Councillors met in Benalla to discuss a range of issues, including female Council Candidate Forums, the ALGWA Annual Conference which was held in Banyule, and an upcoming 'End of Term' event.

King's Park Committee of Management - 14 June

This committee met to discuss upcoming events and admin matters.

Other meetings and events attended as a Council representative:

- Seymour Business and Tourism meeting
- Zonta Club information evening, Broadford

---

DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR  
RHONDA SANDERSON (CONT.)

- MAV Future of Local Government Conference hosted by Murrindindi Shire at Marysville.
- 103.9 Seymour FM 'Talking Mitchell' radio show
- MSC 'Planning 101' community education session, Broadford
- Puckapunyal Military Area Reconciliation Week Flag Raising Ceremony
- ALHMP Open Day. This event was supported by a MSC Community Grant and attracted over a hundred visitors to the Park for a talk and displays by military re-enactors and a tour up to ANZAC Hill.
- 'The Women's Shed' official opening in the Seymour Presbyterian Hall.
- ALHMP working bee
- Seymour Sharks Swimming Club/Swimming Victoria/MSC meeting at Seymour Sports and Aquatic Centre (SSAC)
- MSC Seymour Structure Plan community drop in session, SSAC

## 13 GENERAL BUSINESS

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

### 13.1 CONGRATULATIONS TO BRAYDON MEYER

Cr. Des Callaghan

#### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. R. PARKER

#### MOTION

**THAT** Council: Congratulates Brayden Meyer of Broadford being named the fastest lumberjack on the planet and being crowned world champion.

The **MOTION** when put was

**UNANIMOUSLY CARRIED**

## 14 URGENT BUSINESS

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

## 15 CONFIDENTIAL BUSINESS

#### COUNCIL RESOLUTION

**MOVED:** CR. W. MELBOURNE

**SECONDED:** CR. B. CORNISH

**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 Broadford Amateur Theatre Company MOU  
s89(2)(d) contractual matters.

15.3 Delegate Report - Audit Committee - Overview and Update  
s89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

15.4 Green Waste Mulching Services for Resource Recovery Centres  
Contract Extension  
s89(2)(d) contractual matters.

15.5 Provision of Insurances - Public & Products Liability, and Professional Indemnity  
s89(2)(d) contractual matters.

15.6 Re-opening of Meeting to members of the public

**UNANIMOUSLY CARRIED**

**16 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 18 July 2016 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

**17 CLOSE OF MEETING**

The meeting was declared closed at 8.29pm.

Confirmed this Monday, 18 July 2016

.....

**Chairperson**  
**Mayor, Cr Sue Marstaeller**