

SPECIAL MEETING OF COUNCIL AGENDA

Mission Statement:

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

TO BE HELD: Tuesday 14th July 2009 at 1.30pm

NOTE: Ordinary Meeting of Council will commence at 3.00pm

LOCATION: Supper Room, Beechworth

REQUIRED TO ATTEND: Councillors: Senior Management/Officers

Peter Graham – Mayor

Brendan McGrath – CEO

Bernard Gaffney – Deputy Mayor

Phil Prior

Peter Croucher

Mark Crouch

Larry Goldsworthy

Mark Florence

Vic Issell

Sally McCarron

Barbara Murdoch

David Montgomery

Ali Pockley

Frank Bonacci

Stuart Perry

Susan Cheetham

Alex Showers

Robert Uebergang

Colin Haldane

APOLOGIES: Insert Apologies

ITEM	CR/OFFICER
1.0 Present	Mayor
2.0 Apologies	Mayor
3.0 Declaration of Pecuniary Interest and Conflict of Interest	
4.0 Tabling of Section 223 Submissions regarding Indigo Shire Council Strategic Resource Plan (if required). Refer Schedule 1 provisions. <ul style="list-style-type: none"> • Summary of submissions received – refer previously forwarded summary, officer comments and copies of submissions received. • Persons seeking to be heard in relation to submission – refer to list. Maximum time - three (3) minutes each presenter who has indicated previously that they seek to be heard. 	
NOTE: At time of Agenda preparation – nil submissions	
5.0 Tabling of Section 223 Submissions regarding Indigo Shire Council Budget 2009/2010. Refer Schedule 2 provisions. <ul style="list-style-type: none"> • Summary of submissions received – refer previously forwarded summary, officer comments and copies of submissions received. • Persons seeking to be heard in relation to submission – refer to list. Maximum time - three (3) minutes each presenter who has indicated previously that they seek to be heard. <p style="margin-left: 40px;">- Mr Doug Cordes</p>	
6.0 <u>Strategic Resource Plan (SRP)</u> and <u>Council Budget</u> consideration, including any changes proposed. <ul style="list-style-type: none"> • Strategic Resource Plan changes as a result of Section 223 submissions above (if required). <p>‘For Decision’</p> <p>Nil</p> <ul style="list-style-type: none"> • Budget 2009/2010 changes as a result of Section 223 Budget Submissions above. <p>‘For Decision’</p> <p>BS1 – BS30</p>	

- Budget 2009/10 changed as a result of Budget Submission above.

'For Decision'

DR 1 – DR34

- Capital Works Schedule 2009/10

'For Decision'

- Recurrent Operations Schedules 2009/10

'For Decision'

Note:

The SRP and Council Budget will be placed on the overhead projector as required. Council will need to resolve on any changes to the SRP 2010/13 and Council Budget 2009/10 as a result of Section 223 submission consideration or other changes as resolved by Council.

Council will meet to formally adopt the Council Budget 2009/10 at a Special Meeting of Council to be convened Tuesday July 28 2009.

Meeting Concluded: insert time

Schedule 1

Council Plan and Strategic Resource Plan

Local Government Act 1989 - SECT 125

PART 6 PLANNING AND ACCOUNTABILITY REPORTS

Council Plan

125. Council Plan

- (1) A Council must prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.
- (2) A Council Plan must include-
 - (a) the strategic objectives of the Council
 - (b) strategies for achieving the objectives for at least the next 4 years
 - (c) strategic indicators for monitoring the achievement of the objectives
 - (d) a Strategic Resource Plan containing the matters specified in section 126
 - (e) any other matters which are prescribed by the regulations.
- (3) A person has a right to make a submission under section 223 on the proposed Council Plan.
- (4) The Minister may extend the period within which a Council must comply with subsection (1).
- (5) A Council must submit a copy of the Council Plan to the Minister by the date specified in subsection (1) or applying under subsection (4).
- (6) If a Council fails to submit a Council Plan to the Minister within the time allowed, the Secretary must ensure that details of the failure are published in the annual report of the Department.
- (7) At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.
- (8) Subject to subsections (9) and (10), a Council may make any adjustment it considers necessary to the Council Plan.
- (9) A person has a right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under subsection (2)(a), (2)(b) or (2)(c).
- (10) If a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment advise the Minister of the details of the adjustment to the Council Plan.
- (11) A copy of the current Council Plan must be available for inspection by the public at-

- (a) the Council office and any district offices; and
- (b) any other place required by the regulations.

**Local Government Act 1989 - SECT 126
Strategic Resource Plan**

126. Strategic Resource Plan

- (1) The Strategic Resource Plan is a resource plan of the resources required to achieve the strategic objectives.
- (2) The Strategic Resource Plan must include in respect of at least the next 4 financial years-
 - (a) the standard statements describing the required financial resources in the form and containing the information required by the regulations;
 - (b) statements describing the required non-financial resources, including human resources.
- (3) A Council must-
 - (a) review the Strategic Resource Plan during the preparation of the Council Plan; and
 - (b) adopt the Strategic Resource Plan not later than 30 June each year.
- (4) A copy of the current Strategic Resource Plan must be available for inspection by the public at
 - (a) the Council office and any district offices; and
 - (b) any other place required by the regulations.

**Local Government Act 1989 - SECT 223
Right to make submission**

223. Right to make submission

- (1) The following provisions apply if a person is given a right to make a submission to the Council under this section (whether under this or any other Act)
 - (a) the Council must publish a public notice-
 - (i) specifying the matter in respect of which the right to make a submission applies;
 - (ii) containing the prescribed details in respect of that matter;

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- (iii) specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;
 - (iv) stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission;
- (b) if a request has been made under paragraph (a)(iv), the Council must-
 - (i) provide the person with the opportunity to be heard in support of the submission in accordance with the request at a meeting of the Council or of a committee determined by the Council;
 - (ii) fix the day, time and place of the meeting;
 - (iii) give reasonable notice of the day, time and place of the meeting to each person who made a request;
- (c) if the committee determined under paragraph (b)(i) is not responsible for making the decision in respect of which the submissions have been made, the committee must provide a report on its proceedings, including a summary of hearings, to the Council or the special committee which is responsible for making the decision;
- (d) the Council or special committee responsible for making the decision must-
 - (i) consider all the submissions made under this section and any report made under paragraph (c);
 - (ii) notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.
- (2) If a proposal by the Council involves the exercise of powers at the same time under more than one section giving a right to make a submission and written submissions are received under more than 1 of those sections the submission procedure may be carried out in respect of all the written submissions at the same time.
- (3) Despite section 98, a Council may authorise the appropriate members of Council staff to carry out administrative procedures necessary to enable the Council to carry out its functions under this section.
- (4) A member of a committee specified in subsection (1)(b)(i) is subject to section 79 as if that member were a member of a special committee.

Schedule 2

Council Budget

Local Government Act 1989 - SECT 129

Public notice

129. Public notice

- (1) As soon as practicable after a Council has prepared a budget or revised budget, the Council must give public notice.
- (2) A person has a right to make a submission under section 223 on any proposal contained in the budget or revised budget.
- (3) In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must:
 - (a) contain any details required by the regulations; and
 - (b) advise that copies of the budget or revised budget are available for inspection for at least 14 days after the publication of the notice at-
 - (i) the Council office and any district offices; and
 - (ii) any other place required by the regulations.
- (4) A copy of the budget or revised budget must be displayed at the places specified under subsection (3)(b).

Local Government Act 1989 - SECT 130

Adoption of budget or revised budget

130. Adoption of budget or revised budget

- (1) A Council may adopt a budget or revised budget if it has complied with all of the relevant requirements of this Act relating to budgets and revised budgets.
- (2) The Council must give public notice of its decision under subsection (1).
- (3) The Council must adopt the budget by 31 August each year.
- (4) The Council must submit a copy of the budget to the Minister by 31 August each year.
- (5) The Minister may extend the period within which a Council must comply with subsection (4).

- (6) If a Council fails to submit a copy of the budget to the Minister within the time allowed, the Secretary must ensure that details of the failure are published in the annual report of the Department.
- (7) A Council must give the Minister any details concerning its budget or revised budget that the Minister requests.
- (8) A Council must comply with subsection (7)-
 - (a) within 14 days of receiving a request in writing for the details from the Minister; or
 - (b) within any longer period specified by the Minister in the request.
- (9) A copy of the budget or revised budget must be available for inspection by the public at-
 - (a) the Council office and any district offices; and
 - (b) any other place required by the regulations.