

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

***Mission Statement:***

***To support and develop a sustainable, thriving and resilient Community  
through leadership and partnership.***

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**TO BE HELD:** Tuesday 8 February 2011

**LOCATION:** Stanley Hall, Stanley

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**REQUIRED TO ATTEND:** Councillors: Senior Management/Officers

Ali Pockley – Mayor

Brendan McGrath – CEO

Bernard Gaffney – Deputy Mayor

Andre M Kompler

Peter Croucher

Mark Florence

Larry Goldsworthy

Jamie Heritage

Vic Issell

SMG as required

Barbara Murdoch

Peter Graham

**APOLOGIES:**

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***Vision Statement:***

***INDIGO – A great place to live, work and visit.***

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- 2.0 OPENING PRAYER & ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND
- 3.0 APOLOGIES AND LEAVE OF ABSENCE
- 4.0 DECLARATION OF CONFLICT OF INTEREST
- 5.0 OPEN FORUM
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## **10.0 CORPORATE SERVICES**

### **10.1 RUTHERGLEN WINE CENTRE BOARD STRUCTURAL REVIEW**

**File No.: 2011 / 00098 – Kate Biglin – Tourism Manager**

**For Decision**

#### **RECOMMENDATION**

**That Council defers a formal review of the structure of the Rutherglen Wine Centre Board S86 special committee for 18 months.**

#### **INTRODUCTION**

The S86 special committee Rutherglen Wine Centre Board was restructured in July 2010 following the decision by the Winemakers of Rutherglen to step back from its leadership role within the Rutherglen Wine Centre. A new incorporated association, Destination Rutherglen, took over the majority of seats on the Board and the responsibility for employing staff.

At the time of the restructure, Council agreed to undertake a review after six months with a view to considering handing over direct management of the Rutherglen Wine Centre to Destination Rutherglen.

#### **BACKGROUND**

The S86 special committee Rutherglen Wine Centre Board was restructured in July 2010 following the decision by the Winemakers of Rutherglen to step back from its leadership role within the Rutherglen Wine Centre. Prior to July 2010, staff at the Rutherglen Wine Centre were employed by the Winemakers of Rutherglen and the S86 special committee consisted of two representatives of the Winemakers of Rutherglen, one Rutherglen Wine Region Tourism member and one Indigo Shire councillor.

In July 2010, the Rutherglen Wine Region Tourism organisation dissolved and was replaced with a new incorporated association, Destination Rutherglen. Destination Rutherglen took the majority of seats on the S86 Rutherglen Wine Centre Board and took on the responsibility for employing staff. The restructured S86 committee Rutherglen Wine Centre Board now consists of five representatives from Destination Rutherglen, and one representative from each of the joint building owners – the Winemakers of Rutherglen and Indigo Shire Council.

Council agreed to review this structure after six months with a view to considering the incorporated association of Destination Rutherglen may take over direct management of the Rutherglen Wine Centre.

Chair of the Rutherglen Wine Centre Board, Marion Hansford, has written to Council advising the Board is happy with the status quo and requesting that no change be made to the existing structure. Memorandums of Understanding (MOUs) have been signed by all parties involved and the Board has the support of both Destination Rutherglen and the Winemakers of Rutherglen.

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Since the restructure in July, Destination Rutherglen employed a tourism officer to oversee the roll out of several events and marketing initiatives for the Rutherglen Wine Centre. This position has recently been readvertised and Destination Rutherglen hopes to announce a new appointment imminently. As a result, major tasks which should have been completed, such as the engagement of Rutherglen businesses into a new Official Visitor Guide, have been delayed. Full details of activity and initiatives are attached in the Board's quarterly reports for September 2010 and December 2010.

The board is required by clause 6.1 and 6.2 of the Conditions of Operation to provide a business plan and a three-year strategic plan. April 2011 will see the list set of projections under the operating framework. One would be wise to see a full year's performance and compare the same against projected before recommending further change.

Accordingly a deferral of the review for 18 months is proposed to allow time for full operational and financial information to be collected.

### KEY IMPLICATIONS

The ongoing success of the Rutherglen Wine Centre, and the Visitor Information Centre contained within it, is considered critical to supporting Rutherglen's tourism industry. The number of visitors through the Rutherglen Wine Centre in 2010 increased to 42,404 from the 2009 result of 38,481 despite a dip experienced between September and December following the negative publicity about floods and locust plagues.

The new structure of tourism in Rutherglen – with the new incorporated association of Destination Rutherglen, the restructured S86 Committee for the Rutherglen Wine Centre Board, and changes to the focus of the Winemakers of Rutherglen – has had a limited time to settle down and achieve outcomes. Therefore, a review of the S86 Committee at this stage would appear premature.

### FINANCIAL IMPLICATIONS

Council has committed to contributing \$110,000 in the current financial year to the operations of the Rutherglen Wine Centre. This funding supports the overall running of the centre including staff wages and marketing initiatives.

The Rutherglen Wine Centre's financial position of at the end of December shows a strong financial position with total assets up by \$15,000 from the end of June.

### CONCLUSION

The restructured S86 committee Rutherglen Wine Centre Board has faced challenges in the first six months and new structure of tourism in Rutherglen has had limited time to settle down. MOUs have been signed by all parties involved and the Board has requested no change been made to the current structure. A review at this stage would be premature, as the new structure of both the S86 Committee and the incorporated association of Destination Rutherglen have not had sufficient time to settle and achieve outcomes.

Attachments:

Letter from Rutherglen Wine Centre Board

S86 Rutherglen Wine Centre Board Deed of Delegation

Rutherglen Wine Centre Board Quarterly Report September 2010

Rutherglen Wine Centre Board Quarterly Reports September 2010 December 2010

## 10.2 WAHGUNYAH FORESHORE MASTER PLAN

File No.: 10/2505 - Andre Kompler - Acting General Manager Corporate Services

For Decision

### RECOMMENDATION

**That Council endorses the attached Wahgunyah Foreshore Plan for future project development work by Council and / or the community as appropriate.**

### INTRODUCTION

As part of the 2009/2010 Capital Works program, the MPP division commissioned the preparation of a master plan for future development of the Wahgunyah Foreshore and riverine surrounds from Granthams Bend, east of Wahgunyah, to Lake Moodemere, west of Wahgunyah. This report provides the final version of the master plan document for Council endorsement.

### BACKGROUND

This master plan is the guiding vision for the identification of community priorities and projects 10+ years into the future. It is a source of facilitation for the development of projects by either Council (i.e. as part of its Capital Works program) or by community groups seeking to take up and drive initiatives adding value to the location, independent of Council. The facilitation aspect of the plan is embodied in the identification of relevant stakeholder authorities and flow chart processes to be dealt with as part of any development.

CPG Consulting was engaged to provide the deliverables in Appendix 1. These deliverables included consultation with the Wahgunyah community and other stakeholders. Such also included a review of past urban design frameworks and other relevant documents.

Following information letterbox drops, several community workshops, onsite visits and preparation of a draft master plan, the draft plan was reviewed by Council officers and then publically displayed for community comment. Community comment was reviewed by both CPG and Council staff, and a further two hour workshop was held with community feedback respondents to clarify and agree on appropriate amendments. The amended plan was subsequently viewed and commented upon by a cross section of members of the Consultative Committee. The current plan is the outcome of the above collective process, and has been verbally supported by members of the Wahgunyah Progress Association as recently as last week.

### KEY IMPLICATIONS

The majority of the land in the foreshore area is public land. Some is controlled by Parks Vic/DSE, some is subject to ISC control and other areas are private property. Parts of the foreshore are washing away with each flood of the Murray River, so Council needs to be mindful of the location and longevity of what is built.

Whilst the main thrust of future work will be on extension of trails, which enhance not only the local but also the tourist experience, the reality is many of these trails will be going through public land which will require land owner consent. Whilst the Shire and general public are interested in these type of works, that interest may be tempered if the likes of DSE continues to insist on onerous land manager consent conditions. For example, in other areas in the Shire, DSE have

been willing to allow access to land only subject to the Shire taking over maintenance and management responsibility for adjacent public land. Such poses not only a maintenance burden but also an added liability burden to Council, which amounts to an opportunistic state authority cost/liability shift. On grounds of sustainability, the Major Projects and Programs division (MPP) will not be recommending projects, where such state cost and liability shift is maintained. However, the MPP division will advocate to the new state government, if need be, to facilitate project progression without unreasonably growing asset management and liability obligations.

At Lake Moodemere, the master plan may end up needing to be more flexible in terms of location of facilities noting the question marks over the level of supply and cost of water to Lake Moodemere into the future (ie the ongoing dialogue involving the Sunday Creek irrigators, Goulburn Murray water, DSE/ Parks Vic etc). Ultimately, Lake Moodemere will most likely require an “environmental flow” water allocation if its current status and amenity are to be maintained.

#### FINANCIAL IMPLICATIONS

The master plan divides project work into three categories.;

- High priority items totalling \$219,500 over the next 18 months.
- Medium priority items totalling \$602,000 over the time-frame of 18 months to five years.
- Low priority totalling \$314,500 over the time-frame five- 10 years.

It needs to be said that all of these projects are naturally subject to funding availability and not all would be done by Indigo Shire Council. For example, projects like the Willows boat ramp are already being picked up by the local community and being driven/ progressed independent of Council. Already, some works are scheduled this year as part of RLCIP project delivery (ie sealing of the existing river trails).

It is expected that project identified in the master plan will be put through the Shire’s new Capital Work prioritisation filter and dealt with over time with reference to competing needs across the Shire.

Within this year’s capital works budget, there is an allocation of \$60,000. Such could be allocated to the pursuit of the W4 high priorities relating to the provision of ablution facilities at the existing reserve and picnic area known as “The Willows”. If there are issues with achievement of these projects this financial year, the Progress Association’s advice will be sought on alternate allocation of funds consistent with the master plan such as furniture and toilets in the Willows area.

The GM- MPP did signal to the Wahgunyah Progress Association during the plan’s preparation that there may be the possibility of finding at the mid year budget review. This could amount to another \$40,000 which may be able to be added to the existing year \$60,000 capital works allocation. However, this scenario would now not be prudent in view of the greater-than-expected and more costly subsurface utility issues associated with the Chiltern Streetscape project. Also, some road works projects may be impacted with the costs of rework if ongoing prolonged wet weather continues.

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### POLICY IMPLICATIONS

The creation of this master plan is supported by the following Council Plan objectives.

- 2.6 - Maintain and enhance open spaces.
- 2.8 - Expand and promote bicycle and pedestrian networks.
- 4.8 - Empowering our communities.

No new policy is needed to facilitate progress upon the master plan content.

### COMMUNICATION

Upon approval by Council, this master plan will be placed on the ISC website and hard copy versions provided to the Rutherglen Library and the Wahgunyah Progress Association. Also, several loan copies will be provided to the local Caltex Service Station for those in the community who want to make reference to the same but who do not have the internet or have limited access otherwise. In addition to the above, mention of the release of the master plan will be included in the *Indigo Informer* by the GM- MPP along with other relevant content to ensure expenditure of the current year capital works allocation.

### CONCLUSION

The current master plan is the distillation of community priorities, review of process and constraints along with the consideration of past planning work. It has been the subject of considerable involvement of the community, Council staff and stakeholders. The master plan provides a framework for either Council or community groups championing works into the future. Whilst there are other relevant planning instruments in existence such as the Pride of Place overview dated 2008, which contains an array of potential projects and aspirations for Wahgunyah, it is expected that elements of these documents relating to the Murray River foreshore would now be superseded by the Foreshore Master Plan. From a project identification perspective, the Foreshore Master Plan should be thought of as complimentary to other planning work. The current final draft plan is recommended for endorsement by Council.

Attachment:  
Final draft Wahgunyah Foreshore Master Plan

### 10.3 CAPITAL WORKS PRIORITISATION

File No.: Andre Kompler – Acting General Manager Corporate Services

For Decision

#### RECOMMENDATION

**That Council endorses the attached Capital Works Prioritisation Policy, Filter and Framework relating to allocation of capital and the delivery of the Shire's capital works into the future.**

#### INTRODUCTION

As part of the Council Plan, Council has expressed a need to not only allocate its capital in a more balanced and considered way, but to also make sure the right asset base capital work is done at the right time to ensure sustainable service delivery over time. Whilst part of this solution includes a series of policies and asset management plans, there also needs to be a clear process for evaluating and prioritising requests for capital works across the Shire. The following document provides a statement of Council's resolve, a consistent process for dealing with all capital works and examples for understanding the process.

#### BACKGROUND

In the past, capital works were the subject of a one page capital request form which tried to attach a priority to incoming capital works requests. The problem with this was that it was not widely used, not consistently filled out or appropriately costed, and was subject to unclear policy support. In the absence of asset management plans and a long term financial plan linking capital needs to Council's strategies, capital projects and associated allocations have not been as co-ordinated and robust as what one might reasonably expect of a public authority making decisions on public funds and their timely dispensation. The attached documents seek to go part of the way to tightening up the capital prioritisation process and injecting into the same a measure of objectivity consistent with the achievement of Shire goals.

The attached document has been available for comment across an array of stakeholder interests (i.e. risk, Finance, insurers, Major Projects, Communications, the Senior Management Group etc) and efforts have been made to incorporate the intent of key comments. Also, the attached document has been through the Finance Committee and carries the endorsement of the same per the attached December 2010 meeting minutes.

#### KEY IMPLICATIONS

From 2011/2012 financial years onwards, it is envisaged that the attached policy document and framework be applied.

#### FINANCIAL IMPLICATIONS

There are no financial imposts upon Council in endorsing this policy and framework. It is about delivering a better, transparent and more logical way of helping Council decide what gets funded each year.

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### POLICY IMPLICATIONS

The adoption of this Capital Allocation Policy and Prioritisation Framework is supported by the following Council Plan objective.

- 2.3 - Manage and maintain to a high standard assets critical to our economic prosperity.

### COMMUNICATION

Upon approval by Council, this policy and framework will be rolled out and used for the 2011/2012 budget. It is expected that the document will be made accessible on Council's website as soon as possible, and that an article on the process will be done for the *Indigo Informer*. Additionally, over time as asset management plans are approved by Council along with a 10 year long term financial plan, this policy and process can be elaborated upon at community forums as part of trying to keep the community in the loop of Council progress.

### CONCLUSION

The attached framework and policy is a considerable advance on past practice for the Indigo Shire and will demonstrate a measure of rigor and transparency exceeding many larger councils. The document has been through an exhaustive stakeholder engagement and consultation process inclusive of the Shire's Finance Advisory Committee. The current final attachment is recommended for approval by Council for its subsequent implementation.

Attachments:  
Capital Works Prioritisation framework and Policy  
Finance Committee Meeting Minutes December 2010

**10.4 FINANCE REPORT**

File No.: 09/647- Frank Bonacci - Finance Manager

**RECOMMENDATION**

1. That the Mid Year CAPEX Review for the six month period to 31 December 2010 detailing the following:

Year to date Actual CAPEX expenditures to 31 December 2010 \$3,052,953  
 Adopted CAPEX Budget 2010/2011 \$6,027,518  
 Carried Forward CAPEX from 2009/2010 \$2,205,317 = \$8,232,835 Total  
 Full year CAPEX forecast 2010/2011 \$8,801,149

Be received and noted.

2. That the recurrent finances summary comparing Year to Date (YTD) Actual versus YTD Budget as at 31 December 2010 detailing the following:

YTD Actual	(\$3,996,989)
YTD Budget	(\$3,905,351)
YTD Budget variance	\$91,638
Year End Forecast	\$2,743,745
Annual Budget	\$2,945,175
Year end Budget variance	\$201,430

Be received and noted.

3. That the year end forecast figures in both the Mid Year CAPEX Review and recurrent operations schedules attached to this report constitute the half year review and revised budget for the year to 30 June 2011.

**SUMMARY**

Council managers and budget officers have conducted a mid year review of both the Capital (CAPEX) and Operating budgets as at 31 December 2010. The results of those reviews have delivered revised year end budget projections which Council is now asked to adopt as the 2010/2011 mid year budget review.

Since the 2010/2011 budget was adopted, a number of items have been held over for consideration as part of the mid year budget review. Those items, and how they have been treated within the mid year budget review, are as follows:

That Council considers a further allocation of funds towards the Rutherglen Wine Experience (RWE). This item was considered by senior managers and no additional funding was allocated towards the RWE within the mid year budget review.

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Three smaller projects within Baarmutha Park project. The three projects and their status are as follows:

- Cricket nets. Grant funding has been secured and this project will be included in the 2011/2012 Capital Works program.
- Shade sails for the netball courts. The project has been scoped and costed and in consultation with the Baarmutha Committee of Management, is added to future capital projects list and monitor for availability of grants that may fund the project.
- Shed for storage of ground maintenance equipment. The project has been scoped and costed and in consultation with the Baarmutha Committee of Management, agreed to add to future capital projects list and monitor for availability of grants that may fund the project.

Funding for the development of Council's 2030 vision had been added. An additional \$25,000 has been added to the mid year operating budget to fund the development of the 2030 vision.

In addition to these items, the mid year budget review has also accommodated the impact of the four storm events that occurred within the Shire in September, October, November and December of 2010. These storm events have had the following impact on the mid year budget position.

The Year To Date (YTD) Actuals include unbudgeted storm event expenditure of \$252k.

The Year End Forecasts (YEF) include a forecast for the recovery of \$207k of these costs incurred to date from the State Government Natural Disaster Assistance Program

The YEF includes an additional net cost to Council of \$100k which is expected to be recovered in future financial years.

The operating review shows a YTD Actual surplus of \$3.99 million which is \$91.6k favourable to the YTD Budget. The mid year operating budget review has returned a full year projected deficit of \$2.74 million, which is \$201.4k favourable to the adopted full year budget. This operating budget favourability will be used to fund the additional CAPEX expenditure of \$130k approved by Council at the December 2010 Council meeting.

Full details of the YTD and YEF operating budget position are contained within the attached Profit and Loss Statement to 31 December 2010 and the Department by Business Unit Report for December 2010. Explanations for mid year review YTD and YEF variances versus budget that are greater than \$10k (\$50k for the P & L Statement) are contained within the attached Exception Report for December 2010.

Also attached for information are the balance sheet as at 31 December 2010 and the Cash and Investment Report as at 31 December 2010, which shows a healthy cash position of \$5.1 million at 31 December 2010.

Regarding the CAPEX Budget, the MP&P Team and Finance have undertaken a review of all the 2009/10 CAPEX carry over figures. At the July 2010 Council meeting, due to the print size and legibility issues with the May 2010 Capital Works Monitor, Council resolved to 'receive' the presented Capital Work Monitor rather than 'endorse' it. As a result, a number of 2009/2010 CAPEX projects with carry over amounts into the 2010/2011 year require formal endorsement from Council as part of the mid year review. The affected carry over projects and their details are as follows. All other 2009/2010 projects listed as carry over in the attached Mid Year CAPEX Review document have correct carry over amounts which agree to the unspent portion of their adopted budget.

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PROJECT NAME	CARRY OVER AMT	COMMENTS
Bushfire Recovery	\$66,208	Grant money allocated after the 2009/2010 mid year review. Project is fully grant funded but requires formal Council approval.
Beechworth Skate Park	\$63,454	\$32k of this carryover is from the approved budget amount. The May 2010 CAPEX report projected a \$30k overspend which requires formal Council approval.
Lake Sambell Pathways & Infr	\$156,315	Grant funding reduced by \$75k and Council contribution reduced by \$10k. Change needs formal Council approval.
Brimin, Cornishtown Bruarong Fire Tanks	\$14,115	This projects forecast reduced as an oversight at the 2009/2010 mid year review and requires the unspent funds to be reallocated as a carryover.
B'worth transfer station D'ment	\$18,564	The May 2010 CAPEX report request \$36k. \$17.4k spent in 2009/2010 and balance required as a carry over
B'worth Courthouse ventilation	\$41,200	\$30.2k of this carry over is from the approved budget amount. The May 2010 CAPEX report requested an additional \$11.2k which requires formal Council approval.
Road Assessment Studies	\$146,290	Added post 2009/2010 mid year review. Fully funded project from RTR with no cost to Council and requires formal Council approval.
Chiltern Floodway improvements	\$29,356	Flagged in the May 2010 CAPEX report that overspend of \$59.3k required of which \$29.4k is to be carried over to 2010/2011
Rutherglen Heavy Vehicle deviation	\$7,000	Flagged in the May 2010 CAPEX report that overspend of \$33.7k required of which \$7k is to be carried over to 2010/2011

The unfavourable CAPEX variance of \$568k between the adopted 2010/2011 CAPEX budget (\$6,027,518) plus the 2009/2010 CAPEX carry overs (\$2,205,317) and the mid year CAPEX Forecast (\$8,801,149) is fully funded as follows:

Additional RDV funding to Baarmutha Park project	\$268k
Additional unbudgeted RLCIP round three funding	\$174k
Additional CAPEX funding approved at Dec Council Meeting	\$130k
<b>Total</b>	<b>\$572k</b>

(Note: the additional \$130k funding is funded via the \$203k favourability within the Operating Budget)

Attachments:

Profit & Loss to 31 December 2010  
 Department By Business Unit Report for December 2010  
 Balance Sheet as at 31 December 2010  
 Cash & Investment report as at 31 December 2010  
 Exception Report 31 December 2010  
 Mid Year CAPEX Review

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### 10.5 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF – UPDATE

File No.: 09/286 - Jo Riley - Manager Governance & Risk

For Decision

#### RECOMMENDATION

**That the attached Instrument of Delegation to Members of Council Staff dated 8 February 2011 be adopted by Council.**

#### BACKGROUND

In September 2010 Maddocks issued an update to the Instrument of Delegation of Members of Council Staff template to take into account legislative changes following the conclusion of parliamentary sittings. As a result of this update, a consultative process was undertaken with individual departments to assign the new delegations to appropriate staff members.

#### KEY IMPLICATIONS

*Changes to listing of Council staff*

The following positions have been added to the list of positions referred to in the Schedule:

- General Manager Corporate Services
- Manager Communications

*Changes to provisions*

A number of Acts have had provisions either inserted or deleted. An explanation of these changes is outlined in the table below. Insertions are marked with a double underline and deletions with a strikethrough.

<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
[The provisions of this Act apply to Councils appointed as a cemetery trust pursuant to section 8(1)(a)(ii) of this Act]			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.12(1)</u>	<u>function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act.</u>	<u>Manager Governance &amp; Risk</u>	<p><u>The Manager of Governance &amp; Risk is Secretary of the Carlyle Cemetery. This role includes overseeing the day-to-day operations of the Cemetery. Due to the nature of this role decisions are required to be made as promptly as possible (particularly where the family members of deceased persons are involved).</u></p> <p><u>Council delegating these powers will enable efficient operation of the Cemetery.</u></p>
<u>s.12(1)</u>	<u>duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions</u>	<u>Manager Governance &amp; Risk</u>	<p><u>The Manager of Governance &amp; Risk is Secretary of the Carlyle Cemetery. This role includes overseeing the day-to-day operations of the Cemetery. Due to the nature of this role decisions are required to be made as promptly as possible (particularly where the family members of deceased persons are involved).</u></p> <p><u>Council delegating these powers will enable efficient operation of the Cemetery.</u></p>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### CEMETERIES AND CREMATORIA ACT 2003

[The provisions of this Act apply to Councils appointed as a cemetery trust pursuant to section 8(1)(a)(ii) of this Act]

Section	Power Affected	Delegate	Implication of Delegation
<u>s.13</u>	<u>duty to do anything necessary or convenient to enable it to carry out its functions</u>	<u>Manager Governance &amp; Risk</u>	<p><u>The Manager of Governance &amp; Risk is Secretary of the Carlyle Cemetery. This role includes overseeing the day-to-day operations of the Cemetery. Due to the nature of this role decisions are required to be made as promptly as possible (particularly where the family members of deceased persons are involved).</u></p> <p><u>Council delegating these powers will enable efficient operation of the Cemetery.</u></p>
<u>s.15(1) and (2)</u>	<u>power to delegate powers or functions other than those listed</u>	<u>Manager Governance &amp; Risk</u>	<p><u>This power will allow the Secretary to delegate to the Trust Administrator (Chris Bursill). This will enable more flexibility and timeliness in the day-to-day operations of the Cemetery in situations where the Secretary is not available. Exceptions to this power relate to cemetery trust rules, powers in respect of land, to establish crematoria, to establish mausolea, facilities to fix fees or charges, and borrowing and investing powers.</u></p>
<u>s.15(4)</u>	<u>duty to keep records of delegations</u>	<u>Manager Governance &amp; Risk</u>	<p><u>This delegation will require the Secretary to keep records of delegations provided under s.15(1) and (2) above.</u></p>
<u>s. 17(3)</u>	<u>power to determine the terms and conditions of employment or engagement</u>	<u>Manager Governance &amp; Risk</u>	<p><u>This relates to contractors only (ie gravediggers, funeral directors, operations staff to carry out works in consultation with Manager Operations.</u></p>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
[The provisions of this Act apply to Councils appointed as a cemetery trust pursuant to section 8(1)(a)(ii) of this Act]			
Section	Power Affected	Delegate	Implication of Delegation
s.18(3)	<u>duty to comply with a direction from the Secretary</u>	Manager Governance & Risk	
s.26(1)	<u>power to make rules for or with respect to the general care, protection and management of a public cemetery</u>	Manager Governance & Risk	<p><u>The Manager of Governance &amp; Risk is Secretary of the Carlyle Cemetery. This role includes overseeing the day-to-day operations of the Cemetery. Due to the nature of this role decisions are required to be made as promptly as possible (particularly where the family members of deceased persons are involved).</u></p> <p><u>Council delegating these powers will enable efficient operation of the Cemetery.</u></p>
s.40	<u>duty to notify Secretary of fees and charges fixed under section 39</u>	Manager Governance & Risk	<p><u>Statutory fees are set by the Department of Human Services annually. If required a cemetery trust can apply to the Department for variations on the Schedule fees for approval. This application would be sought by recommendation to Council in the first instance.</u></p>
s.46(2)(b)	<u>duty to comply with conditions imposed by the Treasurer</u>	Manager Governance & Risk	<p><u>This duty relates to complying with conditions imposed by the Treasurer in the circumstances the cemetery trust borrows money to enable it to perform its functions and exercise its powers under the Act.</u></p>
s.75	<u>power to grant the rights of interment set out in subsections (a) and (b)</u>	Manager Governance & Risk	<p><u>This power allows the Secretary to grant the rights of interment at the Cemetery.</u></p>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### CEMETERIES AND CREMATORIA ACT 2003

[The provisions of this Act apply to Councils appointed as a cemetery trust pursuant to section 8(1)(a)(ii) of this Act]

Section	Power Affected	Delegate	Implication of Delegation
s.99(4)	<u>duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested</u>	<u>Manager Governance &amp; Risk</u>	<u>This relates to application being made to establish or alter a memorial or place of interment. Decisions are based on Cemetery guidelines.</u>
s.152	<u>power to satisfy itself that the requirements of Division 1 of Part 11 have been met in relation to application for authorisation</u>	<u>Manager Governance &amp; Risk</u>	<u>This power provides for approval of interment or cremation once the application requirements have been met.</u>

### FOOD ACT 1984

Section	Power Affected	Delegate	Implication of Delegation
s.19(3)	<del>power to direct by written order any of the matters in subsection 19(3)(a)-(c) until section 19(2) is complied with</del>		<del>If section 19(1) applies</del>

The State Health Department has been concerned about the increasing numbers of food poisoning instances over recent years. Some were reported but many were not.

Although Victoria has had certain food safety facilities in place since 2003 food poisoning continues to cause grave concern.

It was determined that Victoria would follow the lead of New South Wales and change legislation to increase the powers of Local Government.

The implementation of written warnings, penalty infringement notices and improvement notices, and in certain instances, closure of premises has been included in the changes to the Food Act.

Warning notices have always been in place. Two warnings will be required prior to any other notice being issued. Penalty infringement notices will be similar to a penalty infringement issued by Council Local Law Officers. Improvement notices may be issued in the case of the failure of the proprietor to comply with the Act and comply with warnings. A notice to close a business will only be issued where the immediate health of the public is at risk and will need to be approved by the Council CEO following a report in regard to the matter.

The Department of Health recognises the difficulties faced by Environmental Health personnel in the past. Warning notices were often ignored. Closure of a business was required to be undertaken by Health Department Victoria. Court action was often long and drawn out.

Council is advised that serious consideration will be given to all notices issued. Proprietors have already been made aware that changes to legislation were to be effective from 1 January 2011.

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>FOOD ACT 1984</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.19A(4)(b)</u>	<u>function of receiving notice from authorised officer</u>	<u>Environmental Health Officer</u>	<u>where council is the registration authority</u>
s.19I	duty to conduct a food safety assessment as required under section 19H	Environmental Health Officer	<u>Subject to section 19J</u> <u>Where Council is the registration authority</u>
s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with <u>unless subsection (3) applies.</u>	Environmental Health Officer	<u>Where Council is the registration authority</u>
s.19N	function of receiving information from a food safety auditor	Environmental Health Officer	<u>Where Council is the registration authority</u>
s.19NA(1)	power to request food safety audit reports	Environmental Health Officer	<u>Where Council is the registration authority</u>
s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	General Manager Sustainable Communities	<u>Except for an assessment required by a declaration under Section 19C or an inspection under sections 38B (1) (C ) or 39.</u>
---	power to register, renew or transfer registration	Environmental Health Officer	Where Council is the registration authority.  refusal to grant/renew/transfer registration must be ratified by Council ( <u>see Section 58A (2)</u> )
s.35A	<u>function of registering food premises</u>	<u>Environmental Health Officer</u>	
<u>s.38AA(2)</u>	<u>function of being notified of operation</u>	<u>Environmental Health Officer</u>	<u>where council is the registration authority</u>
s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	Environmental Health Officer	<u>where council is the registration authority</u>
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not	Environmental Health Officer	<u>where council is the registration authority</u>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

<b>FOOD ACT 1984</b>			
Section	Power Affected	Delegate	Implication of Delegation
	exempt		
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Manager Sustainable Development	<u>where council is the registration authority</u>
<u>s.38A(4)</u>	<u>power to request a copy of a completed food safety program template</u>	<u>Environmental Health Officer</u>	<u>where council is the registration authority</u>
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Environmental Health Officer	<u>where council is the registration authority</u>
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Environmental Health Officer	<u>where council is the registration authority</u>
s.38B(1)(c)	duty to inspect <u>premises</u>	Environmental Health Officer	<u>where council is the registration authority</u>
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Environmental Health Officer	<u>where council is the registration authority</u>
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Environmental Health Officer	<u>where council is the registration authority</u>
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Environmental Health Officer	<u>where council is the registration authority</u>
s.38D(3)	power to request copies of any audit reports	Environmental Health Officer	<u>where council is the registration authority</u>
s.38E(1)(c)	function of assessing the requirement for a food safety program	Environmental Health Officer	<u>where council is the registration authority</u>
s.38E(2)	power to register the food premises on a conditional basis	Environmental Health Officer	<u>where council is the registration authority</u>  <u>not exceeding the prescribed time limit defined under subsection (5).</u>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

<b>FOOD ACT 1984</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
s.38E(3) (a)	function of receiving certificates	Environmental Health Officer	<u>where council is the registration authority</u>
s.38E(4)	duty to register the food premises when conditions are satisfied	Environmental Health Officer	<u>where council is the registration authority</u>
s.38F(3) (a)	duty to note the change to the classification of the food premises on the certificate of registration	Environmental Health Officer	<u>where council is the registration authority</u>
s.38F(3) (b)	power to require proprietor to comply with requirements of this Act	Environmental Health Officer	<u>where council is the registration authority</u>
s.39(2)	duty to inspect within 12 months before renewal of registration	Environmental Health Officer	<u>where council is the registration authority</u>
s.39(3)	duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	Environmental Health Officer	<u>where council is the registration authority</u>
s.39A	power to register, <u>renew or transfer</u> food premises despite minor defects	Environmental Health Officer	<u>where council is the registration authority</u>  <u>Only if satisfied of matter in subsections (2) (a) – (c)</u>
<u>s.39A(6)</u>	<u>duty to comply with direction of Secretary.</u>	<u>Environmental Health Officer</u>	<u>where council is the registration authority</u>
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Environmental Health Officer	<u>where Council is the registration authority</u>
s.40D(1)	power to suspend or revoke the registration of food premises	Environmental Health Officer	<u>where Council is the registration authority</u>
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	Environmental Health Officer	<u>where Council is the registration authority</u>
<u>s.40E(4)</u>	<u>duty to comply with direction of Secretary</u>	<u>Environmental Health Officer</u>	<u>where council is the registration authority</u>
s.43(1) and (2)	duty to maintain records of the prescribed particulars and order in force under Part III	Environmental Health Officer	<u>where Council is the registration authority</u>

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

<b>FOOD ACT 1984</b>			
Section	Power Affected	Delegate	Implication of Delegation
s.43(3)	duty to make available information held in records, free of charge, on request	Environmental Health Officer	<u>where Council is the registration authority</u>
s.46(5)	<u>power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged</u>	<u>Manager Planning &amp; Sustainable Development</u>  <u>Environmental Health Officer</u>	<u>where council is the registration authority</u>

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
Section	Power Affected	Delegate	Implication of Delegation
s.64 (5)	<u>Duty to give each objector a copy of an exempt decision</u>	<u>General Manager Sustainable Communities</u>  <u>Manager Planning &amp; Sustainable Development</u>	<u>Subsequent to the requirements of the statutory process set out by the Planning and Environment Act 1987</u>
s.201UA B(1)	<u>function of providing the Growth Areas Authority with information relating to any land within municipal district</u>	<u>General Manager Sustainable Communities</u>  <u>Manager Planning &amp; Sustainable Development</u>	<u>Subsequent to the requirements of the statutory process set out by the Planning and Environment Act 1987</u>
s.201UA B(2)	<u>duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible</u>	<u>General Manager Sustainable Communities</u>  <u>Manager Planning &amp; Sustainable Development</u>	<u>Subsequent to the requirements of the statutory process set out by the Planning and Environment Act 1987</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>RAIL SAFETY ACT 2006</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.34C(2)</u>	<u>function of entering into safety interface agreements with rail infrastructure manager</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be performed by Major projects &amp; Programs. This will maintain agreed responsibilities &amp; a level of safety between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34D(1)</u>	<u>function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be performed by Major projects &amp; Programs. This will determine the responsibilities &amp; safety issues between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34D(2)</u>	<u>function of receiving written notice of opinion</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>RAIL SAFETY ACT 2006</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.34D(4)</u>	<u>function of entering into safety interface agreement with infrastructure manager</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be done by Major projects &amp; Programs. This will maintain agreed responsibilities &amp; a level of safety between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34E(1)(a)</u>	<u>duty to identify and assess risks to safety</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be done by Major projects &amp; Programs. This will determine the responsibilities &amp; safety issues between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34E(1)(b)</u>	<u>duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be done by Major projects &amp; Programs. This will determine the responsibilities &amp; safety issues between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>RAIL SAFETY ACT 2006</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
			<u>timely outcomes.</u>
<u>s.34E(3)</u>	<u>duty to seek to enter into a safety interface agreement with rail infrastructure manager</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be done by Major projects &amp; Programs. This will maintain agreed responsibilities &amp; a level of safety between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34F(1)(a)</u>	<u>duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be done by Major projects &amp; Programs. This will maintain agreed responsibilities &amp; a level of safety between the two infrastructure networks. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34F(1)(b)</u>	<u>duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>RAIL SAFETY ACT 2006</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.34F(2)</u>	<u>duty to seek to enter into a safety interface agreement with rail infrastructure manager</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34H</u>	<u>power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34I</u>	<u>function of entering into safety interface agreements</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34J(2)</u>	<u>function of receiving notice from Safety Director</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>RAIL SAFETY ACT 2006</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.34J(7)</u>	<u>duty to comply with a direction of the Safety Director given under section 34J(5)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.34K(2)</u>	<u>duty to maintain a register of items set out in subsections (a)-(b)</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>s.22(4)</u>	<u>duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.</u>	<u>General Manager Major Projects &amp; Programs</u>  <u>Manager Civil Operations</u>  <u>Manager Assets</u>  <u>Manager Project Delivery</u>  <u>General Manager Corporate Service</u>  <u>Manager Governance &amp; Risk</u>	<u>This is a procedural issue to be considered by Major projects &amp; Programs. Accordingly such should be a delegated authority in the interests of timely outcomes.</u>
<u>s.22(5)</u>	<u>duty to give effect to a direction under this section.</u>	<u>General Manager Major Projects &amp; Programs</u>	<u>This is a procedural issue to be</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
		<u>Manager Civil Operations</u>  <u>Manager Assets</u>  <u>Manager Project Delivery</u>	<u>considered by Major projects &amp; Programs.</u> <u>Accordingly such should be a delegated authority in the interests of timely outcomes.</u>

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Section</b>	<b>Power Affected</b>	<b>Delegate</b>	<b>Implication of Delegation</b>
<u>r.7</u>	<u>function of entering into a written agreement with a caravan park owner</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r. 11(1)</u>	<u>function of receiving applications for registration</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.13(1)</u>	<u>duty to grant registration received under regulation 11, if satisfied of (a) and (b)</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.13(2)</u>	<u>duty to grant renew registration received under regulation 12, if satisfied of (a) and (b)</u>	<u>Environmental Health Officer</u>	<u>see also r.13(3)</u>
<u>r.13(3)</u>	<u>duty to have regard to items (a) – (f) when considering an application for registration or renewal of registration</u>	<u>Environmental Health Officer</u>	<u>see also r.13(3)</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b><u>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</u></b>			
<b><u>Section</u></b>	<b><u>Power Affected</u></b>	<b><u>Delegate</u></b>	<b><u>Implication of Delegation</u></b>
<u>r.13(4)</u>	<u>duty to issue a certificate of registration on granting registration</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.13(5)</u>	<u>duty to issue a certificate of renewal upon renewing registration</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.15</u>	<u>function of receiving notice of transfer of ownership</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.16(1)</u>	<u>duty to transfer registration to new caravan park owner</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.16(2)</u>	<u>duty to issue certificate of transfer of registration</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.17</u>	<u>power to determine registration fee in accordance with this regulation</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.18</u>	<u>duty to keep register of caravan parks</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority –</u>

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

<b><u>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</u></b>			
<b><u>Section</u></b>	<b><u>Power Affected</u></b>	<b><u>Delegate</u></b>	<b><u>Implication of Delegation</u></b>
			<u>response to relevant statutes of legislation</u>
<u>r.22(6)</u>	<u>duty to notify caravan park owners of emergency service agencies</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.22(7)</u>	<u>duty to consult with relevant emergency services agency</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.24(1)</u>	<u>power to determine places in which caravan park owner must display copy of public emergency warnings</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.25(3)</u>	<u>duty to consult with relevant floodplain management authority</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.26</u>	<u>duty to have regard to any report of the relevant fire authority</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.28(c)</u>	<u>power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>

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<b><u>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</u></b>			
<b><u>Section</u></b>	<b><u>Power Affected</u></b>	<b><u>Delegate</u></b>	<b><u>Implication of Delegation</u></b>
<u>r.39</u>	<u>function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.39(b)</u>	<u>power to require notice of proposal to install unregistrable movable dwelling or rigid annexe</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>
<u>r.42</u>	<u>power to approve use of a non-habitable structure as a dwelling or part of a dwelling</u>	<u>Environmental Health Officer</u>	<u>where Council is the registration authority – response to relevant statutes of legislation</u>

**FINANCIAL IMPLICATIONS**

These delegation amendments seek to provide more efficient operational process without imposing unnecessary delays to outcomes and less officer reporting than required.

**POLICY IMPLICATIONS**

Not applicable.

**COMMUNICATION**

Not required.

**CONCLUSION**

That the attached Instrument of Delegation to Members of Council Staff dated 8 February 2010 be adopted by Council.

Attachments:  
Instrument of Delegation to Members of Council Staff  
Attachments:  
Summary of Changes Made to Instrument of Delegation  
Instrument of Delegation to Members of Council Staff

## **10.6 RUTHERGLEN WINE CENTRE BOARD ANNUAL REPORT**

**File No.: 2011 / 00104 – Kate Biglin – Tourism Manager**

**For Decision**

### **RECOMMENDATION**

**That Council receives the 2009/2010 Rutherglen Wine Experience Annual Report and Financial Report.**

### **INTRODUCTION**

The Rutherglen Wine Centre Board is a Section 86 committee of Council has submitted its annual report detailing the financial and operational outputs for 2009/2010.

### **KEY IMPLICATIONS**

The Annual Report outlines a review of marketing activities undertaken throughout the year including support for events, advertising campaigns and growth in visitation to centre.

### **FINANCIAL IMPLICATIONS**

A \$14,000 loss was derived in the year ending 30 June 2010, which is far more positive than the loss of \$59,000 the previous year. In the next twelve months, the aim should be to not incur a loss full stop.

### **BACKGROUND**

The Rutherglen Wine Centre Board is a Section 86 committee of Council charged with governing and directing the operations of the Rutherglen Wine Centre on behalf of Council, Destination Rutherglen and the Winemakers of Rutherglen. The board is required to furnish Council with an annual report detailing the financial and operational outputs each year.

This annual report and financial statement covers the year prior to the restructure of the Section 86 Committee, which took effect as of 1 July 2010.

### **CONCLUSION**

The Rutherglen Wine Centre Board Annual Report and Financial Report for 2009/2010 show a busy year of activity.

The balance sheet shows the total equity reduce from \$34,000 in 2009 to \$21,000 in 2010.

Whilst the balance sheet remains healthy, with the increasing visitor numbers, a well exploited business plan should show an increase in equity position. The following twelve months of results will indicate the effectiveness, or otherwise, of the existing management framework.

Attachments:  
Rutherglen Wine Experience Annual Report – July 2009 to June 2010  
Rutherglen Wine Experience – Financial Statements and Audit Report for Year Ended 30 June 2010

**11.0 SUSTAINABLE COMMUNITIES**

**11.1 PLANNING PERMIT APPLICATION PP10-0208 (COUNTRY FIRE AUTHORITY)**

**File No.: 09/1411 – Travis Basham – Town Planner**

**For Decision**

**RECOMMENDATION**

**That Council resolves to grant a permit for the use and development of Crown Allotment 3C Section A7 Township and Parish of Beechworth for the purposes of an emergency services facility (Fire Station) in accordance with the conditions contained at Attachment B.**

**BACKGROUND**

Date application lodged: 13 October 2010

Subject site land area: 4,207m<sup>2</sup>

Current use of subject site: The subject land was formerly used as a depot by DSE and Parks Victoria and retains buildings formerly used for this purpose. The site is currently unoccupied.

Surrounding land use: Adjacent land in Victoria Road is currently used and developed for residential purposes. Land adjacent to the north-west boundary of the site is currently being developed for the purposes of a retirement village, previously approved under Planning Permit PP05-237.

Zoning of surrounding land: The subject site and surrounding land is covered by the provisions of the Residential 1 Zone. The lot immediately adjacent to the south-west boundary of the site is covered by Schedule 408 to the Heritage Overlay.

**PROPOSAL**

The fire station is proposed to be constructed on leased land owned by DSE and is designed to accommodate three fire-fighting appliances including:

- 1 x pumper
- 2 x tanker
- 1 x forward command vehicle (brigade utility).

The brigade also houses a small cache of support equipment on trailers including 1 x quick fill pump and trailer.

Fire fighting vehicle egress from the station will be via the front doors of the motor room directly into Victoria Road, by conducting either left-hand or right-hand turn manoeuvres to travel in the required direction. All passenger vehicles will exit the site via the side driveway from Victoria Road.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

As a direct response to the operational requirements for vehicular access to the fire station, the proposed station building will be situated to longitudinally address Victoria Road. With a frontage setback ranging from 10m to the main entry and 13m to the motor room, the proposed station building will have a frontage of 44m with the predominant frontage being that of the 20m wide four bay motor room.

The proposed station building will be single storey; but, as a consequence of the functional requirement to accommodate fire trucks, the maximum height of the vehicular motor room will be approximately 6.7m high.

The station will require two vehicular crossovers to Victoria Road, one 8.75m wide crossover for the emergency response vehicles and another smaller 5.5m wide two-way crossover for return vehicles in Victoria Road. A minimum of 17 dedicated car parking spaces are proposed to be provided onsite and provision is made for overflow car parking to be accommodated on the concrete paved rear yard of the station.

All training and maintenance facilities including a 19.5m tall communications and hose drying tower are proposed to be located to the rear of the site. An existing shed situated along the northern boundary is proposed to be retained for general storage and support equipment.

The building is set back from the street frontage to provide a front apron of concrete hardstand sufficient for a fire fighting vehicle to stand clear of the building within the site boundary, prior to entering the street.

The front grounds of the fire station are proposed to be landscaped with a combination of low maintenance ground cover and native plants. Additional landscaping is proposed to be provided, in part, along the western and eastern boundaries.

The design of the proposed fire station will consist of a fourbay motor room, offices, workshop, drying room, storage room, kitchen, a multi-purpose meeting room and amenities.

The functional relationships surrounding the provision of emergency response is the predominant driver for the layout of the station floor plan. This layout is essentially similar in all new stations of this size as it provides a 'tried and tested' efficient functional layout.

The external fabric of the proposed station is proposed to be a combination of masonry blockwork with lightweight metal cladding. Feature and visual relief to the elevations will be provided by the use and layering of finishing materials.

A feature blockwork band in contrasting texture will be utilised to masonry walls to provide interest. The façade of the motor room will be dressed with a combination of masonry at the base, modular metal cladding and with an articulated roof overhang detail.

The main pedestrian entry from Victoria Road is expressed by a 'butterfly' roof, which will serve both as an aesthetic and practical purpose with the shape enabling rainwater to be collected effectively.

The main building is expressed by a traditional gabled roof reflecting the scale of residential buildings adjacent to the site, whilst a 'lean to' veranda is proposed to the rear, northern side.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

On the north side of the station, large glass doors are provided to the multipurpose room to allow natural light to enter. Visual and textural relief will again be provided by the combination of masonry blockwork, and corrugated metal cladding.

Site Coverage  
 Total Site Area: 4,207sq.m.  
 Floor Area: 605sq.m  
 Site Coverage: 14.38%sq.m

The fire station is proposed to form the long-term base for the provision of fire protection and emergency services in Beechworth and surrounding areas. CFA volunteers will access the site and buildings whenever an emergency incident occurs that requires their attendance. All CFA personnel attending the facility will park on site without the need to impact on street parking, within the surrounding neighbourhood.

No external audible station alarms or public address systems are used after hours. There is no external call out siren provided at the station, in line with the majority of other urban fire station locations. The brigade utilises alpha numeric pagers, as described elsewhere in this report, to notify members of an emergency.

The design of external lighting for the proposed development will specifically aim to minimise any impact on the amenity of the adjoining properties and neighbourhood area.

### ZONING AND PLANNING CONTROLS

Zoning: Residential 1 Zone (R1Z)  
 Overlay/s: None applicable  
 Permit Trigger: An emergency services facility is an in-nominate (Section 2 Permit required) use in the R1Z. A permit is also required for buildings and works associated with a Section 2 use under the R1Z.

The purpose of the R1Z is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.
- To encourage residential development that respects the neighbourhood character.
- To consider appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses in the service of local community needs.

The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies, are relatively silent in terms of policy direction for the proposed use. Likewise, the R1Z contains little guidance by way of decision guidelines.

The application essentially falls to a merits assessment based on the proposal, site and its context having regard to the purposes of the Zone and the decision guidelines set out at Clause 65 and the matters at Section 60 of the Planning and Environment Act 1987.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

Clause 65 provides that the responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the following decision guidelines, as appropriate.

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

### PLANNING AND ENVIRONMENT ACT 1987 - SECT 60

Section 60 of the Act provides that before deciding on an application, the responsible authority must consider:

- (a) The relevant planning scheme.
- (b) The objectives of planning in Victoria which include:
  - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
  - To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
  - To facilitate development in accordance with the above objectives.
- (c) All objections and other submissions which it has received and which have not been withdrawn.
- (d) Any decision and comments of a referral authority which it has received.
- (e) Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

Section (1A) of the Act provides that the responsible authority, if the circumstances appear to so require, may consider:

- (a) Any significant social and economic effects of the use or development for which the application is made.
- (j) Any other relevant matter.

### REFERRAL AUTHORITIES

The application was referred to Council's Development Engineer for comment in relation to access, traffic impacts and storm water management. The response received recommends approval subject to conditions.

Having particular regard to matters raised in relation to congestion, car parking and safety, Council's Development Engineer has confirmed that based on recorded traffic volumes in Victoria Road and the projected use of the proposed fire station, the design capacity of Victoria Road can adequately cater for the proposal.

The table at Clause 52.06-5 sets out the number of car spaces required for various land uses. Where a use is not specified, as is the case for an emergency services facility, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

A minimum of 17 dedicated car parking spaces are proposed to be provided onsite and provision is made for overflow car parking to be accommodated on the concrete paved rear yard of the station which could accommodate approximately 12 additional spaces in front of the existing shed that is to be retained.

### PUBLIC NOTICE

Notice of the application was given to all adjoining owners and occupiers as well as all properties in Victoria Road. A notice was placed onsite and the application was advertised extensively in all locally circulating newspapers in accordance with Section 52 of the Planning and Environment Act 1987.

A number of submissions have been received in response and full copies of these are to be provided to councillors as a separate attachment to this report.

Issues raised include:

- Safety – pedestrian and vehicular due to increased traffic volumes.
- Amenity impacts – traffic congestion, car parking, noise (vehicle and siren), signage and traffic control measures altering the amenity of the residential area.
- Impacts on property values.
- Suitability of alternate locations.
- The site is in a residentially zoned area.
- Design unresponsive to heritage character of Beechworth.
- Inappropriate site for the proposed use due to proximity of schools, hospital, recreation grounds and facilities and a retirement village.

### DISCUSSION

Whether there are alternate sites that may be more appropriate for the proposed use and development is not a relevant consideration for Council. Rather, Council is required to consider the application before it and decide whether the proposal is acceptable on this particular site and whether this is an appropriate location based on the circumstances of the case and the individual merits of the proposal.

The purpose of the Residential 1 Zone is fundamentally to provide for residential development; however, it also allows for the needs of educational, recreational, religious, community and a limited range of other non-residential uses to be considered in appropriate locations. Matters which determine whether the location is appropriate will depend on the site and its context within the neighbourhood, the responsiveness of the design, offsite amenity impacts of the proposed use and the degree of public benefit that will be obtained from the proposal.

Having regard to the context of the site in the neighbourhood, it is located with convenient access to the arterial road network and is consistent with nearby non-residential uses dispersed throughout the Residential 1 Zone such as the hospital, school and Junction Road supermarket.



**How does the proposal respond to the neighbourhood character?**

The building form is substantially different to that of adjoining properties. While one of the purposes in the Residential 1 Zone is to encourage residential development that respects the neighbourhood character, this development is not residential but is a type of use and development that is anticipated in the fourth purpose of the zone.

Traditionally, the site has not been used for residential purposes and existing development onsite reflects the former use as a depot for Parks Victoria and DSE. The building is set back from the street frontage to provide a front apron of concrete hardstand sufficient for a fire fighting vehicle to stand clear of the building within the site boundary, prior to entering the street.

The front grounds of the fire station are proposed to be landscaped with a combination of low maintenance ground cover and native plants. Additional landscaping is proposed to be provided, in part, along the western and eastern boundaries.

The external fabric of the proposed station is proposed to be a combination of masonry blockwork with lightweight metal cladding. Feature and visual relief to the elevations will be provided by the use and layering of finishing materials.

A feature blockwork band in contrasting texture will be utilised to masonry walls to provide interest. The façade of the motor room will be dressed with a combination of masonry at the base, modular metal cladding and with an articulated roof overhang detail.

The main pedestrian entry from Victoria Road is expressed by a 'butterfly' roof, which will serve both as an aesthetic and practical purpose with the shape enabling rainwater to be collected effectively.

The main building is expressed by a traditional gabled roof reflecting the scale of residential buildings adjacent to the site, whilst a 'lean to' veranda is proposed to the rear, northern side.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

On the north side of the station, large glass doors are provided to the multipurpose room to allow natural light to enter. Visual and textural relief will again be provided by the combination of masonry blockwork, and corrugated metal cladding.

Given the character of the locality, articulation in the design, generous setbacks from the frontage and side and rear boundaries, and the topography of the site, the proposal is considered to represent an appropriate design response.

### **Offsite Amenity Impacts**

The Beechworth Fire Station receives on average 75+ calls per year with an average of three calls per fortnight. These calls may be primary responses in the Beechworth Fire District or support calls to neighbouring brigades.

Fire fighting staff and volunteers will continue to utilise and be dispatched via alpha numeric pagers to notify operational members of an emergency, as currently provided. The pagers are activated remotely through a centralised dispatch centre in Melbourne. The message that appears on the pager notifies each member of the nature and location of the incident. As a result, there is no need for the use of an external siren.

All CFA personnel attending the facility will park on site without the need to impact on street parking within the surrounding neighbourhood.

Brigade training is conducted twice per month commencing at 7.30pm on a Monday evening. An average of 20+ members would normally attend for a two hour session. Brigade meetings are held on the first Monday of every month, with an average of 20+ members attending. The brigade also undertake routine maintenance of the equipment and facilities of a Sunday morning for a period of two-three hours

Maintenance of equipment, hose drying and hose testing are performed during normal daylight working hours after training and attending operational calls. The brigade also undertakes the servicing and maintenance of fire fighting equipment for commercial and institutional premises within the fire district. Some of these services will be delivered from the new Victoria Road site.

The design of external lighting for the proposed development will specifically aim to minimise any impact on the amenity of the adjoining properties and neighbourhood area.

A fire appliance is likely to generate approximately the same noise level as a bus. It is anticipated that the noise generated by engines exiting the site would therefore not have an unreasonable impact on nearby properties, particularly when it is noted that there are likely to be in the order of only three callouts per fortnight.

Engines responding to emergencies may do so under emergency response conditions, utilising sirens, or under normal road traffic regulations. During evening and night hours, fire-fighting appliances have lesser requirement for the use of sirens due to reduced traffic during these times.

While it is conceded that there may be some amenity impacts to nearby residences, much of these amenity issues have been addressed in the design of the proposed fire station and the operational characteristics of the use. Such issues can also be further ameliorated or dealt with through conditions on a permit to address landscaping, noise, location and provision of car parking, external illumination and vehicle access and egress. Thus, the offsite amenity impacts of the proposal are considered acceptable.

**Net community benefit**

Clause 10 of Planning Schemes calls for responsible authorities to balance competing objectives in favour of net community benefit. Most, if not all objections received to the application acknowledged the benefits of a new fire station to the community (it is the subject site that is held at issue).

The new fire station will establish a facility that will allow for increased awareness for fire safety and prevention services within the local community. It will promote commitment and interaction, making a significant contribution towards reinforcing the cohesion between the fire brigade and the community it serves. The proposed Beechworth Fire Station development will provide major benefits for the community by satisfying the appropriate level of fire and emergency service delivery.

With regard to the above, it is therefore considered that the subject site is an appropriate location for a non-residential use that serves local community needs and meets the fourth purpose of the Residential 1 Zone.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

There are a number of cases in recent years that have some relevance to this particular application and in particular the suitability of residential sites for emergency service facilities, amenity impacts including noise, visual, traffic and neighbourhood character.

For instance, in *King v Whitehorse CC* [2008] VCAT 1840 (3 September 2008) the following comments were made by the tribunal regarding the suitability of the site for the use.

During the hearing both Mr Amato and Mr Ryan made very detailed submissions arguing why the proposed use and development should not be placed in this location. These arguments focussed other more preferable sites either within the Box Hill Activity Centre or close to it. My role is not to make an assessment of the merits or otherwise of the other development sites. My role is to assess whether this proposal is acceptable having regard to the planning policies in the Planning Scheme and the purposes of the zone. In this regard if I find that the use and development is acceptable I need not delve any further into the merits of other sites.

In the case *MFESB v Moonee Valley CC* [2008] VCAT 1110 (13 June 2008) the tribunal commented on the amenity impacts of a proposed emergency services facility on an adjacent site used for accommodation (of relevance in this instance due to the B&B adjacent to the subject site).

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The issue of net community benefit comes to the fore when assessing the likely impacts of the fire station use on the serviced apartments. We have also had regard to the small average number of expected call-outs from the proposed fire station – being three per day.

The fact that a reasonable proportion of these call outs are likely to be during the day or evening, when guests' sensitivities are at their lowest, in combination with the MFB's 'good neighbour' approach leads us to conclude that there will be minimal impact on guests' amenity. We find that on this issue, the net community benefit favours the use of the site by the MFB.

Additional cases referred to in assessing the proposal include:

- *Strintzos Group Pty Ltd v Casey CC* [2009] VCAT 1258 (6 July 2009).
- *Chadwick Investments Pty Ltd v Greater Dandenong CC* [2008] VCAT 2441 (10 December 2008).

### CONCLUSION

The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies, are relatively silent in terms of policy direction for the proposed use. Likewise, the R1Z contains little guidance by way of decision guidelines.

The application essentially falls to a merits assessment based on the proposal, site and its context. This would consider the purposes of the Zone and the decision guidelines set out at Clause 65 and the matters at Section 60 of the Planning and Environment Act 1987, which principally fall to an assessment of the impacts of the proposal on the amenity of the area.

It is considered that the impacts of the proposal on the amenity of the area are acceptable. This is based on the above assessment of the matters which determine whether the location is appropriate to provide for a non-residential use to serve local community needs under the purposes of the Residential 1 Zone. It includes a discussion on the site and its context within the neighbourhood, the responsiveness of the design, any offsite amenity impacts of the proposed use, and the degree of public benefit that will be obtained from the proposal..

Whether there are alternate sites that may be more appropriate for the proposed use and development is not a relevant consideration for Council. Rather, Council is required to consider the application before it and decide whether the proposal is acceptable on this particular site and whether this is an appropriate location based on the circumstances of the case and the individual merits of the proposal.

Whilst it is conceded that there may be some amenity impacts to nearby residences compared to the current non-use of the site, much of these amenity issues can be ameliorated or dealt with through conditions of approval to address landscaping, noise, location and provision of car parking, external illumination and vehicle access and egress.

Attachments:

A: Proposal

B: Conditions

Confidential: Copy of Objection

## 11.2 VICTORIAN CARER CARD

File No.: 09/85 - David Koren - Manager Community Planning

For Decision

### RECOMMENDATION

**That Council endorses the Victorian Carer Card Program and support Indigo Shire Council's involvement in the program.**

### INTRODUCTION

This report provides information about the Victorian Carer Card Program, which is a new initiative of the Victorian Government.

### BACKGROUND

The Victorian Carer Card Program was launched last year and has been in operation for over six months. Around 50 Victorian councils have signed onto the program including Moira, Wangaratta and Wodonga councils from the north east.

The program gives recognition to the significant level of care and commitment carers provide in supporting a person who has a disability, chronic condition, a mental illness, who is frail aged or a child in foster care.

The Carer Card is issued, upon application, to eligible people who must be either:

- The primary carer of a person with a disability, severe medical condition or mental illness, or someone who is frail aged or in need of palliative care.
- A foster, kinship or respite carer.

Councils have become involved in the following ways:

- Providing discounts or benefits to card holders e.g. In Indigo Shire, the card would provide a concession entrance fee to the Shire's pools or to the Beechworth Historic Precinct.
- Displaying the Carer Card logo.
- Agreeing to the Carer Card terms and conditions (outlined in the Program Guidelines attached).
- Promoting the program to local businesses and attractions for their adoption.

It should be noted that the Carer Card is different to the Companion Card. The Companion Card is issued to a person with a severe and permanent disability who is unable to access a venue or event without attendant care. The Carer Card is issued to a primary carer, who can access benefits of the Card independently of the person they provide care for.

### KEY IMPLICATIONS

There are no specific implications arising from Council's support of this program. However, by being part of the program, Council is showing its support to those carers detailed in the eligibility guidelines above.

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### FINANCIAL IMPLICATIONS

There are no significant financial implications associated with this program. The provision of discounts to card holders may result in small reductions in income levels; however, the benefit and support provided to people is great. It is anticipated that no adjustments to income budgets will be required.

As an example, a Carer Card holder may wish to enter one of Council's swimming pools. They would normally pay the adult entry fee of \$3.60 but as a card holder, the fee would be the concession entry fee of \$2.80. The card holder may enter the pool 20 times over the course of the season. In this example, the loss of entry fee income to Council would be in the order of \$16. However, there may be additional income received through the purchase of kiosk items.

It is very difficult to determine the number of people in Indigo Shire who would take up the Carer Card option or how often they would utilise Council facilities. Therefore, it is difficult to determine an exact financial impact to Council. Other councils do not "track" the number of Carer Card holders or how often they are used so comparison figures are also difficult to determine.

It is anticipated that the financial impact of implementing the Card can be absorbed by existing operating budgets.

### POLICY IMPLICATIONS

Council's support of and involvement in the Carer Card Program is consistent with the strategic objectives of Leadership of our People and our Community and Developing Sustainable Communities.

### COMMUNICATION

If implemented, a communication plan will be developed to provide the community with the appropriate information to access the Card and understand its benefits. The plan would include providing information to existing clients through our Aged and Disability Service programs as well as to the broader community.

### CONCLUSION

The Victorian Carer Card Program provides valuable recognition of the contribution and commitment made by carers.

Attachment:  
The Victorian Carer Card – Victorian Local Council Program Guidelines – April 2010

### **11.3 CHILTERN DEVELOPMENT FRAMEWORK PLAN**

**File No.: 09/394 - Katie Rizzuto - Manager Planning and Sustainable Development**

#### **For Information**

#### INTRODUCTION

At the 9 November 2010 Council Meeting, a motion was moved by Councillor Murdoch (and unanimously carried) that requested, "That a Report be brought back to the February Council Meeting with an update into the investigation of industrial land in Chiltern".

Following this and in response to a call for grant tenders for these type of projects from Regional Development Victoria, (now Department of Business and Innovation), the following provides the outline of the draft brief which was submitted to the Department on 28 January 2011 for consideration.

This project compliments and reinforces the work undertaken to date by the Indigo Shire Council's Community Strengthening Team and numerous meetings held with the community in respect to this matter. This project also reinforces the Economic Development Unit's aspirations in regard to the preparation of an Economic Strategy for Chiltern. The work is also underpinned by previous strategic planning work undertaken to date, including the Chiltern - Barnawartha Our Future's Project.

Preliminary advice provided by the Department of Business and Innovation has indicated that the successful project would need to be holistic in nature; and understand and respond to a range of issues in order to ensure that all relevant grant selection criteria has been addressed.

The following excerpts from the brief are intended to provide councillors with an understanding of the purpose of the project, likely outcomes and timeframes.

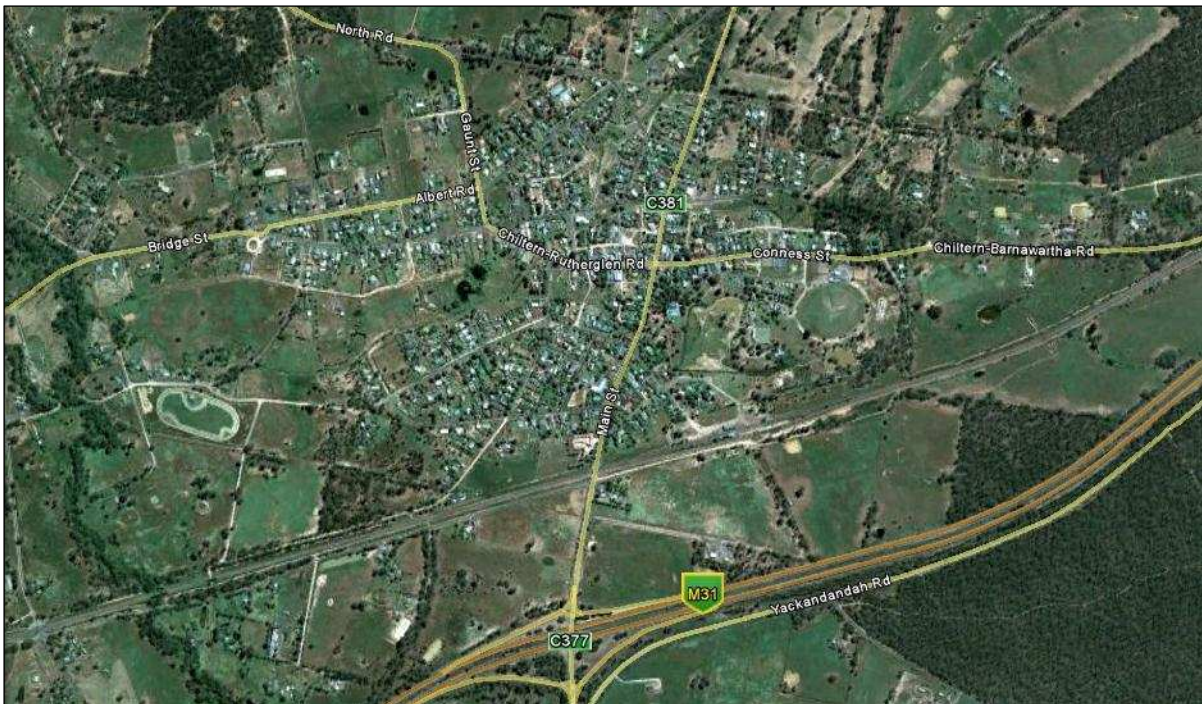
#### BACKGROUND

Chiltern township is a small historic township within Indigo Shire and located on the Hume Freeway between Albury/Wodonga and Wangaratta. In the past 10 years, growth in lifestyle change has seen population movements away from major centres, and Chiltern has experienced population change with consequent influences upon the range of residential, industrial and commercial activity. Every indication is that exponential growth can be expected. The evidence suggests that there is a critical need for a sustainable approach to the management of such growth.

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Chiltern Location marked A, Source Google Maps



Chiltern Aerial Photo, Source Google Earth

This pressure is attributed to a coming together of a range of circumstances that are raising the growth potential profile for Chiltern. The flow on effect from growth in the regional centres in association with the ‘tree change’ lifestyle phenomena, combined with the increasing strategically and locationally appropriate position and accessibility of Chiltern to more than one regional centre, is supporting this growth opportunity.

Increasing employment opportunities are being established on the west side of Wodonga and in agri-businesses to the north and south in Rutherglen and Beechworth districts respectively. The development of the LOGIC centre at Barnawartha north by Wodonga City Council and the proposed Livestock Selling Centre also at Barnawartha north has increased the growth

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opportunities on Chiltern. This pressure is manifest in both physical land requirements and on community and social infrastructure and local cultural trends.

Although Chiltern has experienced largely residential growth, there has not been commensurate local growth in small businesses to service that residential growth as is generally experienced in other places.

The Chiltern Industrial Land Study identified a lack of suitable land on which small businesses can establish themselves within Chiltern. Community opinion has generally supported that view; but, in light of the recommendations from the Independent Panel in respect to planning scheme amendment C24, the identified solution for a large area of land to be rezoned for industrial use adjacent to the freeway does not have full community support nor indeed the Planning Panel Support. The Planning Panel recommended a more detailed investigation be undertaken to establish the potential demand and planning implications of developing the nominated large area for industrial and business purposes.

The C24 planning scheme amendment proposal looked at specific industrial and business land in isolation of other land use issues affecting the Chiltern township generally. It is recognised that growth pressures are far broader than only industrial land issues and the wider growth is creating change and is invigorating the community and changing the services and facilities expectations. It is also bringing into focus the need to address Chiltern township growth in an integrated more holistic manner based on sound urban planning principles, recognising the changing community and the changing amenity, services and facilities expectations whilst retaining the essence and heritage that makes Chiltern attractive.

The location of Chiltern, generally mid way between Albury/Wodonga and Wangaratta and midway between Beechworth and Rutherglen on the Hume Freeway, is significant. Within its hierarchical context, this location will inevitably lead to development of a critical mass which will in turn lead to a tipping point where Chiltern's time will have arrived. The evidence suggests that the time is approaching very quickly, if not already here. Chiltern's potential as a commuter centre based upon the freeway accessibility and servicing the two main centres (Albury/Wodonga and Wangaratta) and servicing the tourism and agribusiness districts (Beechworth and Rutherglen), with high lifestyle attractiveness and character, will inevitably result in growth and development.

In order to maintain and enhance the lifestyle attractiveness and to provide for the changing and increased services and facilities expectations, it is essential that a detailed integrated development framework be established based on a comprehensive assessment of realistic demand and infrastructure capabilities and derived from the rigorous application of sound planning principles.

### **The Project**

Some very good work has been undertaken over the past decade to understand the issues facing Chiltern; however, many of the previous projects have been very issue specific and generated by a problem at hand rather than a strategic principled approach. They have largely dealt with symptoms of emerging growth rather than taking into consideration land use spatial distribution issues.

An integrated framework plan for Chiltern will address protection and enhancement of natural resources and its built heritage to enable retention of these assets for future generations, as part of the local fabric creates the essence of Chiltern.

An integrated framework plan for Chiltern will seek to establish and maintain a healthy, vibrant and resilient community based on appropriate and timely infrastructure and services provision and appropriate and equitable spatial distribution of land uses and land based amenities. The plan will understand and provide flexibility and timeliness in infrastructure and service provision and encompass development controls to maintain and enhance local attractiveness and liveability.

An integrated framework plan for Chiltern must realistically determine local economic development capacities and potential to strengthen locally provided commercial services and facilities. In spatial distribution terms, business and industry locations should be appropriately located for purpose and within the context of the town. Above all else, development in all sectors should recognise lifestyle attraction and be sited and designed accordingly to establish, maintain and enhance a thriving and dynamic local economy and community within its hierarchical context.

An integrated framework plan for Chiltern will recognise its commuter nature and place within the wider transport network and capitalise on the available road and rail infrastructure. Internally, the framework plan should consider the local road hierarchy, structure and future traffic demands in regard to spatial land use distribution. Internal movement networks within the framework plan should plan for all vehicles, cyclists, pedestrians and people of restricted mobility.

An integrated framework plan for Chiltern will establish an efficient and sustainable pattern of urban form, an appropriate rural interface with connectivity to external transport facilities (freeway and rail), a sense of place and appropriate presentation and amenity. The urban form should be sympathetic with the built form, heritage and community values, while maximising the efficient use of existing infrastructure. Importantly, land use spatial distribution decisions should ensure security of use, high quality amenity and maintenance of the community values. The plan should establish streetscape and landscape development principles derived from a built and vegetative landscape assessment of existing community values.

**KEY IMPLICATIONS**

**What is the project going to do?**

- The project will use sound planning and economic development principles to establish a detailed Development Framework Plan for Chiltern.
- In establishing the detailed Development Framework Plan, comprehensive public consultation will be undertaken to determine community aspirations, land use and development demands and standards.
- In establishing the detailed Development Framework Plan, land capability and suitability assessments will be undertaken to determine land use capacity and capability derived from built and vegetative landscape community values assessment and land availability and suitability assessment.
- The project will provide a comprehensive strategic planning framework underpinning development staging, spatial distribution and infrastructure planning / delivery in a manner that reflects potential demand and community expectations and standards.
- The project will provide for spatial land use and development needs based on a realistic assessment of demand and projections to a 15 year period (as determined by the Department of Planning and Community Development) and with additional development directions for growth beyond the 15 year period indicated based on land use capability and suitability.
- The project will provide for more reliable infrastructure planning and delivery.

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- The project will prepare an amendment to the Indigo Planning Scheme.
- The project will apply the Victoria Planning Provisions to achieve a best practice development framework plan.

### **What is the problem / opportunity the project is seeking to address?**

The Chiltern township is located at a strategically significant place at a significant point in time. The area has been reasonably dormant with an aging population until the past 10 years. The aging population demographic is changing. This combined with technological change and the social change referred to as “sea or tree” change has brought Chiltern into its time. This project’s intention is to get ahead of the growth, to plan for development and to ensure that an integrated and balanced pattern for growth is established.

Australian development patterns generally in urban hinterlands over the past circa 100 years indicate a recurrent theme. When new and emerging larger and regional centres develop, there is a concentric type of growth effect out into the hinterland. Chiltern has reached a point in time where two fundamental influences have converged, setting the place for potentially significant growth. The convergent influences are the combined effect of growth in both Albury/Wodonga and in Wangaratta. Wangaratta is experiencing a rebirth of government services growth and relocations which has created a solid development growth. Albury/Wodonga continues to roll on with solid growth rates in the order of 600-700 new dwellings per year. Wodonga alone has approximately 350-400 new dwellings per year. Chiltern is placed perfectly for the hinterland growth due to its close proximity to both Albury/Wodonga and Wangaratta, the freeway and rail services.

Recent years have shown the early signs of this growth phenomenon, and every expectation and available evidence suggests that the growth rate will continue to rise. This is particularly reinforced by recent state government publications such as the Regional Blueprint and also the Murray River Settlement Strategy.

This project is seeking to plan for that growth in a comprehensively integrated manner that addresses the environment, in its both built and natural forms, retains the cultural assets as well as provides a structure to give better infrastructure planning, delivery and direction.

### **The project delivery**

The project will be delivered essentially in three parts.

1. The detailed development framework planning process.
2. The preparation of a Planning Scheme Amendment.
3. Undertaking the formal Planning Scheme Amendment process.

The first two components will be delivered by a consultancy selected through a tender process. The shortlisted consultants will present to Council, in order to determine the most appropriate approach/selection of a firm.

The third component will be delivered by Council with external support as appropriate.

Officers of Indigo Shire will be responsible for managing the project.

### **How will the outcomes from the project be measured?**

The project tender will be broken into stages and assessment will be connected to components deliverable in each stage. The stages are expected to reflect:

- (a) Information collection and 1<sup>st</sup> round consultation.
- (b) Draft Framework Plan preparation and 2<sup>nd</sup> round consultation.
- (c) Final Framework Plan preparation.
- (d) Obtain ministerial authorisation and Preparation of Planning Scheme amendment.
- (e) Undertake formal planning scheme amendment process.

**The Project Assessment**

This project will create a detailed structure plan for Chiltern based on sound planning principles, analysis of realistic development potential and expectations across all township development sectors. It will address land area needs, infrastructure requirements and development standards necessary to service those identified land area needs. This proposal will establish a detailed structure plan to encourage and facilitate the identified economic development capability across all sectors and realistic to the 10 to 15 year growth capacity of Chiltern. The project will establish more secure decision making for potential land users and developers and for prospective businesses and industry through creation of clearer and better accepted spatial land use distribution, development standards, infrastructure availability/requirements and community acceptance. This project will set in place very clear spatial development distribution/direction and will therefore establish clear infrastructure requirements and likely timing. This will better enable infrastructure providers to prepare delivery plans and thus improve strategic economic planning.

Community representations and feedback from Indigo Shire Council's Community Strengthening Team and Council's Economic Development Unit indicate that new locally generated and locally servicing enterprises are establishing in places in Chiltern that are less than appropriate and frequently without necessary approvals. The information suggests that this situation is an emerging consequence of the changing and increasing residential growth, changing community needs/aspirations and a community desire for growth and development, where opportunities in the current environment are limited or non – existent.

Changing economic demands and community growth are also placing changed and increased (mostly unanticipated) pressures on infrastructure services. Chiltern, having been essentially dormant for the latter half of last century, has not been on the infrastructure provider list of priority locations and therefore the changing community and emerging opportunities are putting a spotlight on the current lack of strategic planning and the problems, both social and physical this creates.

From this, it appears that the current lack of strategic planning, in a specific local manner, is having two fundamental effects. Firstly, it is causing inappropriate spatial distribution of land use and economic development. Secondly, it is restricting the capability for economically sustainable planning and provision of adequate infrastructure to service the changing community.

This project will provide for sustainable spatial land use and development distribution and a more secure and cost efficient framework for infrastructure planning and timely delivery, and ultimately, respond to the needs, desires and aspirations of the community.

Chiltern has largely developed in the past 10 to 15 years in a rather ad hoc manner essentially through utilisation of existing lots without a clear growth plan and without adequate land suited to all growth potential sectors. A lack of any designated service business and light industry land is one example of known inadequacies that need to be addressed. Fundamentally, the current zoning does not adequately delineate separation of uses or provide for local service business and industry establishment.

Small rural townships that are essentially dormant generally do not experience land use conflicts and uses are usually self controlling based on local cultural norms and mores. When local communities experience population change (*even where the change does not result in immediate population increase*) and changes in community needs and desires, then those local self controlling mechanisms break down as different cultural and community standards, relationships and expectations emerge. This is where strategic and structural planning issues in a changing local economy and community will start to become apparent. If inadequate development frameworks for spatial distribution exist, then a number of symptoms will result. New enterprises to service the changing local economy will likely have difficulty in securing appropriately located and/or serviced places. They would be likely to either locate in inappropriate places without necessary approvals or will locate in other nearby towns.

Chiltern is presenting these symptoms and a development framework plan is necessary in order to remedy and deal with the community impacts in a positive, proactive and sustainable manner. This project will deliver considerably improved land use planning and economic development facilitation services to the Chiltern community.

This project will significantly improve the ability of Council and RDV/Business Victoria to guide and encourage local business development, and it will identify infrastructure requirements and establish strategic directions for its timely provision. The project will create a more secure spatial land use distribution and statutory implementation framework enabling better infrastructure delivery planning.

This project will establish a greater level of security in decision making through clearer planning objectives and spatial distribution. This will encourage growth and development in residential land and in business enterprises. The clearer guidance in spatial distribution will enable better and more secure infrastructure planning and delivery. Also, the clearer spatial distribution of land uses and the provision of areas to accommodate the range of enterprises will enable better decision making in respect to encouraging and as appropriate; funding new businesses to service/support the changing community. This project will significantly improve capacity building in Chiltern.

### **Regional Settlement Framework**

This proposal is consistent with the Hume Region Strategy for Sustainable Communities and particularly with the Upper Hume Sub-Regional Plan. This project is designed to address a recognised inadequacy that is constraining sustainable community development in Chiltern. The outcome of the establishment of a Development Framework Plan and a planning scheme amendment to implement the land use structure planning will contribute to creating prosperity and generating wellbeing and vitality of the Chiltern community and economy. The plan will establish increased sustainability with the application of sound planning principles to integrate cultural, social, economic and environmental goals and community aspirations to create, maintain and enhance the liveability, lifestyle and resource management of Chiltern.

This proposal will provide for a concurrent maintenance of the Chiltern character, identity and heritage whilst recognising the changing population and growth. The plan will enable better planning, timing and delivery of infrastructure to support the population and economic change emerging in Chiltern. The plan will facilitate growth and enterprise development in appropriate places within Chiltern.

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The establishment of a development framework plan will identify and consolidate a sense of place for Chiltern and will deal with traffic management and general amenity. It will set urban design and landscape standards, establish open space and recreation links and standards and public realm design and facilities' standards. The framework plan will establish appropriate land use controls, landscape controls, and identify developer contribution issues and mechanisms for provision of public realm facilities. It will deal with township and farming land interface issues and provide a strategic and more secure decision making environment.

This proposal will get the right foundations in place in time to ensure that Chiltern can respond to current pressures without compromising its uniqueness or sense of place.

### FINANCIAL IMPLICATIONS

There is currently a budget for this project and a grant application has been submitted to the Department of Business and Innovation in respect to this project.

### POLICY IMPLICATIONS

Upon completion, the project will result in policy change in the Indigo Planning Scheme.

### COMMUNICATION

The project will involve a substantial amount of community consultation. The Manager of Communications will also be involved with this aspect of the project.

### CONCLUSION

This project is an incredibly important project. It will ensure that Chiltern is provided with the appropriate growth management template/tools to respond to current pressure, plan for future pressures and cope with the changing nature of regional Victoria in both a physical, urban, infrastructure and spatial sense, without compromising its heart.

This project has a sound strategic basis and will allow and implements tools that will have a positive contribution for the Chiltern community.

**11.4 DRAFT ACCESS AND INCLUSION PLAN**

**File No.: 09/129 – DAVID KOREN - MANAGER COMMUNITY PLANNING**

**For Decision**

**RECOMMENDATION**

**That Council adopts the Draft Indigo Shire Council Access and Inclusion Plan 2011-2014 and place the plan on public exhibition for comments and feedback from the community.**

**INTRODUCTION**

This report presents the Draft Indigo Shire Council Access and Inclusion Plan 2011-2014 and recommends a public exhibition to receive comments and feedback from the community.

**BACKGROUND**

All Victorian councils are required to have a Disability Action Plan under the Victorian State Government Disability Act 2006.

The general trend with other councils has been to broaden out their Disability Action Plans to address the broader issues of providing services, resources, facilities and events that are accessible and inclusive for everyone ie an Access and Inclusion Plan. This is considered to be an appropriate approach for Indigo Shire Council.

The process for developing an Access and Inclusion Plan for Indigo Shire was presented to Council at a briefing in August 2010. Since the presentation, extensive consultation with key stakeholders including service providers, the Indigo Disability Advisory Committee and government agencies, has resulted in the formation of the Draft Indigo Shire Council Access and Inclusion Plan 2011-2014. The Draft Plan is an attachment to this report.

**KEY IMPLICATIONS**

The plan, if adopted, will provide Council and the community with clear direction in helping to achieve priorities that will create an accessible and inclusive Shire.

The plan identified five key priority areas for action in 2011–2014:

**Priority Area 1: Moving Around**

**Goal:** Maximise the ability of community members and visitors to easily and safely move around the Indigo Shire.

**Priority Area 2: Using Spaces and Places**

**Goal:** Ensure that everybody has access to spaces and places within the Indigo community that they feel welcome, included and safe.

**Priority Area 3: Getting involved**

**Goal:** Support all people who live and visit Indigo to be actively involved in a rich and rewarding community life.

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### **Priority Area 4: Being Informed**

**Goal:** Ensure that everybody in Indigo has the opportunity to access the information they need to live healthy, safe and active lives.

### **Priority Area 5: Staying Engaged**

**Goal:** Promote and support the involvement of all residents in civic life.

The majority of these actions require commitment by Council, using existing staff resources, potential budget implications and the development of key partnerships with community and government agencies.

The Draft Plan also recommends a monitoring system which measures the progress of these actions, ensuring they are fed back to the community, and that the community remain engaged and included in the plan they helped to develop.

The next step in the process is to take the Draft Plan out to the broader community to ensure all stakeholders and interested persons have the opportunity to comment and provide feedback on the Draft Plan. An appropriate Communication Plan will be developed to ensure this process is delivered appropriately.

The intention is to incorporate appropriate comments and feedback into the Draft Plan and present the Final Draft Plan to Council for adoption.

### FINANCIAL IMPLICATIONS

The Draft Plan has identified that the majority of actions can be implemented using existing staff resources. However, a significant number of the actions in the plan have been assessed as requiring financial resources to implement. Some of these costs have been estimated and included in the Draft Plan; however, there are others that require further investigation to identify the financial implications. An example is Action 1.3.2: Ensure that key pedestrian routes in each town are well lit. Until this action is fully investigated and costed, the exact cost is unknown.

As the Plan is implemented, the specific actions that require budgeting support will be factored into the budget preparation process as required.

### POLICY IMPLICATIONS

The development of an Access and Inclusion Plan meets the requirements of the Victorian State Government Disability Act 2006. The plan will also meet the Council Plan 2010-2013 Objective 4.6: Enhance the health and wellbeing of the community - Encourage healthy and active lifestyles in our Community through a range of strategic plans.

### COMMUNICATION

The development of the Draft Indigo Shire Council Access and Inclusion Plan 2011-2014 involved extensive community, agency, Council and government consultation. The process from this Council recommendation will involve further opportunities for feedback and comments, in accordance with Council's Communication Policy, prior to adoption by Council.

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**CONCLUSION

This report presents the Draft Indigo Shire Council Access and Inclusion Plan 2011-2014 with the recommendation that the Draft Plan be placed on public exhibition for further comment and feedback. It is anticipated that, following this final consultation process, the Draft Plan will be amended if required and the final draft presented to Council for adoption.

Attachment:  
Sustainable Communities: Draft Indigo Shire Council Access and Inclusion Plan 2011-2014

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011****11.5 DRAFT MASTERPLANS FOR COULSTON PARK AND STANLEY RECREATION RESERVE**

File No.: 10/2666 – David Koren – Manager Community Planning

For Decision

**RECOMMENDATION**

**That Council adopts the Draft Coulston Park Master Plan and Draft Stanley Recreation Reserve Master Plan and place both plans on public exhibition for comments and feedback from the community.**

**INTRODUCTION**

Indigo Shire Council is committed to improving the health and wellbeing of its communities. This is evidenced by specific strategies in the Council Plan 2010–2013 and recommendations from the Indigo Shire Recreation Plan around providing access to quality recreational facilities and planning for future recreational needs in the Shire.

Sport and recreational activities play an important role in our community. Local sporting clubs not only provide opportunities to improve physical fitness, but they offer valuable social connection and build community strength. It is a priority of this Council to continue to support local clubs to enable them to continue to provide valuable recreational services to the community.

Informal recreational activities are also very important to Indigo Shire communities. The findings from the community consultation process for the Council Plan and the Recreation Plan showed that the community were strongly in favour of developing more opportunities for informal recreational activity.

The projects to develop master plans for Coulston Park and the Stanley Recreation Reserve are key drivers in assisting Council and the community plan for future recreational and social needs.

This report presents the drafts of both master plans and recommends a final consultation process before final drafts are presented to Council for adoption.

**BACKGROUND**

Council and the community recognised the need to develop master plans for Coulston Park and Stanley Recreation Reserve, projects listed in the Indigo Shire Recreation Plan adopted by Council in March 2008.

Council secured funding to develop the plans in 2010 and, following consultation with the respective committees of management and user groups, completed the first drafts which are presented as attachments to this report.

Both drafts have also been available for feedback and comment internally within the Council.

KEY IMPLICATIONS

Both draft plans have a number of recommendations or priority actions, many of which will require financial resources to implement. Council, the respective committees of management and the other relevant organisations will continue discussions to develop a good understanding of the time-frames required to achieve these actions. Both master plans have short, medium and long term priorities and good planning practices, along with access to external funding sources will be important in delivering the outcomes of the plans.

Some of the key priority actions from the draft master plans include:

**Draft Coulston Park Master Plan**

- Acquisition of land to the east of Coulston Park to allow future developments.
- Access and carparking improvements.
- Conversion of the grass bowling green to a synthetic surface – note: funding for this project was announced in January 2011.
- Finishing works on the recently completed multipurpose facility

**Draft Stanley Recreation Reserve Master Plan**

- Development of additional building facilities to assist in the site being used as a Neighbourhood Safer Place (NSP) – note: Stanley Recreation Reserve has now been provisionally adopted by Council as a NSP, this change will be reflected in the updated Draft Masterplan prior to any further consultation with the broader community.
- Oval renovations.
- Playground improvements.
- Improved signage.
- Tennis court renovations.

It is anticipated that, following the public exhibition of the draft master plans, final drafts will be developed and presented to Council for adoption.

FINANCIAL IMPLICATIONS

The draft master plans include a number of priority actions which, if implemented, may have financial implications for Council and the community. It will be Council's role, in conjunction with the respective committees of management and user groups to assist in the implementation of these actions, subject to appropriate budget and capital works processes.

POLICY IMPLICATIONS

The development of master plans for Coulston Park and Stanley Recreation Reserve is consistent with the Council Plan Objectives 4.1 – Effective and Efficient Service Delivery and 4.6 – Enhance the Health and Wellbeing of the Community. The development of the plans also delivers on the outcomes of the Indigo Shire Recreation Plan.

### COMMUNICATION

The development of the draft master plans involved consultation with the committees of management, user groups and Council staff. Comments and feedback from this process resulted in the drafts presented as attachments to this report. The process from this Council recommendation will involve further opportunities for feedback and comments, in accordance with Council's Communication Policy, prior to adoption by Council.

### CONCLUSION

Master plans for Coulston Park and the Stanley Recreation Reserve are being developed as a framework for recreational and social development in Tangambalanga and Stanley. The final plans, when adopted will guide Council and the community's decision making in respect to future development at the facilities. The draft plans have undertaken a consultation process with the respective committees of management and are now ready for the final consultation process with the broader community.

This report recommends that Council adopts the drafts and places them on public exhibition to ensure the appropriate levels of consultation with the community have been achieved.

Attachments:

- A - Sustainable Communities - Draft Stanley Rec Reserve Master Plan Dec 2010
- B - Sustainable Communities - Draft Stanley Rec Reserve Master Plan Pictorial Dec 2010
- C - Sustainable Communities - Draft Coulston Park Reserve Master Plan Jan 2011
- D - Sustainable Communities - Draft Coulston Park Reserve Master Plan Pictorial Jan 2011

## **11.6 FOOD SAFETY MANAGEMENT POLICY**

**File No.: 09/847- Mark Florence - General Manager Sustainable Communities**

**For Decision**

### **RECOMMENDATION**

**That Council adopts the Food Safety Compliance Policy.**

### **BACKGROUND**

Under the Food Act 1984, Council has been delegated a number of responsibilities including the registration of food businesses as long as the legislative prerequisites are met and continue to be met by the proprietor. In other words, Council is the permitting and registration authority for food businesses (except dairy and meat). The state government initiated amendments to the Food Act 1984 in 2009 on recommendations arising from an examination of the legislation in 2007 by the Victorian Competition and Efficiency Commission (VCEC).

### **KEY IMPLICATIONS**

There are two major implications of the legislative amendments for Council and industry. The first is that local government has had its range of legislative powers for non-compliance with the legislation by industry extended to include new powers to close temporarily a food business or operational aspects of a food business, charge for inspections of premises/businesses, and the issuing of Penalty Infringement Notices (PINs) for a range of scheduled offences.

The second implication is that Council is required to report regularly to the Department of Health in a prescribed format on its activities relating to the administration of the Food Act 1984 including inspections, notices served, prosecutions undertaken and any other information required by the Department. Prosecutions resulting in convictions will result in the posting of the details on a 'name and shame' register maintained by the Department.

### **FINANCIAL IMPLICATIONS**

The application of the Compliance Policy is not expected to result in any significant financial implications. There is some possibility that revenue to Council may increase due to the issuing of additional fees associated with re-inspections and enforcement of improvement notices or prosecutions.

Costs to Council will be largely confined to current staff costs associated with inspections, re-inspections, education of business owners and community organisations regarding responsibilities under the various legislation.

### **POLICY IMPLICATIONS**

There is a need for Council to develop and adopt a Compliance Policy to provide the necessary framework for appropriate decision making under the legislation and to provide directions for subsequent administration of statutory processes, service planning and service delivery. A Compliance Policy has been prepared and is attached and is submitted to Council for adoption.

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### COMMUNICATION

A Communication Strategy is being developed to support the Compliance Policy and provide essential information to food business proprietors on the legislative changes and Council's policies.

This strategy will include a range of engagement opportunities such as 'one on one' briefings of business owners, focus group sessions, fact sheets and information packs.

### CONCLUSION

The changes to the Food Act 1984 have resulted in further responsibility being delegated to Council and, at the same time, there are requirements to report on Council's activities in relation to its activities under the legislation. It is assumed that the reports submitted by councils will form the basis for departmental reports on food safety within Victoria.

Council needs to develop appropriate policies to ensure consistent administration of the Act, provide certainty to local industry, and confidence to the community.

Attachment:  
Compliance Policy (Food Safety)

**12.0 MAJOR PROJECTS AND PROGRAMS**

**12.1 BEECHWORTH STREET PARKING**

**File No.: 09/1555 - Mark Greene - Civil Works/Waste Management Officer**

For Decision

**RECOMMENDATION**

1. That the current 2-hour parking limit in the Ford Street/Camp Street area of Beechworth be retained.
2. That four parking bays in front of the Visitor Information Centre be reduced from 2 hours to 30 minutes.
3. That the remaining parking bays from the Visitor Information Centre to William Street and the parking bays from the Telegraph Station to Williams Street be extended from 2 hours to 4 hours.
4. That additional signage be installed to indicate the location of the car park in High Street and the location of long vehicle parking in William Street.
5. That Council continues to enforce the 2-hour parking restrictions in Beechworth.
6. That one 15 minute parking bay be provided near the Beechworth Pharmacy.

**INTRODUCTION**

A public consultation process was undertaken over the Christmas/New Year period to gauge public and visitor opinion regarding the public parking arrangements in the Beechworth CBD. The results of this survey are detailed in this report.

**BACKGROUND**

Following concerns raised regarding the length of the timed parking restrictions in Ford Street and Camp Street, Beechworth, a report was presented to the 14 September 2010 Council meeting with various recommendations. At that meeting, Council resolved to defer that item pending public consultation in relation to the recommendations. A further report was presented to the 14 December 2010 Council meeting advising that a public consultation process would be implemented during the Christmas/New Year period. A survey was prepared and over 100 survey forms were distributed to various CBD businesses for residents and visitors to complete. A total of 23 submissions were received with varying responses. Copies of the surveys are available for councillors upon request.

Below is a summary of the responses received.

Q1. What length of time is best for parking in the zone in Camp Street between High Street and Loch Street and Ford Street between the Visitor Information Centre and Church Street?

2 hours	13 supported
3 hours	5 supported
4 hours	3 supported
No limit	2 supported

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Q2. There are three 15-minute spaces near the Post Office in Ford Street. Would you be in favour of more, for example near the chemist?

Yes	18 supported
No	3 supported

Q3. There is a total of 39 2-hour spaces in Ford Street between the historic Telegraph Station and William Street and the Visitor Information Centre and William Street. What length of time is best for these spaces?

2 hours	8 supported
3 hours	7 supported
4 hours	6 supported
No limit	1 supported

Q4. There is parking with no time limits in streets one block, two blocks and three blocks away from Ford Street and Camp Street. If you were directed to these streets via new signage, would you park there?

Yes	18 supported
No	4 supported

Q5. How far from the intersection of Camp Street and Ford Street did you park today?

50m	4
100m	6
1 block	8
2 blocks	2

Q6. Was this acceptable?

	50m	100m	1 block	2 blocks
Yes	4	5	6	2
No	1		2	1

Q7. Do you have any other suggestions or comments you would like to add?

Various additional comments were made by respondents.

**KEY IMPLICATIONS**

In assessing this parking review for Beechworth, it is recognised that the intent is to provide longer parking times so that tourists and visitors may take advantage of these times to allow for longer visits to the CBD. Whilst this may seem reasonable, it also allows for residents and business owners/operators and staff to park for longer periods in the CBD. By providing 4-hour parking bays near the Visitor Information Centre tourists and visitors can take advantage of extended parking in the historic precinct area, which is of most interest to them in the CBD.

### FINANCIAL IMPLICATIONS

A review of the existing signage in the Ford Street/Camp Street area has revealed that a number of signs are not to current standards and will need to be replaced. Along with this, additional signage needs to be installed to indicate the car park in High Street and long vehicle parking in William Street and 15-minute parking signs near the Beechworth Pharmacy. The cost to supply and install the appropriate signs would be about \$1,500, which could be funded from current budget allocations.

### POLICY IMPLICATIONS

Not applicable.

### COMMUNICATION

A public consultation survey was provided to allow residents and visitors to comment on the current parking arrangements. Council's decision on this report will be provided to the Beechworth Chamber of Commerce, and through the media to the Beechworth community.

### CONCLUSION

The results of the survey indicate that the majority of respondents prefer that the 2-hour parking limit in the Beechworth CBD remains in place. A large percentage believe that 15-minute parking spaces should be provided near the chemist in Ford Street. The majority of respondents are in favour of increasing the parking time from 2 hours to 3 or 4 hours near the Visitor Information Centre and William Street. The greater majority of respondents indicated they would be happy to park 1, 2 or 3 blocks away from the CBD if appropriate signage, indicating the location of "No Limit" parking, was available.

**12.2 MILL ST WAHGUNYAH – SPECIAL CHARGE CONSTRUCTION, SCHEME 2011**

**File No.: 09/2485 - Dan Wilkinson - Project Engineer**

**For Decision**

**RECOMMENDATION**

**That Council:**

- 1. Adopts the Mill Street Special Charge Scheme as presented.**
- 2. Resolves to commence the statutory phase of the Scheme.**
- 3. Issues a Public Notice and Proposed Declaration stating Council's intent to declare a special charge.**
- 4. Formally notifies persons liable to pay, of the proposed special charge and provides details of the works and costs associated with the project.**
- 5. Agrees to have a committee of Council consider any written or verbal submissions and prepares a report and recommendation to Council on the future progress of the Mill Street construction scheme as required.**
- 6. Reinstates budget in 2011/2012.**

**INTRODUCTION**

This report recommends the commencement of statutory and consultative procedures in relation to the declaration of a special charge in accordance with Section 163 of the Local Government Act 1989, to defray costs associated with construction of a sealed road, kerb and channel, drainage and associated works fronting premises in Mill Street (generally along the existing gravelled section ).

It is proposed that the construction of Mill Street cost (or part thereof) be recovered from abutting property owners under the Policy: Contributory Schemes for Local Roads, Footpaths and Drainage Policy in accordance with the Local Government Act.

The works are considered by Council to be of special benefit to the owners and occupiers of the land described in the attached schedule for the reasons of safe, all-weather access for both motor vehicles and pedestrians, improved property amenity and reduced maintenance requirements

**BACKGROUND**

Mill Street is a 'No Through Road' generally of an unformed gravel construction accessed off Foord Street within the township of Wahgunyah. It is also the commencement point for the recently constructed Wahgunyah to Rutherglen section of the Murray to the Mountains Rail Trail.

The proposed scheme has identified a total of 12 rateable properties that would receive a 'special benefit' should the proposed scheme be adopted.

Two special beneficiaries own multiple properties within the street. This has resulted in only nine separate parties requiring consultation.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

Construction of a six allotment unit development at No 5-7 Mill Street in 2005/2006 significantly increased the vehicle movements within the street and highlighted the need for a more formally constructed streetscape. Submissions, as part of the development process, highlighted the need for a sealed road with designated parking.

The developers' planning permit required them to construct a sealed road along the frontage of their development only that would have left the remainder of the street in an unconstructed condition. Council, at the time, resolved to take a development contribution in lieu of works and to investigate the feasibility of a special charge scheme to enable full street construction and ultimately aim to address all concerns raised during the development process.

As a result, the developer was required to make a contribution of \$24,000 and enter into a Section 173 Agreement stating that this was for further upgrade of the street fronting the developed property.

This contribution is currently held by Council and is to be allocated equally between the six allotments as credit against any proposed special charge.

Council adopted the necessary funds to action the scheme within the 2009/2010 capital works budget which initiated the consultation phase in line with Council's policy.

### FINANCIAL IMPLICATIONS

Funds were allocated within the 2009/2010 capital works budget. No funds were allocated in 2010/2011 carry forwards while scheme was being developed. It is therefore requested that Council adopt the budget of \$156,852 as part of the 2011/2012 year.

### SCHEME COST SUMMARY

- The estimated cost of the proposed works is \$156,852.44
- Cost of non-recoverable works i.e. Council funded only \$21,496.80

(Cost of rail trail footpath link within the road reserve is solely funded by Council as part of a wider community benefit)

- Thus, total cost of recoverable works is \$135,355.64
- Benefit Ratio of 50 per cent gives a maximum levy amount of... \$67,677.82

(The end of the court bowl has been included as an additional property within the scheme for benefit calculation. This cost of \$7,027.60 is also to be borne by Council)

Thus Final Cost Split

- Total Cost to Special Beneficiaries... \$60,650.22
- Total Cost to Council... \$96,202.22

### POLICY IMPLICATIONS

This scheme process conforms to Council's policies for consultation and apportionment for cost recovery schemes.

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### COMMUNICATION

A public meeting was held in February 2010 to gauge support for the commencement of a special charge scheme. Of the nine residents advised of the meeting, four attended. This initial meeting, and subsequent contact with many of those not present, was positive and an agreement was reached to proceed with development of a scheme and streetscape design.

Concept design drawings, as well as minutes of the first meeting, were provided to all identified special beneficiaries in March 2010 with no written submissions received, objecting to Council officers continuing with the scheme development.

Subsequently site survey, street design and cost estimates were completed which allowed for development of a detailed apportionment scheme designed to distribute recoverable costs fairly and evenly.

Of the nine residents identified as special beneficiaries, seven were contacted by phone during December 2010 to discuss the scheme and for the first time some indicative contributions. All confirmed their support for the continuation of the special charge scheme and were informed of the process moving into the statutory phase. Two residents were unable to be contacted by phone during December 2010.

### APPORTIONMENT METHODOLOGY

Although the Local Government Act allows councils to recover 100 per cent of the cost, councils may determine to recover less than this. Indigo Shire Council's policy allows for up to 65 per cent of the total project cost to be recovered for road works. However, in this instance the scheme has been developed at a reduced rate of 50 per cent to reflect the wider community benefit gained by improved amenity near the town entry and at the commencement of the Murray to the Mountains Rail Trail. In addition, this 50 per cent recovery rate, termed the 'benefit ratio', has been utilised in other recent Council special charge schemes for road construction.

Council policy allows for a combination of 'frontage' and 'access benefit' methods to be used when apportioning the recoverable costs between special beneficiaries. It was apparent, given the irregular nature of the street, that basing the apportionment on the frontage method alone would not produce a fair and equitable distribution of costs.

It was determined that of the cost to be recovered 75 per cent would be distributed equally between all of the properties receiving access from the street, (access benefit), and the remaining 25 per cent be distributed proportionally amongst those enjoying actual frontage to the street (frontage benefit).

Additional details of the apportionment process and affected properties are contained within the attached 'Proposed Declaration' and the apportionment schedule which includes the estimated levy amounts for individual property owners.

### STATUTORY PHASE

The Local Government Act clearly outlines the statutory process required to be undertaken when Council is looking to levy a special charge.

**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

We are currently at Step 3 of the statutory and consultative procedure as listed below:

- Step 1 – Preparation of Scheme
- Step 2 – Public Consultation
- Step 3 – Council considers Proposed Scheme by Resolution
- Step 4 – Public Notice with copies to owner/occupiers affected.
- Step 5 – Review of Submissions (if received)
- Step 6 – Council Review of Proposed Scheme
- Step 7 - Special Charge – First Notice
- Step 8 – Administrative Appeals Tribunal Review (As required)
- Step 9 - County Court Appeal (As required)
- Step 10 – Special Charge – Second Notice (As required)
- Step 11 – Tenders for Works
- Step 12 – Construction
- Step 13 – Scheme Review at Completion and Notice requiring payment based on actual construction costs.

### CONCLUSION

Adoption of the above recommendations by Council will initiate the issuing of the Public Notice and Proposed Declaration and open a 28 day period during which submissions can be made to Council regarding the proposed scheme.

Individual notices of intention to levy a special charge will also be sent to all owner/occupiers of those properties included within the Proposed Declaration. These notices include the estimated levy amount for their property and information pertaining to the scheme and grounds on which submissions may be lodged.

Following the statutory 28 day public notice period, providing there are no submissions, Council will be able to formally adopt and declare the special charge at the next meeting. Should submissions be received, then, these will need to be reviewed by Council to determine whether any changes are to be made to the scheme before declaration.

Attachments are confidential

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### 13.0 GOVERNANCE

#### 13.1 COUNCIL ADVISORY COMMITTEES AND ASSEMBLY OF COUNCILLORS REPORT

File No.: 09/1177 & 09/1770 - Jo Riley - Manager Governance & Risk

For Decision

#### RECOMMENDATION

1. That the following Advisory Committee Minutes be received and noted by Council. Note: all Minutes listed below are unconfirmed unless specified.

COMMITTEE	DATE OF MEETING
Audit Committee	18 October 2010
Burke Museum & Historic Precinct Advisory Committee	1 December 2010
Environmental Advisory Committee	Nil
Finance Committee	8 December 2010
Indigo Arts & Cultural Advisory Committee	Nil
Indigo Heritage Advisory Committee	Nil
Indigo Shire Disability Advisory Committee	Nil
Indigo Shire Grants & Awards Advisory Committee	Nil
Indigo Tourism Advisory Committee	2 December 2010

COMMITTEE	RESOLUTION	MOVED	SECONDED
Audit Committee	Minutes of Meeting – 19 July 2010 confirmed as true and correct.	F Burfitt	B Murdoch
Burke Museum & Historic Precinct Advisory Committee	The BM&HPAC formally supports the transformation of the Chinese Protectors Office to a Historic Precinct Research Centre.  The BM&HPAC also formally supports the action of the Public Records Office Victoria Place of Deposit Documents currently at the Burke Museum being transferred to the Chinese Protectors Office.	Jean McAuslan	Pam Davis Jones
Finance Committee	Minutes of Meeting – 6 October 2010 – confirmed as true and correct.	Cr Barbara Murdoch	Cr Larry Goldsworthy

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

COMMITTEE	RESOLUTION	MOVED	SECONDED
Finance Committee	Mark Crouch to prepare a revised draft Policy Review.	Cr Barbara Murdoch	Cr Larry Goldsworthy
Finance Committee	Mark Crouch to prepare report for Council to change Deed of Delegation.	Cr Barbara Murdoch	Cr Larry Goldsworthy
Indigo Tourism Advisory Committee	Minutes of Meeting – 24 September 2010 – confirmed as true and correct.	Cr Peter Croucher	Bill Bell

2. **That Council receives and notes the attached record of an Assembly of Councillors.**

Attachments:

Minutes – Audit Committee – 18 October 2010  
 Minutes - Burke Museum & Historic Precinct Advisory Committee – 1 December 2010  
 Minutes – Finance Committee – 8 December 2010  
 Minutes - Indigo Tourism Advisory Committee – 2 December 2010  
 Assemblies of Councillors Record – Finance Committee – 8 December 2010



**14.0 NOTICES OF MOTION**

Nil to report.

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### 15.0 COMMITTEE AND DELEGATES REPORTS (ALL ARE FOR INFORMATION ONLY)

#### 15.1 CR POCKLEY - MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	7pm	Burke Museum Section 86 Committee Meeting	Beechworth
2-Dec	6pm	Beechworth Historic Precinct Volunteer Christmas Celebration	Beechworth
	7pm	ACMI Premier Screening	Beechworth
3-Dec	5.30pm	Indigo Shire Christmas Party	Yackandandah
4-Dec	9am	Beechworth Farmers Market	Beechworth
	6.30pm	ACMI Premier Screening	Yackandandah
6-Dec	10am	Weekly Meeting with CEO	Beechworth
	1pm	Lunch with North East Regional Sustainability Alliance	Beechworth
7-Dec	4pm	Council Briefing Meeting	Yackandandah
	7pm	Yackandandah Community Education Network (YCEN) Meeting	Yackandandah
8-Dec	12pm	Meeting with YCEN Manager	Yackandandah
	1.30pm	YCEN Meeting Mentoring Session	Yackandandah
	5.30pm	Burke Museum Section 86 Strategic Planning Session	Beechworth
9-Dec	6.30pm	Planning Community Meeting re: CFA Application in Victoria Street	Beechworth
	7.30pm	Friends of Burke Museum Christmas Party	Beechworth
10-Dec	12pm	Meeting with Catherine Upcher, Department of Housing	Beechworth
13-Dec	10am	Weekly Meeting with CEO	Beechworth
	11.30am	Meeting with Mr & Mrs Higgins re: Stanley Post Office	Stanley
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

15-Dec	9am	Citizenship Ceremony	Beechworth
	1.30pm	Toolbox meeting for Shire outdoor workers	Yackandandah
	5.30pm	Wooragee Primary School Annual Awards Presentation	Wooragee
	7.30pm	Rutherglen High School Annual Awards Presentation	Rutherglen
16-Dec	11am	Mr Vin Robertson's Funeral	Yackandandah
	2pm	CFA Roadshow	Yackandandah
	4.30pm	Farewell to Brian Millar La Trobe Beechworth	Beechworth
17-Dec	12pm	North East Mayor's Network Christmas Lunch	Benalla
20-Dec	12pm	Proposed Kelly Centre Meeting	Beechworth
	8pm	Carol Service	Yackandandah
1-9 Jan		Annual Leave	
10-Jan	10am	Weekly Meeting with CEO	Beechworth
	4.30pm	Meeting with Constituent	Yackandandah
14-Jan	6.30pm	Stanley Art Exhibition Opening	Stanley
	7pm	La Trobe Beechworth BBQ re: supporting increased education opportunities	Beechworth
15-Jan	6pm	Opera in the Alps	Beechworth
16-Jan	5.30pm	Murray Rowing Association Medal Presentation, Lake Moodemere Regatta	Lake Moodemere
	6.30pm	Visit to Constituent	Wahgunyah
17-Jan	10am	Weekly Meeting with CEO	Beechworth
	5.30pm	Alpine Valleys Leadership Program Alumni Meeting	Wangaratta
19-Jan	11am	Mrs Sylvia Baker's Funeral	Deniliquin
	5.30pm	Arts & Cultural Section 86 Committee Meeting	Yackandandah
24-Jan	10am	Weekly Meeting with Mayor	Beechworth
	1pm	Marketing Plan for Burke Museum	Beechworth
26-Jan	10am	Australia Day Celebrations	Chiltern
	4pm	Official Opening of Skate Park	Beechworth
	5pm	Australia Day Celebrations	Yackandandah
27-29 Jan	All Day	Essential Mayors Weekend	Torquay
31-Jan	10am	Weekly Meeting with CEO	Beechworth
	6.15pm	Beechworth Neighbourhood Centre Committee of Management Meeting	Beechworth

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### 15.2 CR GAFFNEY - DEPUTY MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	5.30pm	Alliance of Councils & Shires of Upper Murray	Albury
2-Dec	6pm	Beechworth Historic Precinct Volunteer Christmas Celebration	Beechworth
3-Dec	10am	Indigo Tourism Advisory Committee Meeting	Tangambalanga
	6pm	Wooragee Land Care Christmas Party	Wooragee
4-Dec	10am	Beechworth Farmers Market	Beechworth
7-Dec	9am	Rutherglen Wine Centre Board Meeting	Rutherglen
	4pm	Council Briefing Meeting	Yackandandah
	7.30pm	Beechworth Golf Club Meeting	Beechworth
9-Dec	6.30pm	Beechworth Community Meeting re: CFA Fire Station	Beechworth
11-Dec	7pm	Rutherglen Senior Citizens Christmas Party	Rutherglen
13-Dec	10am	Men's Shed Meeting	Beechworth
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern
16-Dec	5pm	Middle Indigo Primary School Annual Awards Presentation	Middle Indigo
17-Dec	9.30am	Meeting with Chair of Winemakers of Rutherglen	Rutherglen
29-Dec	6.30pm	Stanley Community Meeting re: Post Office	Stanley
1-Jan	10am	Beechworth Farmers Market	Beechworth
4-Jan	9am	Meeting with CEO	Beechworth
	3.30pm	Rutherglen Wine Centre Board Meeting	Rutherglen
6-Jan	6.30pm	Stanley Community Meeting re: Post Office	Stanley
9-Jan	10am	Rutherglen Farmers Market	Rutherglen
11-Jan	10am	Meeting with CEO	Beechworth
12-Jan	3pm	Meeting with Planning Department and Stanley Inc	Stanley
15-Jan	6pm	Opera in the Alps	Beechworth
19-Jan	9.30am	Beechworth Men's Shed Meeting	Beechworth
	2pm	Victoria Police Briefing & Feedback Session 'The Way Ahead 2008-2013'	Wangaratta
25-Jan	9am	Rutherglen Wine Centre Board Meeting	Rutherglen



**ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011**

26-Jan	10am	Australia Day Celebrations	Chiltern
	5pm	Australia Day Celebrations	Yackandandah
	7.30pm	Australia Day Celebrations	Barnawartha

## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

### 15.3 CR GRAHAM

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	12pm	Indigo Shire Community Meal	Beechworth
	7pm	Lions Club Meeting	Rutherglen
2-Dec	6pm	Beechworth Historic Precinct Volunteer Christmas Celebration	Beechworth
3-Dec	6pm	ACMI Premier Screening	Rutherglen
6-Dec	7pm	Rutherglen RSL Meeting	Rutherglen
7-Dec	4pm	Council Briefing Meeting	Yackandandah
8-Dec	6.30pm	St Marys Annual Awards Presentation Evening	Rutherglen
9-Dec	9.15am	Regional Waste Management Group Meeting	Wangaratta
	6.30pm	Beechworth Community Meeting	Beechworth
10-Dec	6.30pm	Christmas Carols	Rutherglen
11-Dec	12pm	Red Cross Support Meeting	Rutherglen
	7pm	Rutherglen Senior Citizens Christmas Party	Rutherglen
12-Dec	8.30am	Rutherglen Farmers Market	Rutherglen
	12pm	RSL Function	Rutherglen
13-Dec	8am	DSE Transition Committee Meeting	Melbourne
	2pm	Veterans Affairs Meeting	Melbourne
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern
15-Dec	6pm	Rutherglen Lions Club Special Meeting	Rutherglen
16-Dec	4.30pm	North East Road Safety Meeting	Wangaratta
18-Dec	8.30am	Assist Rutherglen Lions Club	Rutherglen
	6.30pm	Rutherglen Lions Club Function	Rutherglen
13-Jan	3pm	Assist with Flood Fundraising	Rutherglen
14-Jan	10am	nevRwaste Meeting	Wangaratta
	12.30pm	Farewell Lunch for Mark Crouch	Beechworth
	3pm	Assist with Flood Fundraising	Rutherglen
19-Jan	4pm	Gold Battery Meeting	Rutherglen
	6.30pm	Lions Club Meeting	Rutherglen
20-Jan	3.30pm	Fig Tree Park Project Meeting	Rutherglen



## ORDINARY COUNCIL MEETING AGENDA – 8 FEBRUARY 2011

26-Jan	7.45am	Australia Day Celebrations	Rutherglen
	10am	Australia Day Celebrations	Chiltern
	5pm	Australia Day Celebrations	Yackandandah

**15.4 CR GOLDSWORTHY**

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	5.30pm	Alliance of Councils & Shires of Upper Murray	Albury
4-Dec	10.30am	Farmers Market	Beechworth
6-Dec	7pm	Beechworth Community Plan Prioritisation Meeting	Beechworth
7-Dec	4pm	Council Briefing Meeting	Yackandandah
8-Dec	4pm	Finance Committee Meeting	Beechworth
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	7pm	Beechworth Secondary College Presentations	Beechworth
15-Dec	5.30pm	Freeman on Ford tour	Beechworth
16-Dec	2pm	Beechworth Primary School Presentations	Beechworth
9-Jan	5pm	Beechworth & District Hockey Club meeting	Beechworth
26-Jan	7.45am	Australia Day Celebrations	Beechworth
	11am	Australia Day Celebrations	Kiewa
	4pm	The Sanction Skate Jam	Beechworth
	5.30pm	Australia Day Celebration	Yackandandah
	7.30pm	Australia Day Celebrations	Barnawartha

**15.5 CR ISSELL**

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	5.30pm	Alliance of Councils & Shires of Upper Murray	Albury
2-Dec	7pm	ACMI Premier Screening	Beechworth
3-Dec	1pm	Meeting with Manager	Beechworth
	5.30pm	Council's Christmas Party	Yackandandah
4-Dec	9am	Inaugural Farmers Market	Beechworth
7-Dec	4pm	Council Briefing Meeting	Yackandandah
8-Dec	7pm	Indigo Environment Advisory Committee Meeting	Wooragee
9-Dec	6.30pm	Beechworth Community Meeting	Beechworth
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern
15-Dec	5.30pm	Wooragee Primary School Annual Awards Presentation	Wooragee
	7.30pm	Meeting with Montessori School	Beechworth
20-Dec	10am	Meeting with Mayor	Albury
15-Jan	6pm	Opera in the Alps	Beechworth
19-Jan	5.30pm	Arts & Culture Committee Meeting	Yackandandah
26-Jan	7.45am	Australia Day Celebrations	Beechworth
	10am	Australia Day Celebrations	Chiltern
	4pm	Skate Park Opening	Beechworth
	5pm	Australia Day Celebrations	Yackandandah

**15.6 CR MURDOCH**

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	5.30pm	ACSUM Meeting	Albury
3-Dec	6pm	ACMI Premier Screening	Rutherglen
7-Dec	4pm	Council Briefing Meeting	Yackandandah
8-Dec	7pm	Indigo Environment Advisory Committee Meeting	Wooragee
10-Dec	10am	MAV Professional Development Committee	Melbourne
13-Dec	7pm	Chiltern Primary School Annual Awards Presentation	Chiltern
14-Dec	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern
18-Dec	8pm	Christmas Lights Celebrations	Chiltern
13-Jan	3pm	Cycle Tourism Meeting	Wangaratta
14-Jan	12.30pm	Farewell Lunch for Mark Crouch	Beechworth
17-Jan	7.30pm	DPI Locust Meeting	Chiltern
19-Jan	4pm	Gold Battery Meeting	Rutherglen
20-Jan	3.30pm	Fig Tree Park Project Meeting	Rutherglen
26-Jan	7.45am	Australia Day Celebrations	Rutherglen
	10am	Australia Day Celebrations	Chiltern
	12pm	Kanga Cricket	Chiltern
	7.30pm	Australia Day Celebrations	Barnawartha

**15.7 CR CROUCHER**

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Dec	10am	Hume to Yarrawonga Management Meeting	Wodonga
	12pm	Indigo Shire Community Meal	Beechworth
	5.30pm	Alliance of Councils & Shires of Upper Murray	Albury
2-Dec	12pm	Rostrum	Albury
	6pm	Beechworth Volunteers BBQ	Beechworth
	7pm	ACMI Premier Screening	Beechworth
3-Dec	10am	Indigo Tourism Advisory Committee Meeting	Tangambalanga
6-Dec	12.15pm	CWA Luncheon	Barnawartha
7-Dec	4pm	Council Briefing Meeting	Yackandandah
9-Dec	10am	Junior Council Breakup	Yackandandah
	6pm	Kiewa Valley Primary School Graduation	Tangambalanga
10-Dec	6pm	Yackandandah Primary School Graduation	Yackandandah
14-Dec	11am	Presentation of Table Setting by Junior Council	Rutherglen
	2pm	Council Briefing Meeting	Chiltern
	3pm	Council Meeting	Chiltern
	6.30pm	Community Forum	Chiltern
15-Dec	9.30am	Upper Murray Regional Library Meeting	Wodonga
	12pm	Senior Citizens Luncheon	Beechworth
	6pm	Upper Sandy Creek Primary School Annual Awards	Upper Sandy Creek
16-Dec	3pm	Australia Day Awards Committee Meeting	Yackandandah
19-Dec	7pm	Carols by Candlelight	Tangambalanga
26-Jan	11am	Australia Day Celebrations	Tangambalanga
	5pm	Australia Day Celebrations	Yackandandah
	7.30pm	Australia Day Celebrations	Barnawartha

