

INDIGO SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE INDIGO SHIRE COUNCIL HELD IN THE SENIOR CITIZENS ROOMS, CONNESS STREET, CHILTERN ON TUESDAY 6 MAY 2008 COMMENCING AT 7.00 PM.

PRESENT

Councillors

Councillor V J Issell (Mayor)
Councillor A M Banks
Councillor J M Dale
Councillor P F A Graham, OAM
Councillor W B Hotson
Councillor B J Murdoch
Councillor F A Walsh

Officers

Mr Brendan McGrath (Chief Executive Officer)
Mr Phil Prior (General Manager Operations and Assets)
Mr Ray Woodhouse (Chief Finance Officer)
Ms Susan Cheetham (Environment & Development Services Manager)
Mrs Naomi Cox (Executive Assistant/Chief Executive Officer)

1.0 WELCOME

Cr Issell welcomed those in attendance.

2.0 OPENING PRAYER

Cr Walsh read the Opening Prayer.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Graham requested:

1. To vacate the Council meeting tonight at 8.30 pm due to family commitments in Melbourne.

**Moved Cr Murdoch
Seconded Cr Dale**

That the leave requested by Cr Peter Graham to:

- 1. Vacate the Council meeting at 8.30 pm tonight due to family commitments in Melbourne**
- 2. Leave of absence from 10 to 30 May 2008 inclusive**

be adopted.

CARRIED

4.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

Nil

5.0 OPEN FORUM

The Mayor sought questions from the gallery. Rossalyn Quin had responded by email to the conditions set out in Item 10.4 and requested to speak to those responses.

The Mayor advised that she could ask questions in relation to this item but no discussion or debate could take place in relation to her responses.

No questions were asked.

6.0 CONDOLENCES

Nil

7.0 CONFIRMATION OF MINUTES

**Moved Cr Hotson
Seconded Cr Murdoch**

That the Minutes of the Council meeting held 1 April 2008 and the Special meeting of Council held 8 April 2008 be adopted.

CARRIED

8.0 BUSINESS ARISING (PREVIOUS MINUTES)

Nil

9.0 DEPUTATIONS AND PETITIONS

Nil

10.0 ENVIRONMENT AND DEVELOPMENT

10.1 SECTION 173 AGREEMENTS - (08/4178, 08/4212, 08/4231, 08/4233, 08/4243) (EDSM)

For Decision

RECOMMENDATION

That Council, as the relevant Responsible Authority, resolve to enter into the subject Section 173 Agreements with the following landowners and to sign and seal the appropriate documentation:

- A) SG & AJ Gray**
- B) PS McDonald & M Roberts**
- C) ME Jarvis**
- D) GL & EL Fisher**
- E) Kikinda Lake Pty Ltd**

**Moved Cr Dale
Seconded Cr Graham**

That the Recommendation be adopted.

CARRIED

INTRODUCTION

The following Section 173 Agreements are presented to Council with a recommendation for approval under the seal of Council.

Such agreements, made under Section 173 of the Planning and Environment Act, are legally binding and are registered against the Title of the land. That is, they run with the land so that subsequent owners are also bound to the terms of the agreement. These agreements can be removed from the Title at some later date only with the consent of the Responsible Authority (in this case Council).

COMMENT

In the Agreements referred to, the responsibility of making application on behalf of Council to the Registrar of Titles office for the registration of the Agreement and the payment of all legal costs is that of the other party entering into the Agreement with Council.

BACKGROUND

A) Planning Permit 08/4178 relates to a 2 lot resubdivision of land at Robinsons Lane, Yackandandah. The proposal realigns the boundary between two lots of 0.26ha and 4.6ha to create two lots of 3.75ha and 1.18ha in the Rural Living Zone. The permit issued on the basis that an Agreement under Section 173 of the Act be entered into with the Responsible Authority which ensures:

- that in the event of proposed Lot A1 being used and developed for the purposes of a dwelling, wastewater disposal infrastructure is installed, maintained and operated in accordance with the recommendations of the Land Capability Assessment prepared by LWMP Consultants dated 30th November 2007.

B) Planning Permit 08/4212 relates to a proposed multiple dwelling development and subdivision of land at Herbert Street, Rutherglen. The land is developed with an existing five units. It is proposed to construct an additional 6 units on the site and subdivide the land so that the existing units and each unit to be constructed are contained within separate allotments ranging in size from 120m² (reflecting existing units) to 250m² for the proposed units (excluding common property).

The permit was issued on the basis that prior to the issue of the Statement of Compliance under the Subdivision Act 1988 for the Plan of Subdivision, the additional six dwellings approved to be constructed would either be constructed to the satisfaction of the Responsible Authority, or; the Plan of Subdivision submitted for Certification would include building envelopes that reflect the approved development, or; the owner can enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to ensure:

- that the subsequent development of proposed lots 1 to 6 inclusive is in accordance with the endorsed plans.

C) Planning Permit 08/4231 relates to a proposed 2 Lot subdivision of land at Simpsons Road, Kergunyah. Proposed lot 1 (1.2ha) contains an existing access track to land adjacent to the subject site. The application could not be achieved via boundary realignment with the adjacent land as possessory Title for that allotment does not currently exist. The application was therefore approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which ensures:

- (i) that the land is not able to be further subdivided so as to create any additional lots;
- (ii) that proposed Lot 1 is Consolidated with Crown Allotment 3 Section 1 Parish of Kergunyah North so as to create a single lot in accordance with the endorsed plan as soon as practicable upon possessory title being issued for Crown Allotment 3 Section 1 Parish of Kergunyah North. In the event that possessory title cannot be obtained for Crown Allotment 3 Section 1 Parish of Kergunyah North, proposed Lot 1 must be Consolidated with proposed Lot 2.

D) Planning Permit 08/4233 relates to a restructure of land at Pearces Road, Rutherglen. The proposal realigns the boundaries between three lots of approximately 6ha, 11ha and 130ha to create three lots of 63ha, 40ha and 44ha. As the subdivision effectively creates a right to use the subject land for three dwellings, the application was approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority to:

- (i) ensure that the lots created are not able to be further subdivided so as to increase the number of lots;
- (ii) provide notification that any future application for the development of the land

for the purposes of a dwelling would depend on the ability to comply with the provisions of the Indigo Planning Scheme in effect at the time, and in particular:

- (a) Clause 22.01-2 Rural Dwelling Siting and Design Guidelines;
 - (b) Clause 22.03-4 Effluent Disposal & Water Quality;
 - (c) Clause 22.03-2 Fire Hazard;
 - (d) Clause 42.01 Environmental Significance Overlay, and;
 - (e) The ability to avoid the removal or destruction of any native vegetation.
- (iii) provide notification to future landowners of Lots 1, 2 and 3 by way of an endorsement on the title, of the need to contribute to Council the sum of Council's Road Contribution Levy in the event that the development of the land for the purposes of a dwelling is approved.

E) Planning Permit 08/4243 relates to a restructure of land at Rodgers Lane, Chiltern. The proposal realigns the boundaries between four lots of approximately 1.4ha, 14ha, 3.8ha and 144ha to create four lots of 15.2ha (for the existing dwelling), 68ha and two of 40ha. As the subdivision effectively creates a right to use the subject land for three additional dwellings, the application was approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which:

- (i) ensures that the lots created are not able to be further subdivided so as to increase the number of lots;
- (ii) provides notification that any future application for the development of proposed Lots 1, 2, or 3 for the purposes of a dwelling would depend on the ability to comply with the provisions of the Indigo Planning Scheme in effect at the time, and in particular:
 - (a) Clause 22.01-2 Rural Dwelling Siting and Design Guidelines;
 - (b) Clause 22.03-4 Effluent Disposal & Water Quality;
 - (c) Clause 22.03-2 Fire Hazard, and;
 - (d) The ability to avoid the removal or destruction of any native vegetation.
- (iii) ensures that any future development of proposed Lot 3 for the purposes of a dwelling is restricted to a point below 230m AHD;
- (iv) provides notification to future landowners of Lots 1, 2 and 3 by way of an endorsement on the title, of the need to contribute to Council the sum of Council's Road Contribution Levy in the event that the development of the land for the purposes of a dwelling is approved.

Attachment A: Locality/Site Plan – PP08/4178 Robinsons Lane, Yackandandah.
Attachment B: Locality/Site Plan – PP08/4212 Herbert Street, Rutherglen.
Attachment C: Locality/Site Plan – PP08/4231 Simpsons Road, Kergunyah.
Attachment D: Locality/Site Plan – PP08/4233 Pearces Road, Rutherglen.
Attachment E: Locality/Site Plan – PP08/4243 Rodgers Lane, Chiltern.

10.2 PLANNING APPLICATION PP07-072, R BEAVER, SUNJOULE DESIGN (EDSM)

SUMMARY

This report relates to an amended subdivision plan submitted to VCAT and Council

Application No: PP07-072

Applicant: Ross Beaver, Sunjoule Design

Subject Land: CA 2011, Town ship of Beechworth, William Street

Proposal: 24 lot subdivision

Recommendation: Refusal

RECOMMENDATION

- 1. It is recommended that Council not support the amended proposal for subdivision for the following reasons:**
 - a. That Amendment C41 to the Indigo Planning Scheme introduced a Development Plan Overlay over the site of the Old Beechworth Gaol. The proposal fails to comply with Clause 43.04-1 of the indigo planning Scheme requiring a Development Plan to be prepared to the satisfaction of the Responsible Authority prior to the issue of a permit.**
 - b. The proposal fails to provide for the long term sustainable reuse of the Old Beechworth Gaol.**
 - c. The proposal fails to satisfy the State Planning Policy Framework in that:**
 - i. It does not demonstrate that original structures will be restored and future development will be integrated with the character of the original buildings;**
 - ii. It fails to provide for a single set of residential design guidelines appropriate to the heritage context of the site;**
 - iii. It does not satisfy dwelling diversity options; and**
 - iv. It fails to provide an adequately detailed design response for the context of the site, including fencing treatments.**
 - d. The proposal fails to respond to strategic direction of the Indigo Planning Scheme, including Clause 21.04-1-1.**
 - e. The proposal fails to meet objectives and standards of Clause 56, in particular it provides an inadequate design response by failing to achieve compliance with:-**

- i. Strategic implementation objectives;
 - ii. Lot diversity and distribution;
 - iii. Lot area and building envelopes;
 - iv. Street orientation; and
 - v. Integrated urban landscape;
- f. The proposal fails to meet built environment requirements to contribute to a sense of place and cultural identity including existing cultural identity of the site; and
- g. ensure building envelopes do not impact on root systems of significant trees.
2. That Council supports the principle of redevelopment of part of the site of the Old Beechworth Gaol for residential development.

**Moved Cr Murdoch
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

BACKGROUND

Date application lodged:	29 March 2007
Date amended subdivision lodged:	22 January 2008
Purpose of planning application :	Subdivide land to create 18 residential lots and 3 staged lots
Amended proposal:	23 residential lots and 2 balance lots
Subject site land area:	3.551 hectares
Current use of subject site:	Vacant – former prison
Site constraints:	The subject site is a significant historical landmark located centrally in the Beechworth township. Site constraints include heritage infrastructure, existing trees, and quarry area within the site which extends into the Queen Victoria Park.
Surrounding land use:	Surrounding land uses are residential to the north west and south east, park to the north east and residential and public use – police station to the south west.
Zoning of subject site:	Mixed Use Zone

Overlay controls – subject site: Heritage Overlay – HO 38

Zoning of surrounding land: Residential 1 Zone, Public Use Zone 7 – Other public use and Business 1 Zone.

Overlay controls for surrounding land: Heritage Overlay – HO 30, HO48, HO74, HO77, HO399,

An application for the subdivision of the land to the north of the former Jail which form part of the jail complex was considered by Council on 7 September 2007. At this meeting Council resolve to refuse to issue a permit for the proposed subdivision due to the fact that the applicant did not provide a whole of site management plan and that the application fails to meet the objectives of Clause 56 and does not observe the heritage character of the area and various other matters.

The applicant then appealed to VCAT (Victoria Civil and Administrative Tribunal) to set Council's decision aside.

Prior to the hearing two important actions took place that had a direct impact on the application.

1. The applicant submitted an amended plan for Council's consideration.
2. The Minister for Planning and Development approved a Development Plan Overlay over the subject site. The applicant now has to prepare a Development Plan for the whole site. The Responsible Authority is required to have approved a whole site Development Plan prior to approval of an application for subdivision.

This report deals with the amended subdivision plan that was submitted to Council on 18 January 2008.

PUBLIC NOTICE

Clause 32.04-3 of the Mixed Use Zone exempts the application from the notice requirements of Section 52 (1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the third party review rights of Section 82(1) of the Planning and Environment Act, 1987.

Given the level of community concern that had been expressed at the prospect of subdivision and development in the original application, Council opted to give notice of the amended application to the previous objectors.

Three written submissions were received by Council.

Issues raised in these submissions are:

- Dwelling form – terrace/attached houses not appropriate to Beechworth;
- Loss of view cone;
- Loss of consistent frontage and streetscape treatment to Sydney Road (no common developer but a number of owners);

- Need to ensure no 'backyard' development along Sydney Road;
- Division of governor's quarters into three dwellings;
- Traffic and parking impact due to limited off street parking for lots;
- No proposal for reuse of the gaol;
- Need for a common development – no a subdivision and individual owners doing different things.

Copies of submissions have been provided to Councillors.

REFERRAL AUTHORITIES

The revised proposal was referred to various authorities. No objection has been raised and there are no requested changes to conditions previously requested.

DISCUSSION

The revised subdivision layout, as shown in the Building Envelope Plan (Sunjoule Design 74034. 1 V2, SP-05 D, dated 21/01/08) shows a layout which:

- Creates 20 new residential allotments, 4 of which provide for attached dwellings and 8 lots which are under 450m²;
- Includes 3 residences within the former Governor's and Warder's Quarters;
- Includes a view cone which differs from that in the previous (refused) proposal, together with a area along the Sydney Road frontage where no buildings are to be allowed;
- Has rectilinear allotments facing both High Street and Sydney Road;
- Has direct public pedestrian access to Queen Victoria Park, at the end of the cul-de-sac and adjacent to the former quarry;
- Allows direct pedestrian access to relevant allotments from either Sydney Road or Queen Victoria Park; and
- Allows views to the north wall of the Gaol from the internal road and to a limited extent from Queen Victoria Park between allotments 7 and 8.

The revised layout is superior to that which was the subject of Council's refusal and one which successfully addresses many of the reasons for Council's refusal, but also incorporates a number of other elements which make it a supportable subdivision of this major site in an important part of Beechworth. Such support is also dependent on the proposal fitting into a whole site proposal including sustainable reuse of the important heritage buildings and provision of adequate car parking on the site to enable that reuse.

As the matter was proposed for VCAT hearing in February Council had an expert witness statement prepared on the revised proposal. A copy of this statement has been

provided to Councillors. Councillors are referred to this report. Matters raised in the report are summarised as:

- Failure to provide a whole of site/master plan approach;
- Failure to satisfy the State Planning Policy Framework:-
 - Does not demonstrate that original structures will be restored and future development will be integrated with the character of the original buildings;
 - Inappropriate residential design guidelines;
 - Little diversity in dwelling options;
 - Fencing treatments are not adequately dealt with;
- Failure to demonstrate that the proposal satisfies the objectives of the Mixed Use Zone. This is about providing a mix of uses. The proposal is for residential use only. The development of the two balance lots – the Gaol area and the industries building site may introduce other uses however this is not part of the application;
- Failure to comply with Clause 56 – Residential subdivision. While compliance with most matters is achieved or can be achieved by way of conditions the proposal fails to comply with some matters. Of note is the failure to achieve compliance with:-
 - Strategic implementation objectives;
 - Lot diversity and distribution;
 - Lot area and building envelopes;
 - Street orientation; and
 - Integrated urban landscape;
- Loss of views from Queen Victoria Park to the Gaol in the area of lots 9 to 13. Redesign of this component to provide a medium density housing component could ensure retention of view corridors here;
- Need to increase setback for lot 13;
- Need to reduce height of building on lot 16 to single storey to maintain visual and physical dominance of watchtower;
- Need for other redesign detail related to lot configuration;
- Need to clarify pedestrian access;
- Need to clarify ‘no buildings within this zone area’ – both in terms of landscaping

detail and pedestrian access;

- Need to clarify landscaping and provide landscaping to key interface areas on private lots;
- Fencing shown on landscape plans (which have not been modified) is inappropriate;
- Need to rework design guidelines so that there is only one applicable set of design guidelines. These should be acceptable to Heritage Victoria, Council and the landowner/developer of the subdivision.

In addition to the expert witness statement several matters that warrant specific comment are the view-cone, public pedestrian movement through the site, the Governor's and Warder's quarters, lot orientation, the interface with Queen Victoria Park and Sydney Road, building envelopes, design guidelines, density and the future of the industries building. These are addressed below.

View-cone

The Conservation Management Plan (CMP) identifies views to part of the north wall of the gaol from Sydney Road as an important element and recommended a view-cone to retain these views. Inadequate justification of the view-cone selected is included in the CMP. Inspection of the CMP proposed view-cone shows that this version of a view-cone does not allow adequate views to the gaol due to intervening street trees and the rise in the land. The viewer must move further south along Sydney Road and closer to the gaol for such views to open up and to be meaningful.

The hatched area on the revised Building Envelope Plan responds to this situation effectively, as the entire north wall of the gaol becomes visible from a point on Sydney Road where it can be seen and appreciated both on its own and in the context of the gaol's west (Sydney Road) frontage. The open setting of the gaol from the north-west is retained in part by the proposed requirement to set residential buildings on Lots 2 – 7 back from Sydney Road some 18 meters.

Public pedestrian movement through the site

The CMP states that "elements of primary significance include the area containing the Governor's quarters [and] the lane beside the east boundary wall (of the gaol)". The plan responds to these historic features by creating a 6 meter wide walkway along the east wall and adjacent to the Governor's Quarters and which extends along the north wall to Sydney Road and around the lip of the quarry and to Queen Victoria Park. Proposed land tenure (inclusion in a lot or roadway) is not clear from the plan submitted in that area adjacent to the gaol wall but is available to connect through to Queen Victoria Park. If this matter is addressed by way of clear proposal or conditions of any approval, it will enable public access to this important area. Provision of public pedestrian thoroughfares will not only invite visitors to enter the site and learn of the gaol's early development but to experience an off-road connection from the precinct containing the civic buildings south of William Street via a laneway to the front of the gaol, through this site and outwards to the high ground in Queen Victoria Park.

Governor's and Warder's Quarters

The CMP notes the significance of this single-storey building in its setting on rising ground off High Street. The plan proposes the removal of the non-contributory additions to the rear of this building and the retention of view to it from High Street by designating a no-build area between it and High Street. This aspect of the building will be enhanced by the retention of the granite plinth along the High Street boundary in this vicinity. Note that this is as proposed in the earlier proposal – other than no subdivision was proposed of the building at that time as the lot created was to be part of the staging of subdivision/development.

Lot Orientation

The subdivision layout included allotments that are rectilinear in shape and are oriented to face both street frontages. This provides the opportunity for dwellings to be designed to be compatible with the traditional pattern of residential development in streets such as High Street. Design guidelines, discussed below, can ensure that buildings and front fences also reflect traditional idioms.

Seven allotments have direct abuttal to Queen Victoria Park. Limited views to the gaol wall can be obtained from Queen Victoria Park, such as along the cul-de-sac between Lots 7 and 8. It is desirable to rethink the design of lots along this boundary to create more views through this part of the site. A possible adjustment to the proposed scheme could involve the deletion of the road in front of Lot 7, which would have the benefits of saving some roadwork construction costs, increase the size of Lot 7 and possibly negating the need to remove an existing tree. Grouping of dwellings 9 to 13 into a medium density design could also open up view lines from the park through to the gaol walls.

A further key component of the overall development is fencing. It is desirable that the boundary fence be transparent, adding to the amenity of these allotments and enhancing the level of passive surveillance of the Park. Each property could have a private pedestrian gate to provide direct access to the Park. These matters are not indicated in the revised proposal.

Interface with Queen Victoria Park and Sydney Road

Along these frontages, boundary fences could be transparent to minimise their visibility and provide views between the subdivision and the adjacent public open space. Private pedestrian gates could be provided in these fences. At present the landscaping details submitted with the earlier proposal have not been revised and show inappropriate fencing. The matter can be dealt with in the whole site proposal or by way of condition.

Building Envelopes

Building envelopes are indicated for each allotment. The building envelopes for the three allotments facing High Street are specifically designated as single-storey, again reinforcing local built forms, and the two allotments nearest to the prominent north wall of the gaol are designated as single-storey sites.

The six smallest / medium-density allotments (9 - 11 and 17 – 19) are within the site and

not on street interfaces. This location is recommended by the Shire's Senior Planner as the most appropriate for this building type.

The permissible two-storey elements of the building envelopes on allotments facing Sydney Road are on the parts of the building remote from that public domain.

The building envelopes have been arranged to minimise the visual impact in the streetscape of garages. Lots 13, 14 and 20 will require a restriction on vehicular access to High Street. This can be dealt with by way of condition.

Building height for lot 16 is recommended as single storey only to open up more views of the guard tower in this location.

Building types

The layout provides for four distinct residential accommodation types; single-storey free-standing homes, double or part double-storey free-standing homes, semi attached dwellings and dwellings within the restored Governor's and Warder's Quarters.

Design Guidelines

Guidelines have been prepared to attempt to ensure that buildings reflect and reinforce traditional built form and the urban character of Beechworth, without resorting to mock or faux architecture. They apply to all houses and cover such topics as external materials, roof pitch, external colours, window sizes, verandas, front fences and garages. The guidelines are not considered adequate at this time. For instance render is possible under the guidelines and while this may be current fashion it is not appropriate in this context. These guidelines need to be reworked to provide one clear set of guidelines to cover the whole site. Consultation between Heritage Victoria, the landowner/developer and Council in preparation of the guidelines is appropriate.

Density

Although it includes additional allotments when compared with the earlier proposal, it is not considered that the proposal will necessarily represent an overdevelopment of the site. Such a judgement is dependent on two matters. Firstly the layout is of a more traditional form which will fit into the local context better than allotments not oriented to adjoining streets. Secondly the issue of overdevelopment will relate to adequate provision of car parking. It will not be clear how this is to be provided until such time as details of development of the Gaol buildings and the area covered by the Industries Building has been shown. At this time this is not known.

Whole of site development plan

The MSS emphasises the relationship between tourism, development, and heritage in Indigo Shire, and a primary objective of the MSS is to ensure that development occurs in a manner which is appropriate to the significance, character and appearance of heritage places, and in particular the former Gaol.

The essence of this ground of refusal is that the proposal fails to provide a whole of site approach to the development and reuse of this significant site. Instead, the Applicant has

sought a permit for subdivision and development of housing on the peripheral land component of the site without indicating how the former Gaol is to be redeveloped.

Without an overall development plan for the whole site these objectives cannot be achieved.

The amended subdivision plan does not address the issue of the whole of site development plan.

Industries building

As with the earlier proposal separation of the industries building into a lot distinct from the gaol component will prejudice introduction of other uses into the gaol area as it will remove the potential for car parking for those uses.

In summary it can be stated that the proposal is an improvement from the previous poor design which failed to respond to the heritage context of the site. As the application stands the adequacy of the proposal is not able to be determined. Only one plan has been received to date, which leaves uncertain many of the essential design matters such as public access. Without a whole of site approach it is unclear how the subdivision component will fit into a whole of site approach. The question of car parking for uses for the Gaol itself appears to be a substantial matter that may not be able to be addressed adequately. The ability to provide for interpretation of the quarry component of the site has also not been adequately addressed in the revised proposal.

CONCLUSIONS

The principal of redevelopment of part of the site of the Old Beechworth Gaol for residential development appears appropriate. The particular proposal fails in a number of respects. These matters have been briefly outlined in this report. The application is also lacking in that the one revised plan which has been submitted has not been supported by other revised plans or a written statement to provide a full 'picture' of the revised subdivision and development proposed.

In addition a significant issue remains which is the impact of the proposed subdivision on the reuse of the balance of the site. The heritage values of this site are centred not on the component proposed for residential lots at this time, but on the built infrastructure and quarry component which have not been fully addressed in this subdivision proposal. Given the uncertainty of reuse options it is not clear what impact approval of this subdivision may have on the long term reuse of the gaol.

Theoretically, if these vital matters were able to be satisfied, then approval of the application subject to conditions may be appropriate. The conditions would need to be explicit regarding detail of the subdivision and development in order to protect this significant site. A list of proposed conditions will be provided separately to Councillors.

It is recommended that Council resolve to refuse the amended proposal.

*Attachment
Amended subdivision layout plan.*

10.3 PLANNING APPLICATION PP-074172 PETER O'DWYER EDM GROUP, 16 TOWER PLACE RUTHERGLEN (STP)

For Decision

SUMMARY

Application No:	PP07-4172
Applicant:	Peter O'Dwyer EDM Group
Subject Land:	Lot 22 on Plan of Subdivision 511833
Proposal:	To subdivide the subject property into two lots (Lot 1 approximately 645m ² and Lot 2 approximately 450m ²).

RECOMMENDATION

That Council approve planning Application PP07-4172 and issue a Notice of Decision to Grant a Planning Permit for the subdivision of Lot 22 on Plan of Subdivision 511833 in accordance with the endorsed plans to be submitted pursuant to Condition 1 hereunder.

1. APPROVED SUBDIVISION

Before a plan of subdivision can be certified, plans prepared by a licensed surveyor to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the plans submitted with the application, but must be altered to depict a building envelope on Lot 2 being a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. The plans must be drawn to scale showing all bearings, distances, levels, street names, lot numbers, lot sizes, and easements. access

2. LAYOUT NOT ALTERED

The layout as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. STATUTORY CONDITIONS

3.1 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewer facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

3.2 All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision

submitted for certification in favour of the relevant authority for which the easements or site is to be created.

- 3.3 The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.

4. WORKS WITHIN THE ROAD RESERVE

Prior to the commencement of any works required as a condition of this approval within the road reserve of Tower Place, an application for consent for “Works within Road Reserves” (formerly known as a road opening permit) is to be obtained by the works manager, in accordance with the Road Management Act 2004.

5. POINT OF ACCESS

- 5.1 The point of access to the site shall be a point that gives practical access to the building location to the satisfaction of the Responsible Authority.
- 5.2 The point of access for the proposed Lot 1 must not be less than 10 metres from the intersecting boundaries (projected beyond the 6.27m splay) at the intersection on Tower Place to the satisfaction of the Responsible Authority.

6. VEHICLE CROSSINGS

Prior to the commencement of any on-site works the owner at the time must construct the vehicle crossing(s) in accordance with Council standards. A crossing permit must be obtained from the Responsible Authority and levels fixed.

7. ENVIRONMENTAL MANAGEMENT

Works must be prepared and undertaken in accordance with EPA Publication 275 “*Construction Techniques for Sediment Pollution Control*”.

8. STORMWATER DRAINAGE

- 8.1 The applicant must provide a stormwater drainage discharge point to each allotment. In this case the stormwater discharge is to be to kerb and channel at the front of each lot to the satisfaction of the Responsible Authority.
- 8.2 Or as otherwise approved.
- 8.3 Stormwater drainage design must take into account the principles of Water Sensitive Urban Design and the requirements of the Indigo Shire Council Stormwater Management Plan and the CSIRO publication Urban Stormwater - Best Practice Environmental Guidelines. All works to be constructed in accordance with approved plans.
- 8.4 All stormwater emanating from hard surfaces within the property must be collected and piped to an approved discharge point. All works to be constructed in accordance with approved plans.

9. STREET TREES

- 9.1 Prior to the issuing of the statement of compliance the applicant must provide street trees at a rate of one tree for each lot created, with two trees provided on each corner allotment. This requirement can be met by planting trees greater than 2 metres in height, with a species as listed in Council's Street Tree Plan and in accordance with Council's Street Tree Planting Policy.**
- 9.2 The applicant must maintain these trees for a period of 12 months from the date of issue of the Statement of Compliance. Any trees that die or are deemed by Council to need replacement due to lack of maintenance and watering during dry climatic conditions must be replaced at the developers cost and maintained for an additional 12 month period to the satisfaction of the Responsible Authority.**
- 9.3 Subject to the approval of the responsible authority the applicant may make a payment in lieu in accordance with Councils policy at the time. The current rate for payment in Lieu is \$130 (GST inclusive) per tree.**

10. EXPIRY DATE

This permit will expire if :

- (i) The Plan of Subdivision is not certified within two years of the date of this permit.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the period expires or within three months of the date of expiration.

**Moved Cr Walsh
Secoded Cr Graham**

That the Recommendation be adopted.

CARRIED

BACKGROUND

- Date application lodged: 17 December 2007
- Purpose: The applicant seeks approval to subdivide the block.
 - Lot 1 Area 645.4m²
 - Lot 2 Area 450.7m²
- Subject site land area: 1095.1m²
- Current use of subject site: The subject site is currently vacant.

Site description:

The subject site, 16 Tower Place, being Lot 22 on Plan of Subdivision 51833B as shown in the plans is a vacant residential block of some 1095m². The subject site is zoned "Residential 1" and there are no Overlays applicable to the subject site. The subject site is located on the north eastern corner of Tower Place. Adjacent to the east of the subject site is a vacant block while to the north is an existing single story dwelling. Given the road layout the subject site has a curvilinear frontage to Tower Place along its western and southern boundaries. To the west on the opposite side of Tower Place is a single story dwelling. The subject land is located on an east/west axis and there are no significant views to or from the site.

The rather slow emerging neighbourhood character of Tower Place Estate is made up of a few single story dwellings. The dwellings display a variety of design styles with building materials in a variety of colours and with tiled or metal roof. None of the developed lots have front fencing and few have landscaping of front yards.

While there is a covenant on Title it relates to access arrangements within the broader subdivision context and does not have direct relevance to the subject land nor does it restrict subdivision of the land as proposed.

All services are available to the site:

There is no significant vegetation on the site.

Zoning of surrounding land: Residential 1 Zone

PROPOSAL

The applicant seeks approval to subdivide the subject site in two lots as shown on the submitted plans.

Lot 1. Area 645 m²

Lot 2 Area 450 m²

ZONING AND PLANNING CONTROLS

Zoning: Residential 1 Zone

Overlay/s: No overlay is register over the subject site.

Permit Trigger: A permit is triggered in this case under the provisions of the Residential 1 Zone (Clause 32.01-2) for the subdivision of the subject site.

STATE PLANNING POLICY

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

Settlement

14.01 Planning for Urban Settlement

Environment

15.09 Conservation of native flora and fauna.

15.12 Energy efficiency

INFRASTRUCTURE

18.02 Car parking and public transport access to development

18.09 Water supply, sewerage and drainage

Particular Uses and Development

19.01 Subdivision

19.03 Design and build form

LOCAL PLANNING POLICY FRAMEWORK

The Local Planning Policy Framework (LPPF) provides relevant discussion in relation to land use and development in the Shire. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

Municipal Strategic Statement

Settlement & Infrastructure

Economy

Environment

21.01-3 Settlement and infrastructure

21.03-1 Vision and strategic framework

21.03-2 Corporate Plan

21.04- 1-2 Rutherglen

Local Planning Policies

22.01-3 Residential Subdivision and development

Particular Provisions

Clause 56

REFERRAL AUTHORITIES

The application was referred to the following referral authorities in accordance with Section 55 of the Planning and Environment Act 1987 and/or advice was sought from the following:

Assets

Environmental Health Department

Responses received are recommended subject to conditions.

PUBLIC NOTICE

Notice of the application was given to adjoining owners and occupiers and other relevant persons in accordance with Section 52 (1) of the Planning and Environment Act 1987.

[1] submission was received in response.

The objections are summarised as including:

- The proposed subdivision will create a lot of 450m² which is substantially smaller than the surrounding freeholds in the area.
- The proposed lots are not consistent with the character and style of the surrounding area.
- A 450m² lot is not a generous size block as the applicant had claimed to be.

A focus meeting was held on the 22 April 2008. At this meeting all these issues were raised and discussed. The applicant at the Focus Meeting pointed out that the proposed subdivision meets the requirements of Res-code. The objector however is concerned that either on both or one of the future lots a sub-standard house may be erected, which will negatively impact on the value of his house. It was pointed out to the objector that such a claim cannot be considered from a planning point of view as it is difficult to substantiate.

The issues raised have been extensively addressed in the officer's report.

Site inspection

The Senior Statutory Planner inspected the site and neighbourhood during the processing of the application.

Response to Res-Code

The proposal is assessed in detail against Clause 56 (Residential subdivision). Copies of the res-code assessments are contained on file. The application does meet all objectives and standards set out under clause 56.

The objections relate primarily to the small size of the proposed lots because of the low density character of the neighbourhood. However, there are no planning controls to prohibit the proposed subdivision and indeed this would be contrary to state government and local government policy, which encourages a range of lot sizes to accommodate a

variety of dwellings to in turn accommodate the need of a range of households. The site has a Residential 1 Zoning. The purpose of this zone includes:

- *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.*

In part because the surrounding development is of a low density, in terms of the zoning of the land, it is appropriate to encourage residential development that differs in density from that which predominates in the area. This provides choice in housing, recognising that a significant proportion of households (such as single people, smaller families or the elderly) do not require, cannot afford or have maintenance problems with, traditional low density living. Given that, as a proportion of all houses, the number of such households is increasing, there is a necessity to provide housing to accommodate these “non-traditional” households, including within country towns. Since there is no designated area of higher or medium residential densities in Rutherglen, (nor is it necessarily desirable to create one), it is appropriate to provide such medium density development in a dispersed manner within already established area. The proviso is that such development must respect the character of its neighbourhood.

The key word in this case is for development to “respect”, not “replicate”, the neighbourhood character. If all new development were simply to replicate existing conditions, the “range of densities” encouraged by the zone could never occur nor would there be visual interest in the locality.

Respect for neighbourhood character is achieved through an identification of the key features of a neighbourhood. This proposal seeks to create two lots. Only a few lots are developed in the estate and is there no definable neighbourhood character. The sizes of the proposed lots is of such a nature that they can accommodate two fairly moderate detached single story dwellings on each site, which will contribute to the neighbourhood character of the area

The Scheme encourages the consolidation of existing township areas where services/infrastructure exist, in particular at Clauses 14.01 Planning for urban settlement, 16.02 Medium density housing, 21 Municipal Strategic Statement, 22.01-3 Residential subdivision and development and 32.01 Residential 1 Zone.

Overall, the development is a good response to the site’s opportunities (relatively large size, two frontages) and constraints (a neighbourhood with a low density character including detached dwellings and informal landscaping).

CONCLUSION

The proposal is considered generally consistent with the provision of the zone, overlay and other applicable clauses in the Indigo Planning Scheme. Therefore this application is supported.

Attachments Locality plan and proposed subdivision plan.

**10.4 PLANNING APPLICATION PP-074177, ROSSALYN QUIN,
LOT 1 TP 800827W, BALD HILL ROAD, BARNAWARTHA
(STP)**

For Decision

SUMMARY

- Application No:** PP-074177
- Applicant:** Habitat Planning on behalf of Rosalyn Quinn
- Subject Land:** Lot 1 TP 800827W Bald Hill Road
- Proposal:** To use and develop a building for a yoga retreat in the form of a single story building to be used by clients for exercise and relaxation.
- Date application lodged:** 19/12/07
- Subject site land area:** 13.79ha
- Current use of subject site:** The site is currently used as a grazing paddock.

RECOMMENDATION

That Council refuse Planning Application PP 074177 to use and develop LOT 1 TP 800827W Bald Hill Road Barnawartha, for the purposes of a use and develop of a yoga retreat for the following reasons:

- 1. The proposal is inconsistent with the State and Local Planning Policy Framework;**
- 2. The proposal is inconsistent with the purposes of the Rural Zone (Clause 35.01), and in particular:**
 - a) The development and use is not associated with any genuine intensive agriculture and/or rural production;**
 - b) The development of the subject land is not compatible with the purpose of the Rural Zone and will not increase production capacity;**
 - c) The proposal will not necessarily facilitate agricultural use of land;**
- 3. The proposal if approved would set an undesirable precedent in the area leading to the fragmentation of rural land;**
- 4. The proposal is contrary to the provisions of Clause 65.01 of the Indigo Planning Scheme and in particular the orderly planning of the area.**

**Moved Cr Dale
Seconded Cr Hotson**

That the Recommendation be adopted.

CARRIED

BACKGROUND

DESCRIPTION OF THE SITE:

The subject site is currently made up of one allotment as Lot 1 TP 800827, located on the corner of Bald Hill Road and the Chiltern – Yackandandah Road, Barnawartha South, approximately 4.5 km south of the township of Barnawartha. The site is 13.79 ha in area and is of a regular rectangular shape. Frontages to Chiltern – Yackandandah Road and Bald Hill Road measures 424m and 268m respectively. The site is currently vacant with significant vegetation limited to several ironbark trees located in the south-eastern corner of the subject site with similar specimens scattered irregularly along the southern and eastern boundaries. Typical vegetation over the balance of the site is short grasses. Topography of the site is flat with a slight fall towards the southeast.

Surrounding land uses consist of rural grazing land with farm dwellings and sheds located intermittently. The closest dwelling is located on the adjoining property to the northeast – approximately 350m from the proposed site for development.

PROPOSAL

The proposal is to use and developed a yoga retreat in the form of a single story building to be used by clients for exercise and relaxation. The single story design will result in approximately 200m² of floor area and including a kitchen, laundry, and bathroom and mezzanine level for storage purposes.

ZONING AND PLANNING CONTROLS

Zoning: Farming Zone

Permit Trigger: A yoga retreat can be classified as an “Indoor recreation facility” (A building used for indoor leisure, recreation, or sport). Under the provisions of the Farming Zone the use and development “Leisure and recreation” under which an Indoor recreation facility is classified is a Section 2 use – Planning permit required.

Overlay/s: No Overlay applicable to the subject land.

STATE PLANNING POLICY FRAMEWORK

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

Settlement

- 15.01 Environment
- 15.07 Protection from wildfire
- 15.09 Conservation of native flora and fauna
- 15.12 Energy efficiency

- 17.05 Agriculture

LOCAL PLANNING POLICY FRAMEWORK

The Local Planning Policy Framework (LPPF) provides relevant discussion in relation to land use and development in the Shire. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving these objectives.

Relevant clauses of MSS include:

- 20.01 Operation of locale Planning Policies

- 21.01-4 Economy
- 21.01-5 Environment

- 21.03 Vision

LOCAL PLANNING POLICIES

- 22.02-2 Rural dwelling siting and design guidelines.
- 22.02-4 Tourism Development

REFERRAL AUTHORITIES

Authority/Unit	Response
Indigo Shire Assets	No objection subject to conditions
Indigo Shire Health	The applicant was requested to prepare a land capability report to enable an accurate assessment of the application. The applicant did not prepare a land capability assessment in the light of a possible refusal of her application and the cost involved. The applicant however provided a written undertaking that he will prepare a land capability assessment if his application is considered favourably.

PUBLIC NOTICE/ADVERTISING

Section 52 of the Act specifies notice requirements for permit applications. Council gave notice of the application by mail to the owners and the occupiers of adjoining lots. Two objections were received. The objections are summarised as including:

- A Yoga retreat will not benefit the local community.
- The proposed use will generate significant traffic along Bold Hill Road, an unsealed road which in turn will generate unacceptable high levels of dust and when wet will create a hazardous situation.

In preparing the consideration of the planning merits of the application regard has been given to the objections raised.

SITE INSPECTION

The Senior Town Planner inspected the site during the processing of the application.

CONSIDERATION OF THE PLANNING MERITS OF THE PROPOSAL

The question that needs to be answered in this case is whether the proposed facility (Yoga retreat) will be in keeping with the character of the surrounding area and whether the proposed use will be prejudicial to agricultural production and/or lead to the fragmentation of agricultural.

The applicant argues that the proposed use will not detract from the long-term agriculture capacity of land because the subject site is of medium agricultural productive capacity. This statement must be evaluated in terms of the purpose of the Farming Zone, which is to protect and promote and also to preserve the rural character of farming areas. The character of the area surrounding the subject site can be describe as mainly an rural character with large open tracts of farm land for sheep, cattle and horses and also use for broad acre cropping. The sizes of the surrounding properties various from approximately 8 ha to 150 ha and the average lot size of surrounding properties are approximately 30 ha.

The applicant in his submission has not addressed the issue of agricultural production and therefore it can be assumed that the subject site will be withdrawn from agricultural production or at the most will be used for a very low level of agricultural pursuit. The result is an incremental erosion of the agricultural potential and production of the area.

The applicant further argues that the proposed yoga retreat will fit in with the character and serenity of the area and claims that low noise levels in the area will benefit the proposed use. Noise levels in this area are not as low as is sometimes perceived by the uninformed. Various practices in the commercial agricultural sector generate noise levels that will be offensive to any use that required low noise levels to operate, especially a yoga retreat where absolute no noise interference is required. The subject area display a variety of agricultural pursuits such as broad acre cropping and grazing as well as some horticultural activities, all uses which have the potential to generate quit a lot of noise which will be detrimental to the propose yoga retreat.

It is thus important that a balanced outcome be achieved, which will allow for development in the farming Zone with the main focus to promote and preserve agricultural productivity. This is the reason why Council has introduced the Farming Zone to this area to protect current agricultural production and promote new development that will contribute to agricultural production.

The applicant in addressing the decision guidelines skirting the issue of agricultural production by illuminating all the other virtues of the subject site and not addressing the key selection criteria which in this case is to demonstrate how the propose development will contribute to agricultural production. The applicant has trivialised the decision guidelines of the Farming Zone in providing reasons why this application should not be assess in terms of these guidelines. Thus the applicant's submission does not provide a balanced outcome.

The applicant argues that the land is insufficient to conduct an commercially viable agricultural activity in its own right, apart from moderate grazing activities given the small size and average agricultural potential due to lack of water supply band poor soil quality. This again is a classical argument to prove the point that the land is basically worthless and due to severe restrictions cannot operate as a viable agricultural unite and therefore can be withdrawn from agricultural production.

This argument is weak in the sense that much land in Australia is of low or medium agricultural potential and to follow the rationale behind this augment. All land of low or medium quality agricultural production capacity can just as well been excluded from the provisions of the Farming Zone and assigned to any other use or development.

This argument is also flayed in that the applicant argues that no viable agricultural activity could be operated from this property. The Indigo Planning Scheme nowhere requires Council to assess any application in the Farming Zone on the grounds of viability. It rather talks about aspects such as comprehensive and sustainable land management practises. The emphasis therefore is not on the viability of a specific proposal but rather on the sustainable production of food and fibre with the emphasis on increasing output.

The question now can be asked when non agricultural type uses will be allowed in the Farming Zone. Considering the purpose of the Farming Zone the scope for non agricultural type uses is very limited. It appears that the only non agricultural type uses that may be considered in the Farming Zone is uses that have a strong connection with primary agricultural production and can demonstrate that the proposed use will facilitate the retention and the promotion of agriculture. This application falls short on this goal and can therefore not be recommended for approval.

The Municipal Strategic Statement at Clause 21.04 (Economy) and the Farming Zone at Clause 35.07 reiterate the importance of agriculture in the Shire and state amongst others that the strengthening of the Shire's economy will be facilitated by a strategy of reinforcing the importance of agriculture to the region and allowing new industries and existing primary industries to diversify and expand in appropriate ways.

The Municipal Strategic Statement goes on at Clause 21.04 (Environment) and the Local

Planning Policies at Clause 22.01-2 and also Clause 22.01-5 to emphasise the importance of the Shire's landscapes. The quality of the landscape setting of the Indigo Shire is also a great natural and community resource. The cultural value of the landscape within a number of areas of the Shire is high, evidenced by the classification applied to large areas of the Shire by the National Trust (Victoria) and its attractiveness as a residential and tourist environment. In particular the protection of the visual quality and significance of the prominent hills, slopes and extensive open landscapes is a key goal of the Shire.

Agriculture in the Shire thus is important from an economic perspective in that it comprise a major component of economic activity in the shire and should therefore be protected. In protecting agriculture will not only maintain and increase agricultural production, but will also facilitate protection of the Shire's rural landscapes for which Indigo Shire is renowned and contribute to the tourist potential of the Shire, another major form of income for the Shire.

In an effort to provide protection for productive agricultural land the State Government has introduce the new format farming zones in July 2006. The State Government in collaboration with Council has thus "drawn a line" in its strategic planning of the shire. The line has the dual purpose of containing rural-residential development with little or no association with agriculture, and preventing "township sprawl". The subject site is in the Farming Zone, not a more mainstream residential zone.

Council's vision for the future of the subject area is as a productive, broad acre farming area. The attributes of this area that have lead to this vision are areas of productive agricultural land and important rural landscapes. Council wishes to see this area to be continued to be used for stock raising (including sheep, cattle and horses) and intensive and extensive cropping as cropping and grazing contributes to the economy and character of the Shire. Council believes this area should continue to be an area whose primary use is sustainable and productive agriculture. Uses that in any way prejudice either agricultural activity in the area or agricultural landscapes will not be supported.

It is thus clear that Council will not support any use that is contrary to its vision for this area. The proposal will not only change the character of the area by allowing a yoga retreat on the property, but it will also change the type of agricultural pursuit from broad acre farming to small hobby farm type of agricultural pursuits which is contrary to its vision for this area.

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 need to consider the strategic intent of the Planning Scheme as a whole rather than focussing on individual policies.

For instance:

In the case of *SMA Projects v Port Phillip City Council 2 VPR, 270* it is stated:

In coming to this view the Tribunal observed that while decision making under the Victoria Planning Provisions format planning schemes is to be "heavily influenced" by policy - and that the consistent application of policy over time can avoid the adverse effects of incremental change, through ad hoc decision making (a point noted at Clause 20 of the Planning Scheme) - policy must nevertheless be applied in an intelligent and flexible way having regard to the entire strategic and policy framework affecting the future use of land, while at the same time avoiding unfortunate outcomes in individual cases.

In the case of ***Teac Australia PL v Port Phillip CC [1999] VCAT 1222*** the Tribunal commented that:

when considering a proposal in relation the policy framework set out in the planning scheme the preferred approach is to develop an overall picture of the policy framework and it is not necessarily correct or helpful to adopt a clause by clause analysis of the policy framework. In forming this overall picture the zone purposes, and the state planning policy framework, in particular clause 17.05 Agriculture, are as relevant as the clauses most debated in this application. [(reported in Bristow v Yarra Ranges SC [2004] VCAT 1815 (14 September 2004)]

In the case of ***Sunbury Residents Association Inc. and Ors v Hume City Council and Eddie Hirsch (1999/85151)*** the Tribunal said:

“Although the new scheme provides the discretion of a greater range of land uses to be considered, this does not mean that all of these land uses will result in an acceptable outcome...as set out in Clause 31.01-2...(which) makes it clear that proposals must be considered against the SPPF and LPPF in determining whether or not permission is granted for a use in Section 2. It is also relevant that the decision guidelines for the zone and those set out at Clause 65 require consideration to be given to the SPPF and LPPF,.....Accordingly, whether or not a particular proposal achieves an ‘outcome’ which is consistent with the planning scheme policies is a major factor to be considered when exercising discretion.”

In ***Classic Home Constructions PL v Hobsons Bay CC [2004] VCAT 418 (17 March 2004)*** it is stated:

The initial concern of the Tribunal is that the assessment and decision by Council in this matter seems to have been undertaken in isolation from important parts of the Hobsons Bay Planning Scheme. When new format planning schemes were introduced into Victoria in the late 1990s, they were intended to usher in a new era of decision making based on compliance with strategic direction rather than just statutory detail. The theory was that every Council would articulate its land use ambitions within its own Municipal Strategic Statement (the MSS) and this would drive decision making. So long as a Council had its strategy right, then decision making should logically follow. The elevation of strategic planning in decision making was explicitly emphasised by the fact that every time an assessment had to be made, the first stated purpose of every zone and every overlay said exactly the same thing:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

The strategic direction in the scheme is therefore the starting point for assessment. ...

...Planning decisions often require a balance to be struck between competing strategies. In this instance, the Tribunal feels that the Council has "taken for granted" the degree of compliance with urban consolidation principles, neighbourhood character, heritage assessment, and a willingness to modify the plans and instead has focussed only on aspects of amenity to justify their refusal. That is not to say that these amenity aspects are not important. It is just that the decision is devoid of any attempt at a balancing of issues so as to produce (in the words of Clause 31.01-2 of the scheme) "... acceptable outcomes ..." in terms of the whole of the state and local planning policy framework. In simple terms, the perceived shortfalls in the Good Design Guide technique dealing with amenity have distracted Council from conducting a complete assessment of the application.

The Tribunal believes that Clause 31.01-2 provides some sort of clue as to how decision making should be structured under new format planning schemes. Clause 31.01-2 was inserted into the Victoria Planning Provisions (VPPs) after the advisory committee report into the original (1996) VPPs, and it was a direct result of the observation that under the new schemes there was a much greater array of Section 2 'discretionary' uses than there had ever been before. Clause 31.01-2 neatly links the strategic and the statutory when it says:

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purposes and decision guidelines of the zone and any of the decision guidelines in clause 65.

Quite apart from the need to link discretion to the strategy, the Tribunal suggest that the two important words in this Clause are 'acceptable outcomes'. In other words, the assessment and the decision should consider the totality of the scheme and determine whether or not the application would produce an 'acceptable outcome' in terms of the strategic and the statutory provisions. This helps direct the decision maker to the question of balancing all aspects of the scheme rather than selectively focusing on specific provisions one of which may be taken out of context.

The significance of placing policy in context is further commented on in "The role of strategy in the appeal process" prepared by John Keaney presented at Planet Seminar Program: Preparing submissions to VCAT on 27 March 2001 where it is stated that:

- *The first aspect of this is the State Planning Policy Framework (SPPF). In my experience with both Council submissions and officer reports, this is one of the most overlooked parts of the new schemes. As already noted, one only has to look at the first purpose of every zone and every overlay to realise that this simply cannot be overlooked. ...While it is true that some of the SPPF is couched in general terms, it is equally true that there is very clear direction provided by some aspects of it including (for instance) fragmentation of rural land.*
- *"The MSS is the 'bigger picture' document telling the reader what Council is hoping to achieve over the next decade or so. Local policies on the other hand are the real decision making tools that should assist Council and the tribunal on*

a day to day basis. The officer report or the VCAT submission that, for instance, jumps straight to the Local Policies ignores the context within which the policy has been derived and, I suspect leaves the impression that the policy is being used to the exclusion of the rest of the scheme. I feel that the complete strategic journey needs to be explained both in a Council report and in a Tribunal Submission.

CONCLUSION

Although compliance can be demonstrated with a number of policies and decision guidelines that relate to the development aspects of the proposal, and despite the attractiveness of subject land for a yoga retreat due to its locality and nature with respect to servicing and infrastructure, having regard to the provisions of the Indigo Planning Scheme and the circumstances of the case it is concluded that the application should be refused.

Given the nature of the area it is considered that approval of the proposal would effectively lead to a de-facto rezoning of the land through increased pressure on Council to approve similar proposals for adjoining holdings based on the very reasons that the applicant has put forward as factors that limit the productivity and rural use of the subject land.

As the Responsible Authority needs to be consistent in its administration of the Indigo Planning Scheme, and there are no apparent differences between the subject land and other small rural lots in the locality, the area could effectively undergo major changes in terms of character and land use. Such a scenario is not supported by local policy, the MSS, the SPPF, the Zone or the decision guidelines of Clause 65.

Having particular regard to the orderly planning of the area, consistency in interpretation of the planning scheme and considering the effect the proposal will have on adjoining land, it is therefore considered that the proposal should be refused.

Attachments Locality plan and proposed development plans.

10.5 INDIGO HERITAGE ADVISORY COMMITTEE MINUTES (FILE NO: E511 - EDSM)

For Information

SUMMARY

This report considers matters from the April 24 2008 meeting of the Indigo Heritage Advisory Committee.

BACKGROUND

A copy of minutes from the April meeting of this Committee are attached. Matters of note from the meeting are:

Indigo Heritage Awards

The awards event held on 18 April was well attended – feedback has been generally positive. The evening included a speech by Professor Associate Professor Dr John McQuilton from the Department of History and Politics at the University of Wollongong and a ten minute drama by the Beechworth Theatre Company.

- Yackandandah Courthouse

In relation to the Yackandandah Courthouse, the Committee resolved:

“That Council be requested to bring back some of the furniture into the building and back into its place to give a sense of the history of the building.” The Committee is concerned that stripping/removing all furniture from this building has compromised its historic value. The community would have a facility with better character if some of the furniture was re-instated in-situ.

- Low interest heritage loans

Low interest heritage loans offered and administered by Indigo Shire Council followed on the program previously on offer prior to amalgamation. Originally this program was funded by Heritage Victoria and was administered under conditions imposed by that body. The program is now run entirely by Council. There has been no policy on interest rates and amounts of loan. The amount loaned has been determined on an ad hoc basis having consideration to the amount of funds available. Interest rates have been determined on the basis of a lower than market interest rate at the time of the loan. The Committee is keen to see formalization of a policy to guide loans. The Committee resolved:

“That it be recommended to Council that:

1. The interest rate charged be set at half the interest rate of Council’s Borrowing Rate current at the time of approval of the loan.
2. For works of a value of up to \$20,000, a maximum of half will be loaned.
3. For works of a value over \$20,000, a maximum of one third will be loaned.
4. All loans are subject to the availability of funds.
5. It is a condition of loans that a minimum of two quotes are to be provided for all works.

- Old Chiltern Convent

The Committee has extended an offer to loan to the Chiltern Catholic Church to assist in security fencing of this significant heritage building until such time as the building can be restored.

- Rutherglen “wine bottle”

The “wine bottle” is of social significance to the Rutherglen township. The Committee is keen to assist Council in its considerations as to the future of this iconic landmark for Rutherglen.

Attachment

INDIGO HERITAGE ADVISORY COMMITTEE

MINUTES

Meeting held on Thursday 24 April 2008
Commencing at 5.00 pm
in The Shed, Yackandandah

ITEM	DISCUSSION/OUTCOME	ACTION/PERSON
1	<p>Attendance</p> <p>Francois Theron, Lorraine Huddle, Susan Cheetham, Rex Fuge, Francis Walsh, Susan Reynolds, Anna Reynolds, Bill Wilson</p>	
2	<p>Apologies</p> <p>Jenny Dale, Karen O'Connor, Geoff Austin, Ian Jones</p>	
3	<p>Confirmation of previous Minutes</p>	<p>Moved: FW Seconded: RF Carried</p>
4	<p>Items for Action from previous Meeting</p>	
	<p><u>4.1 Heritage Awards</u></p> <ul style="list-style-type: none"> • Review of the Heritage awards evening <p>LH Best Heritage Awards – atmosphere, good Council attendance, recipients “chuffed”, catering wonderful, way bus tour done and all looked at items and discussed better than other awards observed therefore more integrity and status to the Awards, full house, variety of items that awarded helps to spread the word of Council’s role in preserving heritage.</p> <p>Suggested improvement - call for nominations around three months prior to awards.</p> <p>Copy of Powerpoint presentation of winners tabled by LH.</p> <p>FW</p> <p>Check list of things to do better next time. Uncomfortable when names called out and people not</p>	<p>4.1</p> <p>Agreed that a longer period from closing nominations to awards ceremony.</p> <p>Motion Moved: FW Seconded: AR</p>

<p>present. No photos on wall Vouchers for framing not provided. FW to follow up on this with Karen Lectern for speaker. Setting of food and chairs to enable more movement. More wineries. Press invitation. Need a prominent building with no heritage features/furniture</p> <p>RF Disappointed that some nominated property owners not aware of bus tour.</p> <p>BW: Need five year list of previous awards</p> <p>-----</p> <p><u>4.2 Telegraph Hotel, Chiltern: FT to investigate illegal signage</u></p> <p>-----</p> <p><u>4.3 Finance Report</u> Criteria for Heritage Loan</p> <p>No clear indication of interest rates. Chief Finance Officer is addressing all loans – and will be developing a policy on loans – including low interest heritage loans. Noted Ballarat CC has a caveat over the property. Also noted that variable interest rate appropriate.</p> <p>-----</p> <p><u>4.4 Development Signage Kit</u> LH has reviewed progress with Kath Oswald. Has recommended</p>	<p>That Council be requested to bring back some of the furniture into the building and back into its place to give a sense of the history of the building. Carried</p> <p>Agreed that the checklist be adopted for use next year.</p> <p>FT to prepare list of previous awards.</p> <p>Agreed Nominations during April (start to end of month) Judging May Awards end June – possible Sunday afternoon or Sunday lunch combined with the event.</p> <p>-----</p> <p>4.2 FT Still researching – will follow up with VCAT to try to obtain a copy of the old VCAT decision.</p> <p>-----</p> <p>4.3 Motion Moved: FW Seconded: RF That it be recommended to Council that:</p> <ol style="list-style-type: none"> 1. The interest rate charged be set at half the interest rate of Council's Borrowing Rate current at the time of approval of the loan. 2. For works of a value of up to \$20,000, a maximum of half will be loaned. 3. For works of a value over \$20,000, a maximum of one third will be loaned. 4. All loans are subject to the availability of funds. 5. It is a condition of loans that a minimum of two quotes are to be provided for all works.
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	<p>some changes re making details of colour and fonts available.</p> <p>-----</p> <p><u>4.5 Old Beechworth Goal</u> SC Directions hearing held 11 April. Current argument/discussion is over matters to be included in the whole site development proposal.</p> <p>-----</p> <p><u>4.6 Old Chiltern Convent</u></p> <p>-----</p> <p><u>4.7 Gipsy Wagon, Beechworth</u> BW was a permanent photographer in Camp Street, Beechworth in 1875. This weakens argument that there would have been temporary photographers</p> <p>4.8 Proposed name change of Indigo Heritage Advisory Committee to Indigo Cultural Heritage Advisory Committee.</p> <p>-----</p> <p>4.9 NERWA proposal to decommission Chiltern water supply SC NERWA have advised the proposal not to decommission – but to retain existing supply</p> <p>4.10 Replacement National Trust member Noted AR is a National Trust member.</p>	<p>Carried.</p> <p>-----</p> <p>SC to advise Carolyn Stewart, from the parish of the offer.</p> <p>-----</p> <p>Joint committee meeting proposed for 6.00 pm Monday 12 May. Suggested that the two committees have dinner together after the meeting.</p> <p>FT to arrange for LH to inspect the site. LH then to write a report on the significance of the site. Suggested inspection prior to June meeting with a 4.00 pm start. FT to advise re arrangements for this at next meeting. SC to formally write to National Trust re nomination.</p>
5	Inwards Correspondence Nil.	
6	Outwards Correspondence Awards correspondence.	
7	<u>Senior Planner's Report</u> FT Nil new heritage applications.	
8	<u>Heritage Advisor's Report</u> LH Request to demolish Huon post	LH to inspect.

	<p>office. Appears to have social significance but no other significance.</p> <p>Chiltern water supply (see below for details)</p> <p>Issue with Old hospital, Chiltern</p> <p>Mount Ophir – new proposal to be presented. Suggested that a loan be offered to assist with a Conservation Management Plan – this can determine significance of different elements, considerations for future development and priorities for work on the site.</p>	<p>LH to inspect former hospital building, Conness Street, Chiltern and provide a written report for prospective purchasers.</p> <p>LH to inspect the site and come back to the committee. In particular LH to report on priorities and matters to be included in any CMP. Consideration then to be given to offer of an heritage loan to assist with preparation of a CMP.</p>
7	<p>Other Business</p> <p>Arrange to inspect the Yackandandah Railway Crane. Revised dates for future meetings. This had been discussed at last month's meeting. Agreed Wednesday's not suitable for all.</p> <p>Wine bottle - Rutherglen NERWA has suggested demolition. FW top structure possibly dates to 1965. Operations and Assets Dept. preparing a report on matter to Council. This is an important icon with social significance for Rutherglen. House, Main Street Chiltern – SW corner Burke and Main Streets. Single fronted white house RF concern at recent works</p>	<p>SC/FT to organize inspection prior to next month's meeting. Start / meet at the Depot site. Agreed that meeting to be rescheduled to Thursday one week earlier than previously set dates.</p> <p>FT/SC to send out all dates for rest of year. LH to inspect and provide a report to Operations and Assets Department for inclusion in report that Dept. preparing for Council. FW to request input from Rutherglen Historical Society, Winemakers of Rutherglen, local member and other relevant groups to provide input to Council, letters of support and evidence about the wine bottle/water tower.</p> <p>LH to inspect/investigate matter.</p>

8	Next Meeting	22 May 2008. Commencing 5.00 pm at the Council Depot site in Yackandandah. Noted Geoff Austin to attend this meeting.
9	Meeting Closed	

10.6 BUILDING STATISTICS – MARCH 2008 (EDSM)

For Information

Property Locality	Description	Project Value	Approval Date
Tangambalanga	Extension	\$51,172	28/02/08
Bruarong	Swimming Pool	\$34,000	05/03/08
Wahgunyah	New Building	\$11,180	05/03/08
Beechworth	New Building	\$3,770	05/03/08
Gooramadda	Extension	\$7,875	05/03/08
Staghorn Flat	Extension	\$59,652	06/03/08
Tangambalanga	New Building	\$24,100	06/03/08
Yackandandah	New Building	\$18,000	11/03/08
Indigo Valley	Extension	\$11,950	11/03/08
Chiltern	Extension	\$15,474	11/03/08
Rutherglen	Extension	\$6,600	11/03/08
Barnawartha	Extension	\$6,000	11/03/08
Rutherglen	Dwelling	\$450,000	11/03/08
Huon	Extension	\$54,000	11/03/08
Stanley	New Building	\$20,000	12/03/08
Stanley	New Building	\$17,000	12/03/08
Beechworth	Extension	\$102,900	13/03/08
Kiewa	New Building	\$18,294	13/03/08
Yackandandah	New Building	\$20,000	14/03/08
Beechworth	Swimming Pool	\$45,000	14/03/08
Staghorn Flat	Extension	\$11,500	17/03/08
Beechworth	Extension	\$15,500	17/03/08
Rutherglen	New Building	\$105,000	18/03/08
Rutherglen	Alteration	\$2,000	19/03/08
Yackandandah	Swimming Pool	\$27,500	19/03/08
Chiltern	New Building	\$56,583	19/03/08
Chiltern	Extension	\$9,000	27/03/08
Beechworth	Extension	\$100,000	27/03/08
Rutherglen	New Building	\$400,000	27/03/08
Beechworth	New Building	\$155,000	31/03/08
Cornishtown	New dwelling	\$140,000	31/03/08
Rutherglen	Extension	\$5,500	31/03/08
Tangambalanga	New Building	\$216,189	15/04/08
TOTAL		\$2,220,739	

10.7 PLANNING STATISTICS – MARCH 2008 (EDSM)

For Information

Application No	Locality	Proposed Use	Cost	Decision
PP074038	Beechworth	2-Lot Subdivision with two new dwellings	472,000	Approved
PP074102	Rutherglen	Dam for horse training	20,000	Approved
PP074104	Sandy Creek	Certification	0	No permit req
PP074140	Beechworth	Construct loading dock, alterations	80,000	Approved
PP074170	Yackandandah	Temporary Portable toilet block	22,500	Approved
PP084183	Wahgunyah	Machinery Shed	38,390	Lapsed
PP084187	Rutherglen-Wahgunyah	Bike Track (Rail Trail)	800,000	Approved
PP084189	Beechworth	Fence	4,000	Approved
PP084190	Beechworth	Tree Removal	2,500	Approved
PP084193	Beechworth	Extend Dwelling	15,500	Approved
PP084195	Yackandandah	Extend Hostel	1,400,000	Approved
PP084201	Wooragee	Dwelling	100,101	Approved
PP084204	Stanley	Farm Shed	17,000	Approved
PP084208	Rutherglen	Verandah	2,000	Approved
PP084210	Sandy Creek	Dwelling	290,000	Approved
PP084219	Staghorn Flat	Dwelling with attached verandah	11,500	Approved
PP084225	Yackandandah	Colourbond Shed	18,000	Approved
PP084226	Indigo Valley	Verandah & Extend Farm Shed	11,950	Approved
PP084228	Chiltern	Clubrooms	9,000	Approved
PP084233	Rutherglen	Boundary Re-alignment	0	Approved
PP084234	Stanley	Strengthen Communication Tower	72,300	Approved
PP084237	Kergunyah	Subdivision/Access	0	Withdrawn
TOTAL			\$3,386,741	

11.0 OPERATIONS AND ASSETS

11.1 PROPOSED ENVIRONMENTAL ADVISORY COMMITTEE (FILE NO: E350-09 - NRM OFFICER)

For Decision

RECOMMENDATION

That Council:

- 1. Establish an Environmental Advisory Committee under Section 86 of the Local Government Act, 1989.**
- 2. Review the charter to be prepared by the Committee prior to its final adoption.**

**Moved Cr Dale
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

SUMMARY

The proposal to establish an Environmental Advisory Committee was positively received at the April Council meeting. This report formally proposes establishment of this Committee and associated aspects.

BACKGROUND

There is an increase in the demand for delivery of services by local government from our communities and the state government. In particular, there is an expectation for greater delivery of environmental actions. Over the past five to ten years Councils have become increasingly involved in aspects of environmental management spanning issues of waste management, biodiversity, water and more recently climate. It is anticipated that establishment of an Environmental Advisory Committee (hereby referred to as the Committee) will allow continued delivery of this portfolio to occur in a more strategic manner.

Further functions would include:

- to provide a recognised forum that Council and community alike can refer environmental concerns;
- to provide advice on, and throughout the development of, an environment strategy (project funded by Sustainability Victoria);
- to provide support to Council's environment staff;
- to provide recommendations to Council to participate / not participate in State or Federal environment programs (particularly funding); and
- to provide representation of Indigo Shire Council to regional environmental committees.

It is anticipated that the terms of reference for the group will be formally put forth to Council once the group has been incepted.

Membership

It is proposed that composition of the Committee would include:

- 5 x community representatives to be selected based on relevant knowledge and experience, with backgrounds/expertise sought from the following fields:
 - agriculture;
 - community development;
 - education;

- local flora and fauna;
 - public relations and communications;
- and that can demonstrate representation/participation in other community groups;
- 2 x LandCare representatives;
 - 3 x representatives from state/regional natural resource management government departments (examples; Department of Sustainability and Environment, Department Primary Industries, North East Catchment Management Authority, Environmental Protection Authority, Department Planning and Community Development, North East Regional Water Authority or Goulburn Murray Water)
 - 1 x representative from the North East Greenhouse Alliance;
 - 1 x representative from a local or regional environmental group (eg Beechworth Sustainability Group);
 - 1 x Indigo Shire Council senior manager
 - 2 x Indigo Shire Council Councillors
 - Natural Resource Management Officer + any environment project staff

Legal

The Committee should be established under Section 86 of the *Local Government Act*, which would allow the Committee to provide recommendations and advice to Council.

Meetings

The frequency of meetings will be determined by the group once incepted. It is suggested that these should not be less than four per year. Properly articulated terms of reference will avoid unnecessary referral of matters that can be dealt with by the NRM Officer, which in turn would ensure that meeting frequency would not be too onerous. Whether the meetings should be open to specific observers, such as any Councillor not a member of the committee, or even open to any person wishing to observe is a matter for the committee to decide. Minutes of the meetings, however, should be publicly accessible.

CONSULTATION

Proposal for an environmental committee was presented for information to the April Council meeting where it received positive feedback. The proposal has also been discussed between Operations, as well as Environment and Development staff. Discussions with staff from Councils hosting environmental committees have also occurred to ensure that the learnings from these experiences can be captured.

POLICY IMPLICATIONS

The valuable contributions of residents, Landcare representatives, state and regional natural resource management staff, Indigo Shire councillors and staff through the committee would ensure that decisions on environmental issues are made with rigour. Accordingly, Indigo Shire would be better placed to prioritise Council plans, policies, programs and opportunities for environmental action.

FINANCIAL & RESOURCE IMPLICATIONS

Operation of the Committee will require a small amount of administrative support. This would be important for success of the group, as well as to avoid additional tasks falling to the NRM Officer. This can be met with the existing administrative time allocated to

the NRM Officer Role, however, a specific support officer would need to be nominated. Note that this process is expected to streamline roles and responsibilities of the NRM Officer.

11.2 MUNICIPAL OFFICES SITE FEASIBILITY STUDY (FILE NO: Q07/13 - GMOA)

For Decision

RECOMMENDATION

That Council endorse the actions of the Chief Executive Officer in accepting the tender from Suters Prior Cheney for the Municipal Offices Site Feasibility Study for the tender sum of \$128,820 (one hundred and twenty eight thousand eight hundred and twenty dollars) excluding GST.

**Moved Cr Graham
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

Tenders for detailed assessment of the three shortlisted sites are now closed. Council's CEO has awarded the winning tender under delegation, however the report is presented to Council for endorsement.

BACKGROUND

Council at its February 2008 meeting, resolved to proceed with an in-depth study of three shortlisted sites for possible location of new municipal offices. At close of tenders, two tenders had been received:

1. Suters Prior Cheney Architects;
2. Pavan Consultants Pty Ltd.

The full tender assessment is provided in the "Confidential" section of the tender, in accordance with Council policy.

The recommended contractors, Suters Prior Cheney have extensive prior experience in this type of work and have fully complied with all tender requirements. There is some scope for reduction in cost and the project steering committee will be further discussing this with the contractors.

Time lines for the project will be as follows (subject to approval at each stage):

DETAILED PROJECT

TIMELINES

Detailed site assessment presented to Council	July 2008
Detailed site assessment released for public exhibition and comment	August 2008
Council to formally consider detailed site assessment and community submissions	September 2008 council meeting
Tenders called for detailed design of office complex	September/October 2008
Appointment of architect for detailed design	December 2008 Council Meeting (new Council)
Completion of detailed design	Approximately June 2009
Call tenders for construction	Approximately July/August 2009
Appoint builders	Approximately September 2009

The project brief is extensive, and this, together with public submissions and the previous reports provided to Council, will provide Council with detailed and sufficient information to make a decision on the most appropriate site for new Municipal Offices.

An important part of this project not covered in the consultant's brief, is the consideration of the provision of customer and Council shop front services across the whole of the Shire. The community survey has provided an excellent basis to commence consideration of customer service needs and means of access to Council services. Detailed consideration of the requirements across the Shire can only be undertaken after the final site selection, and it is recommended that, at this time, Council form a Community Reference Group with a dedicated representation from centres across the Shire to provide a strategy for the provision of customer services.

COMMUNITY CONSULTATION

Extensive community consultation has been undertaken to date and will continue.

POLICY IMPLICATIONS

A detailed site assessment is essential to enable Councillors and the community to move forward on this project.

FINANCIAL AND RESOURCE IMPLICATIONS

The funding strategy for the municipal offices project will be provided to Council when costs have been fully identified. Funding for the detailed study has been partially allowed in the current Capital Works program with the balance to come from Council's currently endorsed loans program.

11.3 OPERATIONS DEPARTMENT – PROGRESS REPORT – TO 23/04/08 (GMOA)

For Information

Project	Description of Works
<p>GENERAL MAINTENANCE</p> <p>Road Maintenance & Parks and Gardens</p>	<p>Maintenance crews have finished the resheeting of roads in Rutherglen area. Some minor resheeting of shoulders is being undertaken.</p> <p>Resheeting has commenced in the Yack, Sandy Cree- being done. Stanley and Beechworth next.</p> <p>Parks and Gardens staff has been kept busy with weed control. Particular attention has been given to areas involved with ANZAC Day services.</p> <p>Tommy Vaccing of leaves will be starting shortly in the CDBs.</p> <p>Town Hall Gardens, Beechworth – The bunting surrounding the Bunya Trees has been removed. Council will look at a more aesthetic method of keeping the public away from the trees; the Operations Dept will provide some figures on the cost of removable bollards and rope.</p>
<p>WORKS IN PROGRESS</p> <p>Bus Stops</p>	<p>As reported previously, Council has received funding for installing new bus stops/shelters. Chiltern starting mid next week. Beechworth is currently underway..</p>
<p>EXTERNAL PRIVATE WORKS</p> <p>Buller Gas</p>	<p>The construction period is coming to a close on Mt. Buller. Buller Gas has 4 new connections due to be completed. Our consultants have completed the annual Corrosion and leak surveys with satisfactory results.</p> <p>We are developing a Buller Gas logo which shows the ownership by Indigo shire to enhance recognition of the Gas Company.</p>
<p>Waste Management</p>	<p>Falls Creek Waste</p> <p>A meeting was held recently with Falls Creek management to discuss issues relating to the next contract for the collection and disposal of waste and recyclables from the Falls Creek resort. From these discussions it appears that the next contract will be advertised with very similar conditions to the current</p>

	<p>contract. It is anticipated that the contract will be advertised late in 2008 for commencement in April 2009.</p> <p>East Gippsland Waste Operation of the new Wairewa Transfer Station commenced on 1st April and is progressing smoothly.</p>
	<p>Domestic Waste Collection The take up of the domestic green waste collection service continues to increase with some 786 residents now using the service. This is increasing at the rate of approximately 15 per month.</p>
	<p>DrumMuster The new monthly DrumMuster collection service introduced at the beginning of February has been well received with some 520 drums collected in the 3 collections held since then.</p>
	<p>Animal Control – the continuing drought has seen a shortage of feed in paddocks and more stock on the road in consequence.</p>
	<p>We have started seeing more dog attacks on livestock. We placed some information in the Registration flyer, to inform residents of their responsibilities. All dogs caught attacking or worrying stock are destroyed.</p>
	<p>Dog and cat registration renewals were sent out in early April and we are on target with renewals.</p>
Emergency Management/Fire Prevention	<p>Fire restrictions were lifted at the beginning of April 2008.</p>
<u>POOLS</u>	
Indigo	<p>Pools have now closed for the season. End of year season reports will be available for the next meeting.</p>
Summer	<p>Wodonga Pool closed at the end of March. ISC will be negotiation with the City of Wodonga to complete our final year at the pool.</p>

ENVIRONMENT	
Community Water Grants – round 3	<ul style="list-style-type: none"> • Rainwater tank for Yackandandah depot has been installed - media yet to be undertaken • Site preparation for planting for roadside/creek line revegetation (Yackandandah) – almost complete – follow up spray to occur immediately before planting
Greenhouse Action Plan	Action planning to yet to be formalised – next financial year
North East Greenhouse Alliance	<p>Alternate Fuels</p> <ul style="list-style-type: none"> • Delays in installing tank at the Rutherglen depot <p>Kicking Goals for the Environment</p> <ul style="list-style-type: none"> • All participating clubs to have installation of new technologies by May 30 – 2 have full installation so deadline seems achievable <p>Adaptation</p> <ul style="list-style-type: none"> • Scoping interested groups to link with to translate URS report into usable form • Still awaiting announcement regarding success of funds from the Australian Greenhouse Office to contribute to EDS <i>Rural Land Use Study</i> <p>Plant Savers</p> <ul style="list-style-type: none"> • Yackandandah and Barnawartha schools audited April 15th • St Mary's Rutherglen have installed technology and need to publicise completion of project and saving being made <p>Sustainable Lighting</p> <ul style="list-style-type: none"> • NEGHA working with SP Ausnet to determine which councils streetlights due for changeover in 2008 so these can be targeted for new lighting types
Chiltern Green Corp project	Graduated 1 st April – another team will not be considered until early next year
Lake Sambell	<ul style="list-style-type: none"> • Path repair recently undertaken north of Sandy Beach • Volunteers undertaken rigorous pruning near Sandy Beach • Further 'dogs on leash' sign on order for Sandy Beach • Mulching of feature garden beds has occurred • Replacement planting throughout glades to occur May/June • Committee working with Council to ensure outstanding and new projects listed in capital works or identified for external funding

Indigenous Resource Area at Lake Sambell	<ul style="list-style-type: none"> • Follow up spraying & maintenance works required • Plants ordered for Autumn planting
Isaac Park	<ul style="list-style-type: none"> • Additional weed spraying carried out by contractors • Plants ordered for mulched bank as well as further wetland plantings – waiting for autumn break • Track improvement completed
Community woodlot program	<ul style="list-style-type: none"> • Timber still in Beechworth Transfer Station – prisoners yet to be confirmed to cut & deliver • Access to prison labour not possible for further clean up needed on Chiltern roadsides • Investigating use of hydraulic shears, in conjunction with DSE, for use in depots to make larger timber accessible
Roadside Management Plan	“Roadside Partnership Project” over halfway – participating landholders visited, with those to receive follow-up visit identified
Roadside weed initiative	Applications to open in June
Eco-Awareness Group	Next meeting to be held Tuesday 13 th June
Community awareness	Next event is National Tree Day school planting – July 31 st
Upper Sandy Creek School revegetation project	Plant order submitted for early Spring plant
Sustainable water use plan	<ul style="list-style-type: none"> • Actions identified in SWUP have been identified that may be appropriate for funding applications in 2008 • Water consumption data for 2006-07 collated & analysed
Code of Forest Practice	Database of harvest & plantation developments developed

11.4 CAPITAL WORKS – PROGRESS REPORT – TO 23/04/08 **(GMOA)**

For Information

Project	Actions
Subdivisional works by developers	<ul style="list-style-type: none"> • Mt Fleury Estate, High St Beechworth 60% completed. • Red Hill Rd Estate Stage 1, Havelock Rd Beechworth 95% complete.
Rural Road Development Contributions	Sealing of various intersections in developing rural areas to commence
Plant	Plant replacement for 2007/2008 in progress. Tenders being compiled for 2 replacement trucks. Further discussion required upon other plant replacement issues. Loaders/mowers etc.
Rutherglen Wine Bottle	North East Water is assessing options to make safe. Engineers report from North East Water received. Preliminary report to Council targeted for May.
Murray to Mountains Rail Trail	Design plans have been completed. Still in negotiation stages with Vic Track. Works to start shortly depending on weather conditions.
Chiltern Floodplain Study	Works commenced, to be completed to the value of the available Council budget of \$100,000. Revised advice that Federal Government funding still possible. Works on hold pending advice.
Havelock Road area stormwater re-use	Works in final stages. Alma Road diversion pavement to be completed. Retention basin- minor works still required. Intersection upgrade works pending.
Ready/Soles Street drainage	Tomkinson Engineers has completed draft designs. Detailed design to commence in May.
Playgrounds upgrade	Indigo Park, Barnawartha some extra equipment to added to existing playground equipment. Expected completion early May
Chiltern Commercial Area Parking	Detail design to commence immediately final access alignment negotiated. Funding of \$200,000 received.
Rutherglen Heavy Vehicle Deviation.	A meeting was held on 10 th April inviting Main Street traders to attend and make their concerns known. Traders in general are in full support of re-routing heavy vehicles from Main Street. A public meeting is

	planned for Thursday, 15 th May, 2008 at the Supper Room, Rutherglen Memorial Hall.
Tangambalanga Football club rooms	Discussions underway with potential funding bodies. On hold pending restructure of federal funding body.
Yackandandah Supermarket Car parking	Supermarket construction underway with wall and roof structure completed.
Wahgunyah-Moodemere Walking Trails	Preferred route selected and pending further investigation by ISC/DSE as to feasibility. Committee targeting preliminary report to Council by End of June.
Yackandandah Museum	Work has commenced on site. Placement of new roof structure to commence in May.
Chiltern Martin Park Lighting/Pathways/Music Bowl upgrade (LIWP)	Mains operated lighting around park installed. solar trial light to be installed within the week upon the banks of lake Anderson to complete project. Lights designed by Yackandandah Sculptor Ben Gilbert.. Pathways completed although some remedial works required on one section. Very positive feedback to date.
Former Beechworth Methodist Church Roof	Grant received from Heritage Victoria to replace roof. Specifications for project in process of being compiled for approval by Heritage Vic
Beechworth Netball Courts	Beechworth Netball courts have had the asphalt pavement placed and will now sit for 28 days for curing before final seal can be put on.
Osbornes Flat Hall Upgrade	Funding applications currently being compiled to allow upgrade of hall and associated tennis facilities. Decision expected mid '08.
Beechworth Pool	Consultant's ground assessment report due end of April.
Wahgunyah Boat Ramp	Planning application to be advertised by early May.

12.0 HEALTH AND WELLBEING

12.1 INSTRUMENT OF DELEGATION – BAARMUTHA PARK COMMITTEE OF MANAGEMENT (FILE NO: C250-06 – RCDC)

RECOMMENDATION

That the revised Instrument of Delegation for the Baarmutha Park Committee of Management be adopted.

**Moved Cr Banks
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report details amendments to the Instrument of Delegation to the Baarmutha Park Committee of Management.

BACKGROUND

The Baarmutha Park Committee of Management is a committee of management appointed by Council under Section 86 of the Local Government Act to manage Baarmutha Park on behalf of Council. As with all Council's Section 86 Committees, the activities and procedures of the Committee are governed by an Instrument of Delegation.

The Committee recently reviewed its Instrument of Delegation and have written to Council requesting that Clause 3.1 be amended to read:

“The Committee shall comprise:

- *Two representatives from each of the club groups that operate from the facilities, namely the Beechworth Football and Netball Club, Beechworth Golf Club and Beechworth Wanderers Cricket Club*
- *Three independent community members*
- *The committee may co-opt members with special interests, qualifications or experience on needs basis.*
- *One Councillor of Indigo Shire Council who shall be appointed at the Council's annual statutory Meeting.”*

ISSUES

The first point recommends the inclusion of the Cricket Club as a member. The Cricket Club are expected to commence using the facility from the 2008/2009 summer season and a representative has been attending Committee meetings as an observer for about a year. The first point also reflects the change from the Football and Netball Clubs being separate entities to them now being incorporated as the Beechworth Football and Netball Club Inc. Therefore, it is considered that these amendments recommended by the Committee are appropriate.

The second, third and fourth points have not changed and are considered appropriate for the Committee.

POLICY IMPLICATIONS

It is an appropriate course of action for the Committee to regularly review its Instrument of Delegation to ensure it is accurate and relevant.

FINANCIAL & RESOURCE IMPLICATIONS

Nil

CONSULTATION

The Committee has been discussing this matter internally for about six months.

Attachment

12.2 REQUEST FOR LOAN – WAHGUNYAH FOOTBALL & NETBALL CLUB - PURCHASE OF MOWER FOR WAHGUNYAH RECREATION RESERVE (FILE NO: C301 - RCDC)

For Decision

RECOMMENDATION

That:

- 1. Council advise the Wahgunyah Football & Netball Club that it is prepared to provide a loan of \$6,000 for the Club to purchase a mower for use at the Wahgunyah Recreation Reserve provided that the Football & Netball Club can provide appropriate security to Council for the repayment of this loan.**
- 2. Council nominate an interest rate of 7.5%.**

**Moved Cr Dale
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report presents a request from the Wahgunyah Football & Netball Club for a Community Loan to purchase a mower for use at the Wahgunyah Recreation Reserve.

BACKGROUND

The Wahgunyah Football & Netball Club has written to Council seeking an interest free loan of \$6,000 to pay for the full cost of purchasing a mower for the Wahgunyah Recreation Reserve. The Club are looking to pay the loan off over a five year period.

The Club are very keen to purchase the mower as soon as possible as the item is being

made available at a very reasonable price but for a limited time only. There are no other funding options or grants available to purchase the mower in such a short time frame.

The mower will be used to maintain the grassed areas of the Reserve including the main oval and the parkland within the Reserve. The Reserve is the main recreational area for Wahgunyah and is used by the community for football, cricket, netball, tennis and other informal recreational activities.

ISSUES

Council recently adopted a Community Loans Policy which directs Council and the community in the management of community loan requests. The Policy states that: *“Interest rates and repayment terms will be set by the Council in a consistent manner on a case by case basis.”*

Council has assisted clubs in the past with community loans. In 2007 Council made the decision to grant loans to the Tangambalanga Netball Club for \$10,000, the Tangambalanga Tennis Club for \$10,000 and to the Rutherglen Golf Club for \$9,000, all at Council’s borrowing rate at the time of 6%.

For Council to determine an appropriate interest rate applicable to the loan, the following information needs to be assessed:

- Council’s current borrowing rate is approximately 9.5%
- To borrow the amount of the loan through an overdraft account would attract an interest rate of around 11.4%
- If the loan came out of Council’s investments, it could be argued that the interest rate could represent a replacement for what Council could get from the bank if the money was invested ie around 7.5%
- Not all Councils have a community loans program and of those that do, there is great diversity in their policies
- Some Councils add an administration fee by increasing the interest rate on the loan by about 1-2%
- The loan is for a non-profit sporting club for equipment to be used for the benefit of the broader community

It would be reasonable to argue that the overdraft rate is unacceptably high for a community loan and that an interest rate in the vicinity of the other two options ie 7.5% to 9.5% is appropriate.

The Club has requested that the loan be repaid over a five year period. This is considered a reasonable request.

As detailed in Council’s Community Loans Policy, the Club will also be required to provide *“a minimum of three personal guarantors for a loan, or provision of a bank guarantee in favour of the Indigo Shire Council to the value of the Loan.”*

It should also be noted that the Wahgunyah Football & Netball Club is currently paying off another Council loan for \$9,281.00 for upgrades to the toilet and pavilion at the Reserve. However, the Club has only two more monthly payments of \$386.75 to make

before the loan is paid out in June 2008. Therefore, this current outstanding debt will be paid out before the first payment of the new loan falls due.

POLICY IMPLICATIONS

The recommendation in this report is consistent with Council's Community Loans Policy.

FINANCIAL & RESOURCE IMPLICATIONS

Council has not budgeted for providing this loan to the Club, however by applying an interest rate to the loan, there will be little impact on Council's budget.

12.3 "LEADING INDIGO" 2008 PROPOSAL - (FILE NO: C065-08 - HWBM)

For Decision

RECOMMENDATION

That Council not proceed with the "Leading Indigo" 2008 community strengthening program.

**Moved Cr Walsh
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report provides Council with additional information regarding the implementation of this community strengthening program including an update on the funding of this proposal and recommends that Council does not proceed.

BACKGROUND

Council has considered this matter at various times since late 2006. At its meeting on 4 March 2008 Council resolved to defer a decision on the conduct of the program to obtain further advice regarding the implementation of such a program.

Discussion at that meeting centered about concerns of the ongoing cost of such a program if it continued past the initial one year that was proposed in the report. It was noted that the proposal was for one year and that there would be no cost to Council as it was to be funded from existing grant funds and external contributions.

ISSUES

Council requested that other options for conducting the program be considered and reported back. The following have been identified as the major options.

1. Council to agree to run the program as a once off with a clear statement that there is

no ongoing commitment. This intent would be clearly advertised to the community.

2. Corporate sponsorship be sought and secured prior to conduct of the program. The corporate sponsorship needs to be ongoing, ie a commitment to a minimum number of years.
3. To date the working group members have not pursued corporate sponsorship due to the uncertainty around the program actually operating. To this end it is difficult to determine how successful this approach may be.
4. Council support a local community agency to conduct the program.

To date other community agencies have not been approached in relation to this. It is anticipated however that a community agency could have similar reservations to those held by Council regarding an expectation of the program continuing beyond one year if the program was successful.

5. Council to determine not to conduct the program at all.

POLICY IMPLICATIONS

The development of the Indigo Leadership Program is consistent with the objective 5.2 in the Council Plan 2006 – 2010 to “*Facilitate the provision of a range of services to meet the needs of the community*”, specifically the strategy “*to support and promote programs for community leadership and volunteerism that will develop future leaders for our community and support participation in community activities.*” The implementation of an Indigo Leadership Program is a specific project listed in the Council Plan.

FINANCIAL & RESOURCE IMPLICATIONS

N.E. AgCare has advised that they are no longer in a position to provide funding as originally indicated. The funds that were to be made available are required to be fully expended and acquitted prior to the end of the financial year. They are concerned that they will not be able to meet their obligations given the extended discussions that have been required in relation to this program. It is understood that NE AgCare will conduct a number of small workshops for community members around running effective community organisations to utilise these funds.

The withdrawal of the funds makes it difficult to conduct this one off program without Council making a financial contribution. In light of this Council officers will investigate other opportunities for applying for the Provincial Leadership grant funds from Regional Development Victoria to conduct a stand alone project with the required matching contribution being in kind – eg officer time, etc

12.4 DISTRIBUTION OF DISADVANTAGE HUME REGION 2006 **(FILE NO: M580-03 - HWBM)**

For Information

SUMMARY

This report provides information regarding the 2001 and 2006 Australian Bureau of Statistics (ABS) Socio Economic indexes for Areas (SEIFA) – Index of Relative Social Disadvantage (IRSED) for Local Government Areas in the Hume Region

BACKGROUND

In September 2007 the Department Of Planning and Community Development (DPCD) prepared a report for the Hume Regional Managers Forum on the Distribution of Disadvantage in the Hume Region. This report utilised data from the 2001 Australian Bureau of Statistics (ABS) Socio-Economic Indexes for Areas (SEIFA) Index of Relative Socio-Economic Disadvantage (IRSED), Professor Tony Vinson's study of social disadvantage, *Dropping off the Edge: the distribution of disadvantage in Australia* (Jesuit Social Services, 2007) and Community indicators relating to 'food stress' and 'financial stress' released by Community Indicators Victoria in July 2007.

The SEIFA analysis of the 2006 census was released by the ABS on 28 March 2008.

ISSUES

In 2001 Indigo Shire was ranked 54 out of 78 local government areas in Victoria by the Australian Bureau of Statistics (ABS) on the Socio Economic Index for Areas (SEIFA) Index of Relative Socio Economic Disadvantage (IRSED). This represented an increase in relative disadvantage over time, with Indigo Shire having previously being ranked 61 in Victoria in 1996 and was the 3rd lowest disadvantage ranking for an LGA in Hume Region in 2001. The lower the ranking indicates a greater level of disadvantage.

According to the 2001 IRSED scores at collection district (CD) level, Indigo Shire had no areas in the top 15% for disadvantage in Victoria. The data does however indicate that Chiltern, whilst not identified in the top 15%, has an area within the top 20% for disadvantage in Victoria. Pockets of relative disadvantage are also considered to be located in Tangambalanga and Rutherglen.

Results on community indicators at LGA level indicate that 4.7 % of people surveyed in the Indigo Shire ran out of food in the 12 months to June 2007 and could not afford to buy more food (food stress), which is less than all other LGAs in Hume Region and less than the averages for Country Victoria and Victoria. (McCaughey Centre, July 2007). In relation to financial stress, 70.3% of people in the Indigo Shire could raise \$2000 in two days in an emergency, which is more than the Victorian average but less than the averages for Hume Region and Country Victoria (DVC, 2006).

In 2006 Indigo Shire was ranked 56 out of 80 local government areas in Victoria by the Australian Bureau of Statistics (ABS) on the Socio Economic Index for Areas (SEIFA) Index of Relative Socio Economic Disadvantage (IRSED). Based on this data Indigo

Shire is the least disadvantaged LGA within the Hume Region (compared to the third least disadvantaged in 2001).

The attached charts provide information on all local government areas in the Hume region. Some explanatory notes are included regarding changes in rankings for some LGA's. Some of these changes relate to the altered method of calculation from enumerated population to usual resident population in the 2006 census.

POLICY IMPLICATIONS

Understanding of this data is consistent with Council's strategic directions in that it increases our knowledge of issues thus assisting Council in advocating for enhancement of services.

FINANCIAL & RESOURCE IMPLICATIONS

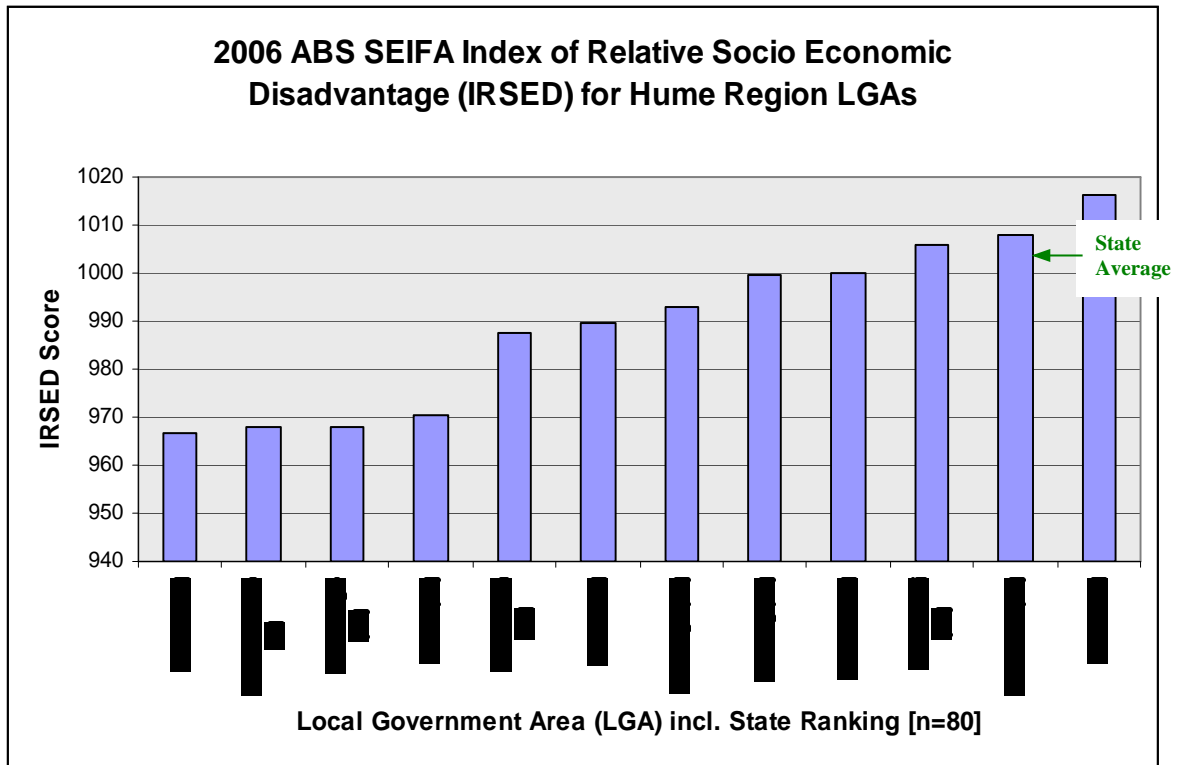
There are no financial implications arising from this matter.



2006 ABS Socio Economic Indexes for Areas (SEIFA) – Index of Relative Social Disadvantage (IRSED) for Local Government Areas in Hume Region

The SEIFA analysis of the 2006 census was released by the Australian Bureau of Statistics (ABS) on 26 March 2008. The index which was previously based enumerated population (including visitors etc) is now based on resident population resulting in a more meaningful analysis for local planning purposes.

2006 Local Government Area (LGA)	Ranking within Aust (n=667)			Ranking within State (n=80)			Max. score for CDs	Usual Resident Population
	Score	Rank	Percentile	Score	Rank	Percentile		
Bena	9	2		6	10		10	132
Great She	9	3		6	11		11	570
Strathbo	9	3		8	10		10	92
Mo	9	3		7	10		10	270
Wangara	9	4		7	11		11	263
Alp	9	4		8	10		10	119
Wodon	9	4		7	11		11	330
Towe	10	4		9	11		11	60
Mitch	10	4		7	11		11	309
Murrindi	10	4		8	11		11	136
Mansfi	10	4		8	10		10	71
Ind	10	5		9	11		11	148



Benalla is the local government area (LGA) with the highest relative disadvantage in Hume Region followed closely by Greater Shepparton, Strathbogie and Moira - all four LGAs being within the top 30% for disadvantage in Victoria. Wangaratta, Alpine and Wodonga are also below the Victorian State average IRSED score of 1000.

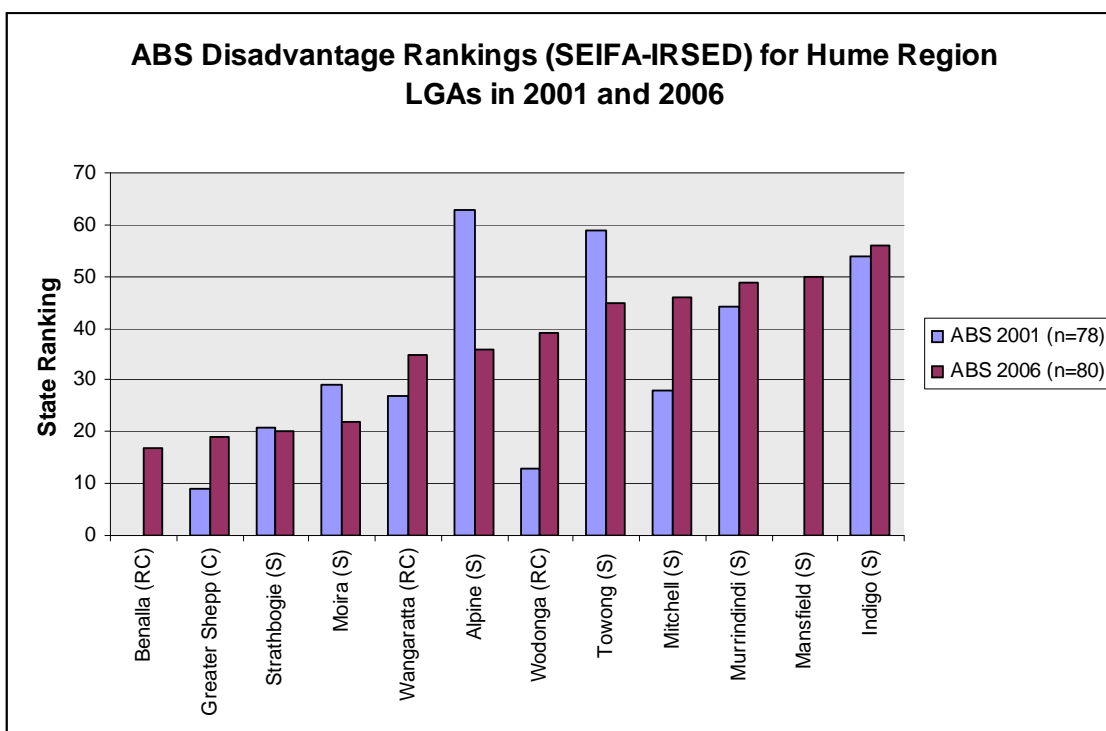
Pockets of highest relative disadvantage within Hume Region are found in the ABS collection districts (CD) with the lowest IRSED scores. The areas with the lowest IRSED scores are located in the LGAs of Greater Shepparton (621), Benalla (656), Wangaratta (744), Moira (763), Mitchell (765) and Wodonga (779).

Indigo, Mansfield and Murrindindi are the least disadvantaged LGAs in Hume Region.

Comparison of 2001 and 2006 Rankings for Hume Region LGAs

Local Government Area (LGA)	State Ranking ABS 2001 (n=)	State Ranking ABS 2006 (n=)
Benalla (RC)		
Greater Shepparton (C)		
Strathbogie (S)		
Moira (S)		
Wangaratta (RC)		
Alpine (S)		
Wodonga (RC)		
Wodonga (S)		
Mitchell (S)		
Murrindindi (S)		
Mansfield (S)		
Indigo (S)		

Note:
The lowest ranking is given to the most disadvantaged LGA.
2001 data is not available for Benalla and Mansfield as at the time of the census they formed the Delatite Shire (ranked 32).



With the change in calculation method from enumerated population to usual resident population in the 2006 census, the largest difference in ranking between 2001 and 2006 occurs in Alpine Shire which moved from a ranking of 63 in 2001 to 36 in 2006. This is likely to be due to the large number of tourists (non residents) in the LGA during the ski season at census time in August and who were included in the 2001 calculation.

Other LGAs which have increased in relative disadvantage from 2001 to 2006 are Moira (ranked 29 in 2001 and 22 in 2006) and Towong (ranked 59 in 2001 and 45 in 2006).

LGAs which have decreased in disadvantage relative to other LGAs from 2001 to 2006 are Wodonga (ranked 13 in 2001 and 39 in 2006), Greater Shepparton (ranked 9 in 2001 and 19 in 2006) and Wangaratta (ranked 27 in 2001 and 35 in 2006).

Because Mansfield Shire and Benalla Rural City previously formed Delatite Shire a comparison over time is not possible for these two LGAs, which when considered together in 2001 ranked 32 in Victoria.

Prepared by: Robyn Guiney
27 March 2008

Data source is ABS website at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2033.0.55.0012006?OpenDocument>

12.5 HEALTH & WELL BEING PROJECTS – PROGRESS REPORT – MAY 2008 (HWBM)

PROJECT	ACTION/ PROGRESS
<p>Transport Connections Project - Indigo Transport Survey</p>	<p>As part of the North East Transport Connections Project a local working group has been formed to assist in identifying transport issues and developing an action plan.</p> <p>The first initiative for the group has been to develop a Public Transport Survey. The survey has two forms - a long version and short version. These surveys have been distributed throughout the Shire and should be returned by 30 May 2008.</p> <p>Once collated the results will help inform the project as well as assisting the working group and project workers on developing an action plan.</p> <p>The group is also working on developing a booklet of existing transport services.</p>
<p>Indigo Early Years Planning Group</p>	<p>A group of interested community based workers have come together to develop an Early Years Plan for Indigo Shire. Work was commenced on this some years ago, however it was not progressed.</p> <p>It is anticipated that the Plan will have broad community application and will not just focus on Council’s responsibilities.</p>
<p>FReeZA Event – Impact After Dark – 12 April 2008</p>	<p>The Councils of Indigo, Wodonga, Alpine and Wangaratta combined their resources to stage the ‘Impact After Dark’ event which was held on Saturday April 12 in Wodonga.</p> <p>A small number of Indigo Shire residents attended the Wodonga event, and three members of the i86 Youth Action Group were rostered as event organisers from 6-10pm – a hugely appreciated effort by our group.</p>
<p>FReeZA Event – RAW Dance Co</p>	<p>Indigo Shire Council engaged the Queensland touring group, Raw Dance Co, to conduct Hip Hop Dance workshops in Rutherglen, Beechworth and Chiltern on Friday 18 April, as part of FReeZA 2008. A total of 91 young people from around the Shire participated in the event.</p>
<p>Battle of the Schools – NYW event May 2008</p>	<p>As part of the National Youth Week Celebrations a Dance/ Art/ Drama/ Alternative Sport competition will be held at the Tallangatta Secondary College on 23 May. This event is a partnership between the Indigo and Towong Shire Councils involving young people from both Shires.</p>

2020 Regional Community Consultation	Five members of the i86 Youth Action Group attended the Regional Community Consultation in Wangaratta for the Government's recent 2020 summit. Cathy McGowan will meet with the group in Beechworth on 14 May to report back to the young people regarding the issues they presented to her and the team of NE Victoria representatives.
Regional Youth Affairs Network	Region wide consultations about youth issues are being consolidated at a Forum in Benalla on 1 May for presentation at the Government's Interdepartmental Committee meeting in July. Based upon the data collected to date the top priorities for discussion at the forum will be: <ul style="list-style-type: none"> • Alcohol - Binge drinking (sport, drink spiking, under age) • Limited tertiary options • Limited or lack of access to part-time employment • Limited and expensive transport • Lack of access to careers information and advice • Limited social connections • Safe sex • Limited access to adequate finance

13.0 CORPORATE AND VISITOR SERVICES

13.1 YACKANDANDAH CARAVAN PARK LEASE (FILE NO: D464-04 – GMCVS)

For Decision

RECOMMENDATION

That the Lease between CJ Smith & R Smith and the Indigo Shire Council for the Lease of the Yackandandah Caravan Park Reserve pursuant to Section 17D of the Crown Lands (Reserves) Act 1978 be signed and sealed.

**Moved Cr Graham
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends the sealing of an updated lease document for the Yackandandah Caravan Park between Council and CJ Smith and R Smith.

BACKGROUND

In August 2004 Council authorised the calling of expressions of interest for the management and operation of the Yackandandah Caravan Park.

Following an exhaustive process Mr and Mrs Ross and Clara Smith were offered a new Lease and took over operation of the Park in March 2005.

On 31 December 2004 the community based Committee of Management surrendered its role and as from 1 January 2005 DSE subsequently appointed Indigo Shire Council as the Committee of Management.

The Lease negotiated was a development lease that required the Lessee to undertake substantial investment in the Park. It is important the Caravan Park is professionally operated and maintained.

Significant developments to the upgrade of the Park have been carried out by the new Lessees. In the first year they have created an onsite residence, new office and new kiosk. It is anticipated that a further four cabins will be added to the Park and its visitor numbers will be substantially increased.

There have been technical issues with DSE and the land on which the Caravan Park is situated had to be re-surveyed and consequently a new lease had to be prepared. As part of this process the Park had to be re-gazetted.

13.2 INSTRUMENTS OF DELEGATION – OPERATIONS & ASSETS UNIT

For Decision

RECOMMENDATION

- 1. That Council appoint Philip Prior, Alexander Showers and Robert Uebergang as authorised officers pursuant to Section 224 of the Local Government Act, 1989.**
- 2. That the Instruments of Appointment and Certificates of Appointment be signed by the Chief Executive Officer under delegated power.**

**Moved Cr Dale
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends that Council authorise Philip Prior, Alexander Showers and Robert Uebergang as Authorised Officers of Council under Section 224 of the Local

Government Act 1989.

BACKGROUND

It is necessary to authorise the above-mentioned individuals pursuant to Section 224 of the Local Government Act so that they may enforce matters in various Acts, Regulations and Local Laws within their various roles. The addition of new staff to the unit has brought about the need for review of these documents.

Full copies of the Instruments of Appointment and Instruments of Delegation are available on request and will be included in the Minutes of the meeting.

13.3 COUNCIL PLAN 2006-2010 UPDATED (FILE NO: M142.1 – GMCVS)

For Decision

RECOMMENDATION

That Council endorse the updated Council Plan 2006-2010 and advertise its preparation calling for submissions under Section 223 of the Local Government Act providing for 14 days for submissions.

**Moved Cr Graham
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

BACKGROUND

In 2005/06 following the Council election, Council went through a rigorous process in accordance with Section 125 of the Local Government Act 1989 in preparing the Council Plan for the period 2006-2010.

Under that Section of the Act the Council must at least once in each financial year, consider whether the current Plan requires any adjustment in respect of the remaining period of the Council Plan.

Council has just been through an internal process and decided that the main objectives and strategies and directions of the Council Plan needed amendment, items added were:

- highlight the election process in 2008
- enhance and improve economic and social issues in Chiltern
- address environmental issues
- and enhance youth issues.

ISSUES

Council has held several workshops in understanding the progress on achievement of the goals and objectives in the Council Plan and the implementation of the various projects. These have also been reported on through budget reporting processes to Council.

The current Plan has therefore been updated by deletion of projects that have been completed and inclusion of projects that were not previously listed and which Council believes the community needs to know about. Key Performance Indicators have also been added.

The second part of the Council Plan is the Strategic Resource Plan and again, Council must adopt that Plan not later than 30 June each year. Again, Council has updated this section of the Council Plan by including the actual outcomes of the 2006/07 financial year and the forecast for the 2007/08 financial year.

Because of further information on the Assets Infrastructure Gap and the additional funding required to narrow that gap, Council has made minor amendments to the Strategic Resource Plan.

The main amendment is the clarification of the current financial predictions of the total amount of general rates and municipal charges that must be increased in each of the remaining years of the Plan.

Any new initiative or increased service level will have to be found from reductions in other parts of the budget under the current scenario.

CONSULTATION

Under Section 125 of the Act, Council needs to call for public submissions on the amended items in the Council Plan. Section 223 of the Act provides the provisions in making submissions and provides that the Council and where the Council so determines a Committee of the Council must consider any written submission which is received by Council within fourteen days after it has publicly notified calling for submissions.

Advertisements will be placed in the Border Mail on Saturday 10 May calling for submissions and submissions must be with Council by Monday 25 May. It is proposed that if there are any submissions Council will consider those submissions on Tuesday 27 May following which it will direct that the Plan will be amended if required and finalised.

13.4 ALLIANCE OF COUNCILS FOR RAIL FREIGHT DEVELOPMENT (FILE NO: C551-09 – GMCVS)

For Decision

RECOMMENDATION

That Council support the Alliance of Councils for Rail Freight Development at the MAV State Council on 8 May 2008.

**Moved Cr Hotson
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

BACKGROUND

Correspondence has been received from the Alliance of Councils for Rail Freight Development which comprises of the following Councils:

Ararat	Hindmarsh	Northern Grampians
Buloke	Horsham	Pyrenees
Central Goldfields	Jerilderie	Southern Grampians
Colac-Otway	Latrobe City	Urana
Corangamite	Leeton	Warrnambool
Gannawarra	Mildura	Wellington
Glenelg	Moyne	West Wimmera
Greater Shepparton	Narrandera	Yarriambiack

The Alliance writes of mounting concern in relation to Victoria's rail freight network. It seeks Council's support for a resolution that will be presented to the MAV State Council on 8 May 2008.

The motion seeks the full support of the MAV "with a view to working with the Victorian Government towards the development of short and long-term rail strategies including consideration of the recommendations contained within the Victorian Rail Freight Network Review".

The Alliance advises that it believes that Victoria is at risk of losing its rail freight capability without significant, urgent action and this prospect should be of major concern to all Councilsrural, regional and metropolitan.

It believes the issue poses major threats to Victoria in terms of transport economics, environmental damage, public safety and urban congestion. It has provided details of "parlous state of Victoria's rail freight operations" and the state's failure to invest in rail in the past 30 years.

It has further advised that while the Eddington Report advocates significant investment in

managing the freight task in Melbourne, rural and regional Victoria seem doomed to dependence on the road freight option.

The Fischer Report indicates”one train carries the equivalent of 50 B-doubles and in a 400km trip uses 8,000 litres less fuel and saves 23 tonnes of greenhouse gases.” It concludes by saying that it is difficult to understand how Victoria’s rail freight needs are anything less than a statewide priority.

13.5 TOURISM & MARKETING - PROGRESS REPORT – APRIL 2008 (TMM)

Project	Actions
Cycle Tourism Strategy launch	The cycle tourism strategy for Indigo, Wangaratta and Alpine shires was launched on Tuesday, April 15. Work is now underway on the Murray to the Mountains region cycle booklet, featuring promotion of the Rail Trail, and selected rides in each of the three Shires.
Chiltern website	Work is nearing completion on the Chiltern website, with copy finalised and now in the hands of the web developer for design.
Rutherglen Marketing Strategy	A panel has been formed to review the Rutherglen Marketing Plan. The first meeting was held on April 23, including presentations from Tourism Victoria on the broader tourism landscape and developments in eMarketing.
Festivals and events	The inaugural Yackandandah Stress Less weekend was a great success, with plans already underway to make this an annual event.
Strategic planning day	The Indigo Tourism Board and available Councillors participated in a strategic tourism planning workshop on April 11. Preparations for Beechworth’s annual Harvest Celebration on May 17-18 are in full swing, with Indigo Shire hosting a media famil in April for a Sunday Herald Sun journalist preparing an article on the Harvest Celebration.
Chiltern Official Visitor Guide	Chiltern operators have been sent advertising details of the upcoming Chiltern OVG and Shire staff have worked with Chiltern Tourism Association members to visit businesses. Early feedback shows a good uptake of advertising space. The deadline for advertising is April 30.
North East Valleys Food & Wine	Executive Officer of North East Valleys Food & Wine Helen Sharpley has resigned due to family commitments. The Board will advertise for a replacement. North East Valleys has also decided to incorporate the “Provincial Pantry” website being developed by the Cluster project into its redeveloped website, providing the opportunity to North East producers to sell online through one portal.

14.0 FINANCE

14.1 INDIGO SHIRE COUNCIL – FINANCIAL REPORT – YEAR TO DATE 31 MARCH 2008 (FILE NO: M064 - CFO)

For Information and noting

Attached for noting is the Indigo Shire Council Financial Report – year to date 31 March 2008.

Attachments

15.0 GOVERNANCE

15.1 GOVERNANCE – PROGRESS REPORT – APRIL 2008 (CEO)

For Information

Project

Actions

Council Budget	Quarterly report for 07/08 is included in this agenda. Draft 08/09 Budget will be discussed in Council on Tuesday 13 May.
Community Forums	A forum was held at Chiltern on 22 April and Yackandandah on 29 April.
Media & Communications	We are continuing to put out press releases and other information and have been well supported in local media publishing covering activities across the Shire. Recent examples are: <ul style="list-style-type: none">• Rutherglen Heavy vehicle Bypass - advising members of the Community Reference Group and current status of investigations.• Rinse them out, round them up and run them in! informing that farm chemical and animal health containers can be disposed of at the Rutherglen Transfer Station.• Indigo Informer - the April edition was also compiled and included in envelopes with rate notices, as well as inserted in the Ovens & Murray Advertiser on 23 April.
Murray to Mountains Rail Trail	Lease is very close to being finalised. Works expected to commence early May.

16.0 NOTICE OF MOTION

Nil

17.0 COMMITTEE AND DELEGATES REPORTS

17.1 APRIL DIARY - CR V ISSELL

Date	Time	Function
1 April	12 noon	Chiltern Green Corps Graduation, Chiltern
	4.30 pm	Council Briefing, Chiltern
	7.00 pm	Council Meeting, Chiltern
2	2.30 pm	Meeting with residents, Yackandandah
	5.00 pm	Reception for pedalling politicians, Rutherglen
3	10.00 am	Meeting with Department of Justice, Beechworth
4	9.30 am	Kerferd Oration committee meeting, Beechworth
	10.30 am	Councillor Duty, Beechworth
	12 noon	Meeting with Member for Indi, Wangaratta
	6.00 pm	Opening, new Carlyle Fire Station, Carlyle
7	12.30 pm	Meeting with CEO, Beechworth
8	5.30 pm	Special Meeting of Council, Yackandandah
	8.00 pm	Public Meeting to establish Beechworth Sustainability Group
11	12 noon	Rural Councils Victoria, Melbourne
12	6.00 pm	Annual Community Dinner, Morris' Winery, Browns Plains
14	10.00 am	Upper Murray Regional Library budget session, Wodonga
	12 noon	VFF 2020 Summit meeting, Wodonga
	7.30 pm	Barnawartha Development Association AGM
15	11.00 am	Cycling Tourism Strategy Launch, Oxley
	4.00 pm	Council Briefing, Yackandandah
16	9.30 am	Open NELLENS Forum, Beechworth
	7.00 pm	MAV Dinner, Melbourne
17	8.00 am	Training Day for Mayors, Melbourne
	5.00 pm	VLGA Election Issues Discussion, Melbourne
18	6.00 pm	MC Indigo Shire Heritage Awards, Yackandandah
19	10.00 am	Murray Arts Board meeting, Albury
21	11.30am	Councillor Duty, Beechworth
	1.30pm	Indigo Disability Advisory Committee, Chiltern
22	12.30 pm	Meeting with local politicians, Beechworth
	3.00 pm	Meeting with CEO, Beechworth
	4.30 pm	Council Briefing, Chiltern
	7.00 pm	Community Forum, Yackandandah

23	2.00 pm	Rutherglen Wine Experience meeting, Rutherglen
	6.00 pm	ACSUM meeting, Albury
24	11.00 am	Anzac Eve long lunch, Army Museum, Bandiana
25	6am & 11am	Anzac Day ceremonies, Beechworth
28	12.30 pm	Meeting with CEO, Beechworth
29	4.00 pm	Council Briefing, Yackandandah
	7.00 pm	Community Forum, Yackandandah
30	10.00 am	OAK FM radio station, Wangaratta
	4.00 pm	Focus Group meeting, Yackandandah

Cr V Issell
6 May 2008

17.2 APRIL DIARY - CR A BANKS

Date	Time	Function
1 April	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
15	4.30 pm	Council Briefing Meeting, Yackandandah
21	7.30 pm	Baarmutha Park CoM, Beechworth
22	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
23	6.00 pm	Opening of Salisbury & Maude, Beechworth
	7.30 pm	Beechworth Chamber of Commerce, Executive Meeting
25	6.00 am	Anzac Day Dawn Service, Beechworth
	9.00 am	Anzac Day Service, Kiewa/Tangambalanga
	11.00 am	Anzac Day Service, Beechworth
28	7.30 pm	Golden Horseshoes Festival Committee AGM, Beechworth
29	4.00 pm	Council Briefing Meeting, Yackandandah
	7.00 pm	Community Forum, Yackandandah

Cr Andrew Banks
6 May 2008

Note: Cr Graham left the meeting at 8.30 pm.

17.3 APRIL DIARY - CR F WALSH

Date	Time	Function
1 April	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Ordinary Meeting of Council
2	5.30 pm	Reception, Pollies Pedalling for Charity, Rutherglen
3	7.30 pm	Corowa Rutherglen Medical Support Committee
4		Timor Friendship Meeting, Beechworth

8	9.00 - 12.30	Junior Council Meeting, Barnawartha Primary School
9	5.00 pm	Special Meeting of Council, Yackandandah
11	12.00 noon	Indigo Tourism Board workshop, Beechworth
18	5.30 pm	Indigo Shire Heritage Awards, Yackandandah
21	7.00 pm	Public Meeting, Voice of Rutherglen
22	12.30 pm	Meeting with Local Members, Beechworth
	4.00 pm	Planning Focus Meeting, Rutherglen
	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
24	5.00 pm	Heritage Advisory Committee Meeting, Yackandandah
25	6.00 & 9.00 am	Anzac Day Services Rutherglen and Wahgunyah
28	1.00 pm	Indigo Tourism Board Meeting, Beechworth
29	4.00 pm	Council Briefing Meeting, Yackandandah
	7.00 pm	Community Forum, Yackandandah

Cr Frances Walsh

6 May 2008

17.4 APRIL DIARY - CR J DALE

Date	Time	Function
1 April	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
8	5.30 pm	Special Meeting of Council, Yackandandah
10	7.00 pm	Rutherglen Heavy Vehicle Deviation CRG Meeting, R'glen
11	11.30 am	ITB Strategic Workshop, Beechworth
14	8.00 pm	Chiltern District Guides AGM, Chiltern
17	6.30 pm	ALGWA Conference Dinner, Melbourne
21	5.30 pm	Meeting with Bells Flat Road residents group, CEO and EDSM, Yackandandah
22	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
25	5.30 am	Dawn Service and Breakfast, Yackandandah
	9.30 am	Anzac Day March and Service, Yackandandah
29	4.00 pm	Council Briefing Meeting, Yackandandah
	7.00 pm	Community Forum, Yackandandah

Cr Jenny Dale

6 May 2008

17.5 MARCH & APRIL DIARY - CR B MURDOCH

Date	Time	Function
2 Mar	1:00 pm	Luncheon/Team Building Councillors/Senior Managers, Indigo Valley
4	4:30 pm 7:00 pm	Briefing Meeting, Chiltern Council Meeting, Chiltern
5	1:30 pm	Meeting with CEO, Chiltern
11	4:30 pm	Site Inspection Elgin Road Beechworth
12	6:00 pm	ASCUM Meeting, Holbrook
17	5:00 pm	Audit Committee Meeting, Beechworth
18	4:00 pm	Briefing Meeting, Yackandandah
19	10:00am	Northern Region Sustainable Water Strategy Meeting Melbourne
1 April	4:00 pm 7:00 pm	Briefing Meeting Chiltern Council Meeting Chiltern
2	6:00 pm	Reception for Charity Bike Riders, Rutherglen
4	2:00 pm	Latrobe University Graduation Ceremony Wodonga
8	5:30 pm	Special Council Meeting Yackandandah
11	8:30am	Indigo Tourism Board Business Plan Meeting Beechworth
14	10:00am	MAV Water Taskforce Melbourne
18	6:00 pm	Indigo Heritage Awards Yackandandah
22	12:00pm 4:30 pm 7:00 pm	Meeting with Local Members Beechworth Briefing Meeting Chiltern Council forum Chiltern
23	10:00am	Meeting Northern Region Sustainable Water Strategy Melbourne
25	10:00am 11:00am	Anzac Ceremony Barnawartha Anzac Ceremony Chiltern
29	4.00 pm 7:00 pm	Council Briefing Meeting, Yackandandah Community Forum, Yackandandah

Cr Barbara Murdoch

6 May

17.6 APRIL DIARY - CR P GRAHAM

Date	Time	Function
31 Mar	11.00 am	Meet with CEO at Rutherglen
	2.30 pm	Meet with R Hennessy, Rutherglen
1 April	12 noon	Green Corps graduation, Chiltern
	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Ordinary Meeting of Council, Chiltern
2	9.00 am	RWE Board Meeting, Rutherglen
	5.30 pm	Reception, Pollies Ride for Charity, Rutherglen
6	6.30 am	Legacy Golf Day, Rutherglen
	7.30 am	Farmers' Market, Rutherglen
	1.00 pm	Legacy Golf Day Awards, Rutherglen
7	2.00 pm	Meeting of RWE, RWRT & WOR, Rutherglen
8	5.30 pm	Special Meeting of Council, Yackandandah
10	10.30 am	Transport Forum Meeting, Chiltern
11	12 noon	Indigo Tourism Board Strategic Meeting, Beechworth
12	10.30 am	RSL Sub Branch Rutherglen Anzac Day Meeting
	6.00 pm	Brown's Plains Community Dinner,
17-18	Full Days	Association of Victorian Region Waste Management Group Meetings, Creswick
21	6.00 pm	Public Meeting, Voice of Rutherglen
22	10.30 am	Admin, NevRWaste, Wangaratta
	12.30 pm	Meeting with local members, Beechworth
	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
23	2.00 pm	RWE Board Meeting with CEO, Mayor, Assets Manager
24	11.00 am	ANZAC Eve Long Lunch, Bandiana
25	5.45 am	ANZAC Dawn Service, Rutherglen
	9.00 am	ANZAC Day Service, Guest Speaker, Rutherglen
	10.00 am	ANZAC DAY Service, Wahgunyah (Lachlan Seymour Junior Councillor assisted with wreath laying)
29	12 noon	Admin NevRWaste, Wangaratta
	4.00 pm	Council Briefing Meeting, Yackandandah
	7.00 pm	Community Forum, Yackandandah
30	11.00 am	MAV Waste Reference Group Meeting, Melbourne

Cr Peter Graham OAM

6 May 2008

17.7 MARCH & APRIL DIARY - CR W HOTSON

Date	Time	Function
1 March	7.00 am	CFA Regional Championships, Chiltern
	1.00 pm	Councillors / Senior Mangers get together, Watchbox Wines, Indigo Valley
	7.00 pm	Chiltern Art Show committee meeting
4	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Ordinary Meeting of Council, Chiltern
5	10.30 am	VFF Water Strategy Meeting, Wangaratta
	3.00 pm	Meeting with CEO, Chiltern
6	12 noon	MAV Drought Task Force Meeting, Melbourne
7	7.00 pm	Opening, Rutherglen Artists' Society, Art Show
9	6.00 pm	Chiltern Pro Rodeo, Chiltern
10	6.00 pm	Chiltern Health Service AGM, Chiltern
11	4.00 pm	On site inspection, planning Issue, Beechworth
13	2.00 pm	ISC Drought Strategy Meeting, Yackandandah
14	7.00 pm	Chiltern Art Show Committee Meeting, Chiltern
15	8.00 am	Rutherglen Heavy Vehicle Bypass CRG Bus Tour
17	7.30 pm	Chiltern Tourism Meeting, Chiltern
18	4.00 pm	Council Briefing Meeting, Yackandandah
22	11.00 am	Golden Horseshoes Festival, Beechworth
25	5.00 pm	Council Briefing Meeting, Tangambalanga
	7.00 pm	Community Forum, Tangambalanga
26	7.00 pm	ISC Municipal Fire Prevention Committee Southern area meeting, Rutherglen
27	7.00 pm	Albury Wodonga Continuing Education Centre AGM, Albury
31	7.00 pm	ISC Municipal Fire Prevention Committee Northern area meeting, Yackandandah
1 April	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Ordinary Meeting of Council, Chiltern
7	7.15 pm	Chiltern Progress Association Meeting
8		Meeting with S Perry, Economic Development Officer
9		Meeting with S Perry, Economic Development Officer
10	7.00 pm	Rutherglen Heavy Vehicle Bypass CRG Meeting, R'glen
12	6.00 pm	Browns Plains Community Dinner
14	7.30 pm	Chiltern Tourism Association Meeting
18	5.30 pm	ISC Heritage Awards, Yackandandah Court House
19	3.00 pm	Official opening refurbished function room, Chiltern Recreation Reserve
22	12.30 pm	Meeting with local members, Beechworth
	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
25	10.00 am	ANZAC Day Service, Barnawartha
	11.00 am	ANZAC Day Service, Chiltern
28	1.00 pm	Indigo Tourism Board Meeting, Beechworth
29	4.00 pm	Council Briefing Meeting, Yackandandah
	7.00 pm	Community Forum, Yackandandah

Cr Bill Hotson - 6 May 2008

18.0 GENERAL BUSINESS

18.1 CR JENNY DALE – LIFE MEMBERSHIP OF AUSTRALIAN LOCAL GOVERNMENT WOMEN’S ASSOCIATION – VICTORIAN BRANCH – 17 APRIL 2008

For Decision

RECOMMENDATION

That Cr Jenny Dale’s Life Membership of the Australian Local Government Women’s Association Victoria Branch be acknowledged and congratulations extended to her on this honour.

**Moved Cr Hotson
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

BACKGROUND

Following her election as a Councillor with the former Shire of Yackandandah and following local government amalgamations, the Shire of Indigo, Cr Jenny Dale was instrumental in the formation of the Australian Local Government Women’s Association – Victoria Branch and also a North East Branch.

Through her membership of ALGWA she mentored other women being elected as a Councillor for the first time.

Jenny has been an active member and has held a number of positions with ALGWA including Country vice President, Vice President and president and has also held executive positions on a National level.

Due to ill health and other commitments, Jenny retired from her role as President early in 2008.

At the 45th Conference of ALGWA held on 17 April 2008, Jenny was awarded Life Membership for the contribution she has made to the Association. Life Membership was also awarded to the Hon Jeanette Powell, Member for Shepparton.

It is recommended that Council formally acknowledge Councillor Dale’s Life Membership to ALGWA and extend congratulations to her.

18.2 AMENDMENT C10 – HERITAGE AMENDMENT

Cr Walsh queried the status of Heritage Amendment C10?

The Environment and Development Services Manager advised that C10 referred to the Heritage Amendment to the Indigo Planning Scheme and that it had been with DPCD for some months but was now only weeks away from a final decision.

19.0 CONFIDENTIAL

Nil

There being no further business the meeting was declared closed at 8.41 pm.

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Cr Vic Issell – Mayor

03/06/2008