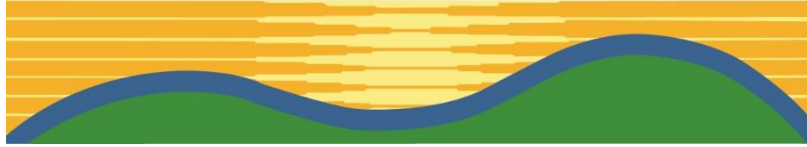


MITCHELL SHIRE COUNCIL



**ORDINARY
COUNCIL MEETING
MINUTES**

MONDAY 17 OCTOBER 2016

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	GOVERNANCE DECLARATION	1
2	APOLOGIES AND LEAVE OF ABSENCE	1
3	DISCLOSURE OF CONFLICTS OF INTEREST	2
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	2
5	PETITIONS AND JOINT LETTERS	2
6	PRESENTATIONS	2
7	SUSTAINABLE COMMUNITIES	3
7.1	Victorian Civil and Administrative Tribunal Hearings and Activities Carried Out Under Delegation	3
8	CORPORATE SERVICES	8
8.1	Annual Report 2015/16	8
9	ENGINEERING AND INFRASTRUCTURE	11
	Nil Reports	11
10	EXECUTIVE SERVICES AND GOVERNANCE	12
10.1	Assembly of Councillors	12
10.2	Instrument of Appointment and Authorisation - Planning and Environment Act 1987	14
11	NOTICES OF MOTION.....	17
	Nil Reports	17
12	DELEGATES REPORTS.....	18
12.1	Delegate Report: Mitchell Environment Advisory Committee Overview and Update	18
12.2	Delegate Report - Overview And Update On Activities And Delegate Deliberations - Cr Rhonda Sanderson	21
12.3	Delegate Report – Overview and Update on Activities and Delegate Deliberations – Cr Sue Marstaeller	22
13	GENERAL BUSINESS	25

14 URGENT BUSINESS25

15 CONFIDENTIAL BUSINESS25

 15.1 Confirmation of Minutes of previous Confidential Meeting25

 15.2 Delegate Report - Audit Committee - Overview and Update25

 15.3 Re-opening of Meeting to members of the public25

 UNANIMOUSLY CARRIED25

16 DATE OF NEXT MEETING26

17 CLOSE OF MEETING26

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

THE MEETING OPENED: 7.00pm

COUNCILLORS PRESENT

Cr Rodney Parker	Central Ward
Cr Des Callaghan	Central Ward
Cr Ross Lee	Central Ward
Cr Bill Melbourne	North Ward
Cr Rhonda Sanderson	North Ward
Cr Bill Chisholm	North Ward
Cr Sue Marstaeller	South Ward (Chairperson)
Cr Kevin Mulroney	South Ward
Cr Bob Cornish	South Ward

OFFICERS PRESENT

Mr David Turnbull	Chief Executive Officer
Mr Laurie Ellis	Director Corporate Services
Mr Travis Heeney	Director Sustainable Communities
Mr Jeff Saker	Director Engineering and Infrastructure
Mr Lee McSweeney	Governance Advisor

1 GOVERNANCE DECLARATION

The declaration was read by Cr. S. Marstarller.

2 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received.

3 DISCLOSURE OF CONFLICTS OF INTEREST

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

No apologies were received.

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

MOVED: CR. R. PARKER

SECONDED: CR. R. SANDERSON

THAT the Minutes of the Ordinary Council Meeting held 19 September 2016, as circulated, be confirmed.

UNANIMOUSLY CARRIED

5 PETITIONS AND JOINT LETTERS

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

No petitions and joint letters received.

6 PRESENTATIONS

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

No presentation received.

7 SUSTAINABLE COMMUNITIES

7.1 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

Author: James McNulty - Statutory Planning Coordinator

File No: CL/04/004

Attachments: Nil

SUMMARY

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

COUNCIL RESOLUTION

MOVED: CR. D. CALLAGHAN

SECONDED: CR. R. SANDERSON

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
2 December 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
Rescheduled to April 2017	P1223/2016 PLP191/15	175 Northern Highway, Wallan	Use and development of the land for an earth and energy resources industry (stone extraction) and creation of access to a Road Zone (category 1)	Refusal to Grant a Planning Permit
17 November 2016	P1525/2016 P306754/11	7 Eden Place, Wallan	Multi dwelling development for the construction of 19 dwellings	Refusal to grant an extension to the permit expiry date of the planning

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

				permit
--	--	--	--	--------

Recent VCAT decisions

No recent decisions since last update.

Activities Carried out Under Delegation

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

REFERENCE NO.	ADDRESS	PROPOSAL	DECISION	DECISION DATE
North Ward				
PLP130/16	27 Sanctuary Road TALLAROOK	Buildings and works for the construction of a shed	Planning Permit	01-Sep-16
PLP370/14	25 Clearview Court TALLAROOK	Use and development of a dwelling	Amended Plans	02-Sep-16
PLP120/16	Greenbank 690 Northwood Road NORTHWOOD	Buildings and works for the construction of sheds	Planning Permit	02-Sep-16
PLP370/14	25 Clearview Court TALLAROOK	Use and development of a dwelling	Secondary Consent	02-Sep-16
PLP265/14	26 Station Street SEYMOUR	Use of the land for the purpose of the sale of liquor and buildings and works associated with the existing Tavern and Nightclub (modifications to the rear portion of the Terminus Hotel, external painting and the amalgamation of the existing two liquor licences)	Secondary Consent	02-Sep-16
PLP120/16	690 Northwood Road NORTHWOOD	Buildings and works for the construction of sheds	Planning Permit	05-Sep-16
PLP184/15.01	122 Wimble Street SEYMOUR	Use and development of the land for industry (steel fabrication)	Amended Permit	06-Sep-16
PLP158/16	360 Tallarook Pyalong Road TALLAROOK	Use and development of a dwelling	Planning Permit	07-Sep-16
PLP121/16	405 Kilmore Glenaroua Road GLENAROUA	Buildings and works for the construction of a dwelling	Planning Permit	13-Sep-16
PLP156/16	51 Anzac Avenue SEYMOUR	Construction of a dwelling to the rear of the existing dwelling	Planning Permit	15-Sep-16
PLP142/16	360 Kobyboyn Road WHITEHEADS CREEK	Construction of an extension to a dwelling	Planning Permit	15-Sep-16

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

PLA302876/0 2.01	60 Stone Jug Lane MIA MIA	Use and development of land for a dwelling and studio (shipping containers)	Amended Planning Permit	19-Sep-16
PLP082/16	16 Nazek Court WHITEHEADS CREEK	Buildings and works for the construction of a shed	Planning Permit	21-Sep-16
Central Ward				
PLP148/16	5-7 Piper Street BROADFORD	2 lot subdivision	Planning Permit	02-Sep-16
PLP162/16	10 Hamilton Street BROADFORD	Creation of easement (SPEAR: S088381M)	Planning Permit	05-Sep-16
PLP306820/1 2.01	26 O'Gradys Road KILMORE	Amendment to a permit for a home occupation exceeding 50 square metres in floor area to allow an increase up to 100 square metres in floor area	Notice of Decision to Amend	14-Sep-16
P306998/12.0 1	16 Hamilton Street Broadford	3 lot subdivision (SPEAR S023493P)	Planning Permit	15-Sep-16
PLP119/16	21-23 Jamieson Street BROADFORD	Multi-dwelling development comprising the construction of 3 dwellings	Planning Permit	15-Sep-16
P305401/08.0 1	Englisms Road BROADFORD	Buildings and works for the construction of a dwelling	Secondary Consent	16-Sep-16
PLP108/16	26 Trainers Drive KILMORE	3 lot subdivision	Notice of Decision	16-Sep-16
PLP212/16	7 Hunts Road KILMORE	Buildings and works for a shed greater than 100m2 in LDRZ	Planning Permit	19-Sep-16
PLP309/13	20 Highgate Road Kilmore	Multi lot subdivision and the removal of native vegetation	Extension of Time	19-Sep-16
PLA304313/0 5.01	260 Wilsons Road WILLOWMAVIN	Construction of a dwelling	Secondary Consent	20-Sep-16
PLP140/16	15 Kilbennen Court KILMORE	Use and development of the land for a dwelling and shed and variation to a restrictive covenant	Planning Permit	20-Sep-16
PLP124/16	215 Old Lancefield Kilmore Road FORBES	Buildings and works to enlarge a dam	Notice of Decision	20-Sep-16
PLP155/16	78-82 George Street KILMORE	Construction of an extension to a dwelling	Planning Permit	20-Sep-16
PLP048/16	260 Strath Creek Road BROADFORD	Building and works for the development of a pavilion associated with the use of the motor racing track and removal of native vegetation.	Planning Permit	22-Sep-16
PLP089/16	42 Viewhill Road KILMORE	2 lot subdivision	Planning Permit	22-Sep-16
PLP138/14.01	Englisms Road	Buildings and works for the	Secondary	23-Sep-16

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

	BROADFORD	purpose of constructing a dwelling	Consent Plans	
PLP203/13	20 Color Drive KILMORE	Buildings and works (veranda & pergola)	Extension of Time	23-Sep-16
P307062/12.0 1	40 Kilmore Lancefield Road KILMORE	Subdivision	Extension of Time	23-Sep-16
PLP225/16	30 Kilbennen Court KILMORE	Use and Development of the land for a dwelling and shed	Planning Permit	26-Sep-16
South Ward				
PLP315/15	165 Rowes Lane WALLAN	Multi dwelling development including the construction of 14 dwellings, reduction to car parking requirements and the removal of an easement	Planning Permit	02-Sep-16
PLP145/16	9 Coustley Close WALLAN	Construction of one (1) additional dwelling	Planning Permit	05-Sep-16
PLP344/15	Station Street Wallan	Staged multi-lot subdivision and creation of easements	Secondary Consent	05-Sep-16
PLP145/16	9 Coustley Close WALLAN	Construction of one (1) additional dwelling	Planning Permit	05-Sep-16
PLP259/15.01	189 Hidden Valley Boulevard WALLAN	Buildings and works to extend existing country club building associated with the use of the land for a golf course, removal of vegetation and to increase the area for the sale and consumption of liquor	Planning Permit	08-Sep-16
PLP168/16	11 Lomandra Avenue WALLAN	Construction of a dwelling	Planning Permit	09-Sep-16
PLP143/16	7A Milne Court WALLAN	Construction of buildings and works associated with a dwelling	Planning Permit	12-Sep-16
PLP037/14.01	61 Minton Street BEVERIDGE	Use of the land for materials recycling (processing of brick & concrete) and refuse disposal (landfill of shale & earth) and waiver of car parking requirements	Amended Permit	13-Sep-16
PLP137/16	84-86 High Street WALLAN	2 lot subdivision (re-subdivision) (SPEAR: S086673E)	Planning Permit	14-Sep-16
PLP177/16	97 Stanley Street WALLAN	Display of business identification signage	Notice of Decision	16-Sep-16
PLP168/15	27 Station Street WALLAN	Staged subdivision	Notice of Decision	20-Sep-16
PLP133/16	8 Sir Leo Curtis Drive WANDONG	Use and development of a dwelling and shed	Planning Permit	22-Sep-16
PLP134/16	80 Quillinan Road HEATHCOTE JUNCTION	Building and works for the construction of an extension to an existing dwelling	Planning Permit	23-Sep-16

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

8 CORPORATE SERVICES

8.1 ANNUAL REPORT 2015/16

Author: Rosemary Scott - Coordinator Communications & Improvement

File No: CM/20/015

Attachments: 1. Mitchell Annual Report 2015/16

SUMMARY

The Annual Report for the past financial year has been prepared and forwarded to the Minister for Local Government in accordance with the provisions of section 133 of the *Local Government Act 1989* (Act).

Public notice of the preparation of the Annual Report and the certification of the Auditor-General has been given under the provisions of the Act and copies made available on Council's website. Copies will also be made available at our library and customer service centres.

The report is now presented for Council's consideration.

RECOMMENDATION

MOVED: CR. R. LEE

SECONDED: CR. B. CHISHOLM

THAT Council considers the Annual Report for 2015/16 and notes its completion, in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

In accordance with clause 50 of the Meeting Procedure Local Law 2014, a time extension was granted to Cr. Marstaeller. Moved: Cr Parker; Seconded: Cr Chisholm.

COUNCIL RESOLUTION

MOVED: CR. R. LEE

SECONDED: CR. B. CHISHOLM

THAT Council considers the Annual Report for 2015/16 and notes its completion, in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

UNANIMOUSLY CARRIED

BACKGROUND

Each Council is required to present its Annual Report for the previous year to the Minister for Local Government by 30 September.

ANNUAL REPORT 2015/16 (CONT.)

The Annual Report 2015/16 has been prepared according to the requirements of the *Local Government Act 1989*, the Local Government (Planning and Reporting) Regulations 2014 and associated statutory requirements. The report was submitted to the Minister by the due date.

ISSUES AND DISCUSSION

All Victorian Councils are required to provide an Annual Report for 2015/16 in accordance with the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

This Annual Report provides a Report of Operations for 2015/16 which includes information about any major changes that have taken place, major capital works expenditure, economic or other factors that have had an impact on Council's performance and a summary of activity and achievements.

The Annual Report also outlines how Mitchell has performed against the commitments set in the Council Plan and Budget as well as prescribed service performance indicators and an audited Performance Statement and Financial Statements.

This is the second year that data has been provided as part of the Local Government Performance Reporting Framework, which includes a set of consistent indicators across the local government sector for key service, sustainability and finance performance measures identified by the State Government.

This year, Council set material variation thresholds that took into account both quantitative and qualitative factors and circumstances specific to Mitchell.

CONSULTATION

The financial and performance statements were presented to Council for 'in-principle' approval at the September Audit Committee meeting. They have since been certified by the Victorian Auditor-General.

Public notice of the preparation of the Annual Report and the Report of the Auditor-General has been given under the provisions of the Act and copies made available on Council's website and at our Customer and Library Service Centres.

The Act requires that the meeting at which Council considers the Annual Report must be held no later than the Friday before election day.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The report has been produced in a simple Word document version this year and is primarily distributed electronically to reduce costs.

ANNUAL REPORT 2015/16 (CONT.)

POLICY AND LEGISLATIVE IMPLICATIONS

The report has been prepared in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

This is an administration process and does not have any environment implications beyond printing practices and material. Recycled paper stock are used wherever possible and the report is available primarily in electronic format.

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 Annual Report 2015/16 has been submitted to the Minister and is now presented for Council's consideration in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

9 ENGINEERING AND INFRASTRUCTURE

Nil Reports

10 EXECUTIVE SERVICES AND GOVERNANCE

10.1 ASSEMBLY OF COUNCILLORS

Author: Lee McSweeney - Governance Advisor

File No: CL/04/013-02

Attachments: 1. Assembly of Councillors - Definition
2. Records of Assemblies

SUMMARY

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

COUNCIL RESOLUTION

MOVED: CR. D. CALLAGHAN

SECONDED: CR. K. MULRONEY

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

UNANIMOUSLY CARRIED

BACKGROUND

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

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

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

ISSUES AND DISCUSSION

A number of assemblies of Councillors have occurred in the period from September to October 2016. This report presents records of these meetings for Council's consideration.

CONSULTATION

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

ASSEMBLY OF COUNCILLORS (CONT.)

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

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

POLICY AND LEGISLATIVE IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

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

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

Author: Lee McSweeney - Governance Advisor

File No: GV/06/016

Attachments: 1. *Instrument of Appointment and Authorisation*
2. *Revoke - Instrument of Appointment and Authorisation*

SUMMARY

This report presents for Council approval an updated *Instrument of Appointment and Authorisation* for Authorised Officers under the *Planning and Environment Act 1987*.

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. K. MULRONEY

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

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

UNANIMOUSLY CARRIED

BACKGROUND

Councils have a wide range of powers, duties and functions under the Local Government Act, Planning and Environment Act, Building Act, Road Management Act, Domestic Animals Act, Public Health and Wellbeing Act and many (approximately 70) more. Most powers, duties and functions are therefore performed or exercised by members of Council staff with formal authority delegated by the Council.

Mitchell Council has established a framework of delegations to facilitate the delegation of Council (and Chief Executive Officer) powers, duties and functions to the appropriate level of the organisation.

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

The delegations framework is supported by the appointment of 'Authorised Officers' for the administration and enforcement of Acts, Regulations and local laws which relate to the functions and powers of the Council.

The *Local Government Act 1989* requires that all delegations made by Council to special committees and to members of Council staff are to be reviewed within 12 months after each general election.

To ensure best practice and that all delegations are relevant, it is recommended that the delegation framework be reviewed on an annual basis.

ISSUES AND DISCUSSION

The Local Government Act (and other Acts), provides for the appointment of Authorised Officers for the purpose of the administration and enforcement of Acts, Regulations or local laws which relate to the functions and powers of the Council.

Authorised Officers have special statutory powers, including the power to demand the name and address of a person who is suspected of committing an offence and the power to enter land or buildings in the municipal district at any reasonable time to carry out and enforce Acts, Regulations or local laws. Most Authorised Officers can also commence proceedings in the name of Council.

The Chief Executive Officer, under authority delegated by the Council, generally makes these appointments. Because of the particular provisions of the *Planning and Environment Act 1987*, Authorised Officers under that Act need to be appointed by Council resolution.

The updated *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* attached to this report provides for the Council to appoint Authorised Officers for the purposes of the Planning and Environment Act and authorises the Officers under the *Local Government Act 1989* to commence proceedings in Council's name.

A separate *Instrument of Appointment and Authorisation* will be created for each Authorised Officer.

Council is required to maintain a Register of Authorised Officers and must issue an identity card to each Authorised Officer.

To ensure that the Register of Authorised Officers is up to date, Attachment 2 lists Authorised Officers and the *Instrument of Appointment and Authorisation* that requires revoking, as the Officer's duties have changed or they have ceased to be a member of Council staff.

CONSULTATION

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

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

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

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

POLICY AND LEGISLATIVE IMPLICATIONS

The appointment and authorisation of Officers for the purposes of administering and enforcing the *Planning and Environment Act 1987* enables day to day statutory duties and functions under the Act to be performed.

The *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* used at Mitchell Shire Council is based on the model developed for Victorian councils by Maddocks Lawyers.

Delegated authority is part of the good governance framework outlined in the (Local Government) *Good Governance Guide 2012*.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The *Instrument of Appointment and Authorisation* allows Officers to fulfil their duties and it is recommended that Council endorse appointments for Officers listed in Attachment 1 and revoke *Instrument of Appointment and Authorisation* for Authorised Officers listed in Attachment 2.

11 NOTICES OF MOTION

Nil Reports

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 5 October 2016.

Cr. Mulroney chaired the meeting and Council's Social Planner, Waste Management Coordinator, Environment Coordinator and Director Engineering and Infrastructure attended the meeting.

COUNCIL RESOLUTION

MOVED: CR. K. MULRONEY

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*".

Guest Presentation – Mitchell Shire Demographics

The meeting commenced with a presentation by Council's Social Planner on the current demographics of Mitchell Shire and projected population demographic projections for the Shire into the future.

Guest Presentation –Waste Management

The Committee then heard from Council's Waste Management Coordinator who presented an overview of waste management in the Shire and Council's strategic direction for waste management.

DELEGATE REPORT: MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE
(CONT.)

2015/2016 Environmental Grants Program

The 2015/2016 Mitchell Shire Environmental Grants Program summary paper and community survey evaluation were presented to the Committee and the following recommendation made;

THAT The Mitchell Environment Advisory Committee:
Notes the results of the community engagement process and evaluation for the
2015/2016 Environmental Grants Program

MOVED : T. Vienet

SECONDED : C. DeMartinis

CARRIED

Environmental Events

The results of 2016 National Tree Day in Mitchell Shire were presented to the Committee, along with the community survey evaluation.

The Committee were also briefed on the *Merri Creek - from wasteland to parklands* launch and exhibition.

RECOMMENDATION

THAT The Mitchell Environment Advisory Committee:
Receive and note the results of recent community environmental activities associated
with National Tee Day and the Merri Creek – Wasteland to Parklands Exhibition

MOVED : G. Mabbett

SECONDED : T. Vienet

CARRIED

Draft Community Environment Survey

A redrafted Community Environment Survey was presented to the Committee for discussion and changes suggested.

The purpose of the survey, which will go out later this financial year, is to obtain data on what environmental works happening in the shire, the level of environmental volunteerism and any barriers preventing these actions. Responses will assist in evaluating Council's current environmental programs and inform future programs.

- General Business

In General Business the Committee recognised Cr. Mulroney for his time and effort as the chairperson of the Committee and also for his work on the Goulburn Valley Regional Waste Management Group. The following recommendation was made;

RECOMMENDATION

DELEGATE REPORT: MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE
(CONT.)

THAT The Mitchell Environment Advisory Committee thank and congratulate Cr. Mulronev for his contribution to the Mitchell Environment Advisory Committee

MOVED : C. DeMartinis

SECONDED : G. Mabbett

CARRIED

12.2 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR RHONDA SANDERSON

Author: Councillor Rhonda Sanderson

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 14 September and 11 October 2016.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. B. CORNISH

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 delegate:

Australian Light Horse Memorial Park - 21 September

The main issue discussed was the proposed unveiling of the '37th Battalion' sign near the Seymour Railway Station in Railway Place during 'The Tastes of the Goulburn' Festival on 15/10/16.

Old Court House - 6 October

AGM and General Meeting

Other meetings and events attended as a Council representative:

- Seymour Business & Tourism Committee Meeting, Seymour
- Nulla Vale CFA Life Membership Presentation, Nulla Vale Fire Shed
- 103.9 Seymour FM AGM, Winery Kitchen, Seymour
- Tallarook Mechanics Institute General Meeting and AGM, TMI
- Seniors Concert featuring Colleen Hewitt, Broadford
- Melbourne Cup event, VVCW, Seymour
- Goranwarrabul Open Day, Seymour
- Goulburn River Valley Tourism AGM, Yea

12.3 DELEGATE REPORT – OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS – CR SUE MARSTAELLER

Author: *Councillor Sue Marstaeller*

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

Attachments: *Nil*

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. K. MULRONEY

SECONDED: CR. R. SANDERSON

THAT the Delegates Report on Overview and Update on Activities and Delegate Deliberation by Cr Marstaeller for period 17 September 2016 until 16 October 2016 be received and noted.

UNANIMOUSLY CARRIED

DISCUSSION

On 17 September, I attended with my husband Ian as guest of the Whittlesea Mayor Steve Kozmevski the Whittlesea Mayoral Dinner. They hold this dinner each year to thank all of their volunteers throughout the city.

On 19 September, I went to the Hume Regional Fire Forum in Benalla as Chair of the Municipal Fire Planning Committee. This was the annual get together of all Chairs and Deputies from all the Municipalities in our Region to come together and have a chance to bring forward issues direct to the Regional representatives to take to the State Forum.

This was followed in the afternoon by our usual Officer and Councillor discussions and following this monthly Council meeting.

On 21 September I attended the Nulla Vale CFA Bridge Life Membership Presentation with Councillors Chisholm and Sanderson. A number of State representatives were there including Rob Mitchell Federal MP for McEwen, Steph Ryan Euroa, MP and Danielle Green Yan Yean, MP arrived later. The Acting Premier James Merlino, MP was the Guest of Honour in his role as Emergency Services Minister. He stayed for some time and we were able to bring to his attention a few of the issues concerning Mitchell Shire residents including the SES and how it was to be funded and the state of some of our primary schools and the need for a new school at Beveridge

On 22 September, the CEO and I attended the Northern Metropolitan Mayors and CEOs Forum at Moreland Council offices. Members of LaTrobe University are developing their Employment Strategy and what their studies have shown in what the ideal candidates might be. They want to find employment for their students and how

DELEGATE REPORT – OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS – CR
SUE MARSTAEILLER (CONT.)

we can work together to achieve this. There was an update from NORTH Link and RDA which included information on Future Workforce Report and the Food & Beverage Regional Industry Cluster. We also were kept up to date on the new Regional Partnerships Model that is being developed through DWELP and DEDJTR.

On 28 September I attended the monthly Wandong Hall meeting.

On 29 September I was a judge at the 'Don't Park in the Blue Spot' drawing Competition, which had been organized by Nexus Health worker Wendy Kelly. She had been discussing the issue of people without the proper authorization parking in the marked disabled parking spaces with children in primary schools right across both Mitchell and Murrindindi and asked the children to design a poster. I was a judge along with Bernie Hagen from Seymour Senior Citizens and Di Vidal from Wandong both on our Access and Inclusion Committee and as well as representatives from Murrindindi Shire. It was a hard job with over 200 entries cutting them down firstly to the top 20 who will each receive a certificate and small prize to the winner who will also receive a prize and a certificate and have their poster reprinted and used in advertising to help remind people who do not have the correct authorization 'Don't Park in the Blue Spot'.

Later that evening, I went to the 125th Anniversary of the Women's Suffrage Petition at Parliament House in the Great Room. This event was hosted by the Hon. Bruce Atkinson, MLC the President of the Legislative Assembly and the Hon. Telmo Languiller, MP Speaker of the Legislative Assembly to celebrate 125 years since this Women's Suffrage petition was presented to the then House of Parliament. Guest Speaker was the Governor the Hon Linda Dessau AM who gave a history of how women had come to be given the vote in Victoria. A number of female Mayors from around Victoria were in attendance along with members of the government, judiciary, consul representatives and business.

On 5 October, the CEO and I attended an Interface Forum meeting at the MAV offices in the city which had a wrap up of the 4 years by Rob Spence CEO of the MAV. The Interface Week report was tabled with everyone congratulated on the effort taken to talk to as many parliamentarians as possible by all representatives. Interface also agreed to look into the Service Provision gap with supporting Interface family's research to be undertaken. This was followed by an update by Infrastructure Victoria on the latest draft of the Infrastructure Victoria Plan released the day before.

That evening, I attended a Melbourne Cup Cocktail Party, which had been organised by the Kilmore Racing Club to welcome the Emirates Melbourne Cup coming to the Shire. Listening to some of the stories from past trainers was quite an insight into the racing world. This event was well attended and proceeds from a charity auction went to mental health research.

On 7 October, the CEO and I met with representatives from the Merri Creek Management Committee and Wallan Environment Group to discuss the Greater Wallan Merri State Park and in particular, the Regional part of the Hearne's Swamp area.

On 12 October, I had the pleasure in welcoming the Honbetsu Delegation to Mitchell Shire. The Mayor of Honbetsu made the trip this time in celebration of our 25th anniversary of our sister city connection. This was quite an honour for us here in Mitchell as he has only come once before and we both acknowledged the importance

DELEGATE REPORT – OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS – CR
SUE MARSTAELLER (CONT.)

of our liaison as sister cities over the past 25 years. This was followed by a dinner, organised by the Honbetsu Sister City Committee for all the delegates.

On 14 October, I attended the Hidden Valley Resort Sod Turning event. This was to mark the beginning of the construction phase of the development that is being undertaken by Arcadia Group which will include a world class retirement, golf and country club resort.

On 15 October, I went to the unveiling of a Commemorative Plinth for the 37th Infantry Battalion AIF, 1916 at the Seymour Railway Station. This event commemorated the 100 year anniversary since the formation and departure for France and Belgium of Seymour's own young men. Tastes of the Goulburn events were also happening in and around Seymour so I was able to partake of a few of the events that were going on. Seymour was a busy place this weekend with people enjoying themselves where ever you went.

13 GENERAL BUSINESS

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

No general business was received.

14 URGENT BUSINESS

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

No urgent business received.

15 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. K. MULRONEY

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 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.

15.3 Re-opening of Meeting to members of the public

UNANIMOUSLY CARRIED

The meeting was closed to members of the at 7.29pm.

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. K. MULRONEY

THAT the meeting be re-opened to members of the public.

UNANIMOUSLY CARRIED

The meeting was re-opened to members of the public at 7.31pm.

16 DATE OF NEXT MEETING

The next Ordinary meeting of Council is scheduled to be held on Monday 21 November 2016 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING

The meeting was declared closed at 7.31pm.

Confirmed this Monday, 21 November 2016

.....

Chairperson
Mayor, Cr Sue Marstaeller