

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

Mission Statement:

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

HELD: Tuesday 10 May 2011 at 3pm

LOCATION: Community Centre, Tangambalanga

ATTENDEES: Councillors: Senior Management/Officers

Ali Pockley – Mayor

Bernard Gaffney – Deputy Mayor

Peter Croucher

Larry Goldsworthy

Vic Issell

Barbara Murdoch

Brendan McGrath – CEO

Andre M Kompler

Mark Florence

Greg Pinkerton

Frank Bonacci

Katie Rizzuto

David Koren

Shay Simpson

Roberta Baker

APOLOGIES: Peter Graham

Vision Statement:

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

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ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

1.0 WELCOME

The Mayor welcomed all those in attendance.

2.0 OPENING PRAYER & ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

Cr Croucher read the opening prayer and acknowledgement of the traditional owners of the land.

Cr Croucher introduced Will Damm from Kiewa Valley Primary School on behalf of Junior Council.

3.0 APOLOGIES AND LEAVE OF ABSENCE

The Mayor acknowledged Cr Graham as an apology.

4.0 DECLARATION OF CONFLICT OF INTEREST

Cr Murdoch declared an indirect conflict of interest in relation to Item 10.1 Chiltern Quarry as she is a Director of North East Water.

5.0 OPEN FORUM

Robin McLeish advised he submitted a freedom of information request to Council requesting copies of submissions to the roadside management plan. Mr McLeish asked if Council will be seeking to adopt this plan today prior to this request being processed.

The CEO responded that Item 11.2 of the Council Agenda relates to this matter, and will therefore be dealt with during the meeting. The CEO advised that he has suggested to Councillors that the process continue without delay regardless of Mr McLeish's request.

6.0 CONDOLENCES

Nil.

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 12 APRIL 2011

**Moved: Cr Croucher
Seconded: Cr Issell**

That the minutes from 12 April 2011 Council Meeting be confirmed.

Unanimously Carried

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

9.0 DEPUTATIONS AND PETITIONS

**Moved: Cr Gaffney
Seconded: Cr Croucher**

That the Indigo Rural Fire Brigade petition on the Roadside Conservation Management Plan be received. The Mayor read the petition and advised there were 29 submissions. The petition was dealt with in conjunction with Item 11.2.

Unanimously Carried



**INDIGO VALLEY
RURAL FIRE BRIGADE**

924 Indigo Creek Road
Indigo Valley Victoria 3688

**PETITION TO THE INDIGO SHIRE
COUNCIL**

We the undersigned wish to raise protest at the proposed Indigo Shire Council Roadside Management Plan, on the grounds that no proper consultation has been undertaken with members of the Community adversely affected by the proposed regulations.

W. J. Stevenson
Y. J. Carter

Styve D Keener
Vicki Barker

Ian Sargent
Des Venter
DAVID MACDONALD
J. R. O'Connell
J. Walsh
Darrell Jones
Nik Jensen
Chris

Arthur & Oates
Damp. & Dunstan
Bridy Wilton
Mun. Oates
Carol White
Ewan Withers
Chris & Gill
WSD Jackson
Doug Dutt
Joe Barnes
Jan Barnes
Roni McLean
Rhys
Bob
W. L. Sciver

10.0 CORPORATE SERVICES

10.1 FINANCE REPORT – MARCH 2011

File No.: 09/646 – Frank Bonacci – Finance Manager

Cr Murdoch declared an indirect conflict of interest relating to the Chiltern Quarry as she is a Director of North East Water. Cr Murdoch departed the meeting at 3.23pm and returned at 3.26pm.

**Moved: Cr Murdoch
Seconded: Cr Goldsworthy**

That Council receives and endorses the finance report for March 2011.

Unanimously Carried

For Decision

RECOMMENDATION

It is recommended that Council receives and endorses the finance report for March 2011.

At the completion of March 2011, all budget managers were required to submit revised forecast estimates for the remaining three months of 2010/2011. These revised forecasts have been collated and the revised yearend position is \$53k unfavourable versus the adopted mid year budget. Full details of both the Year to Date (YTD) and Year End Forecast (YEF) variances can be reviewed in the attached profit and loss statements, Department by Business Unit Report and accompanying exception reports.

At the end of March 2011, our YTD financial position is \$1.075 million favourable versus the projections submitted at the mid year budget review. The major contributor to this favourability is the early receipt of \$762k of Victorian Grants Commission (VGC) operating grants which were expected in May 2011 but have been paid early to help councils manage cash flow following a number of natural disasters across the state. Higher than expected revenue from building and health permits and cat and dog registrations have contributed an extra \$50k towards this YTD favourability. Payment timing delays for contract payments of \$157k make up the balance of this YTD favourability.

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During March 2011, Council received \$1.6 million as a 50 per cent forward estimate for storm damage rehabilitation costs which has made Council's cash and investment position quite strong as at the end of March 2011. The attached Cash and Investment Report as at 31 March 2011 shows that Council has \$6 million invested across various accounts. Of this \$6.0 million, \$1.6 million has been set aside in reserves to part fund the storm rehabilitation works as part of the budgeted 2011/2012 capital works program.

The YTD capital works spend as at the 31 March 2011 is \$5.9 million and the expectation is that we will achieve in excess of 85 per cent capital works completion by 30 June 2011.

Also attached for information are the balance sheet and capital works monitor as at 31 March 2011.

Attachments:
Profit & Loss to 31 March 2011
Department By Business Unit Report to 31 March 2011
Balance Sheet as at 31 March 2011
Cash & Investment report as at 31 March 2011
Exception Report for March 2011
Capital Works Monitor as at 31 March 2011

10.2 CONSIDERATION OF THE DRAFT INDIGO SHIRE COUNCIL BUDGET 2011/2012 PURSUANT TO SECTIONS 127 & 128 OF THE LOCAL GOVERNMENT ACT 1989

File No.: 11/2773 – Finance Manager

Moved: Cr Gaffney
 Seconded: Cr Murdoch

That:

1. The 2011/2012 proposed budget annexed to this agenda be the budget prepared by Council for the purposes of Section 127(1) of the Local Government Act 1989 subject to the following changes being made:
 - Page 13 – target date of December 2011 be removed from first strategic activity
 - Page 42 – that the rows associated with years 2012/13 to 2014/15 be removed from the table
 - Page 44 – that the rows associated with years 2012/13 to 2014/15 be removed from the table
 - Page 65 – that the first strategy activity be removed entirely

2. The Chief Executive Officer be authorised to:
 - Give public notice of the preparation of such budget, in accordance with Section 129 (1) of the Local Government Act 1989; and
 - Make available for public inspection the information required to be made available in accordance with the Local Government (Finance and Reporting) Regulations 2004 No 30.

3. That Council:
 - Any submission on any proposal contained in such budget made in accordance with sections 129 and 223 of the Act, with such submissions closing 11 June 2011;
 - Schedule any person wishing to be heard in support of their submission to the proposed budget, that they be heard by Council at a Special Meeting on 21 June 2011; and
 - Consider a recommendation or notice of motion to adopt such budget at a special meeting of Council on 28 June 2011.

Lost

For:	Against:
Cr Gaffney	Cr Goldsworthy
Cr Murdoch	Cr Issell
	Cr Pockley
	Cr Croucher

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**Moved: Cr Goldsworthy
Seconded: Cr Issell**

That:

1. The 2011/2012 proposed budget annexed to this agenda be the budget prepared by Council for the purposes of Section 127(1) of the Local Government Act 1989.
2. The Chief Executive Officer be authorised to:
 - Give public notice of the preparation of such budget, in accordance with Section 129 (1) of the Local Government Act 1989; and
 - Make available for public inspection the information required to be made available in accordance with the Local Government (Finance and Reporting) Regulations 2004 No 30.
3. That Council:
 - Receive any submission on any proposal contained in such budget made in accordance with sections 129 and 223 of the Act, with such submissions closing 11 June 2011;
 - Schedule any person wishing to be heard in support of their submission to the proposed budget, that they be heard by Council at a Special Meeting on 21 June 2011; and
 - Consider a recommendation or notice of motion to adopt such budget at a special meeting of Council on 28 June 2011.

Carried

For:	Against:
	Cr Gaffney
Cr Pockley	Cr Murdoch
Cr Croucher	
Cr Issell	
Cr Goldsworthy	

For Decision

RECOMMENDATION

That:

1. The 2011/2012 proposed budget annexed to this agenda be the budget prepared by Council for the purposes of Section 127(1) of the Local Government Act 1989.
2. The Chief Executive Officer be authorised to:
 - Give public notice of the preparation of such budget, in accordance with Section 129 (1) of the Local Government Act 1989; and
 - Make available for public inspection the information required to be made available in accordance with the Local Government (Finance and Reporting) Regulations 2004 No 30.
3. That Council:
 - a) Any submission on any proposal contained in such budget made in accordance with sections 129 and 223 of the Act, with such submissions closing 11 June 2011;
 - b) Schedule any person wishing to be heard in support of their submission to the proposed budget, that they be heard by Council at a Special Meeting on 21 June 2011; and
 - c) Consider a recommendation or notice of motion to adopt such budget at a special meeting of Council on 28 June 2011.

INTRODUCTION

A draft budget for 2011/2012 has been prepared and distributed to councillors (refer attached draft Budget 2011/2012).

Council has prepared a budget for the 2011/2012 financial year which seeks to maintain the financial sustainability of Council.

The attached budget papers need to be read in conjunction with the Council Plan which contains the Strategic Resource Plan. The Council Plan has been developed and updated following extensive consultation and examination by the Council. The proposed *Council Plan* has been used as the basis for the Council budget. The proposed *Council Plan* establishes the medium term perspective in relation to Council planning and sustainability.

Rates and charges revenue for 2011/2012 is budgeted at \$11.32 million. The forecast actual for 2010/2011 is \$10.45 million.

The expected operating result for 2011/2012 is a surplus of \$0.441 million. The underlying result when the gain / loss on disposal of property, capital grants and capital contributions are excluded is a \$2.0 million deficit.

The capital works program for the 2011/2012 year is expected to be \$8.16 million. The total capital works program includes capital works proposed to be funded by capital grants of \$2.46 million plus an additional \$1.6 million already received in 2010/2011 and set aside for the 2011/2012 CAPEX program. A number of projects tied to unconfirmed grants have been excluded from the 2011/2012 budget at this stage and will be added to the budget at the mid year review for any of these grant applications that are successful.

A high level Strategic Resource Plan has been developed for the years 2011/2012 to 2014/2015. This will assist Council in adopting budgets which provide for prudent expenditure and revenue to assist in Council's goals of financial sustainability.

The SRP provides analysis and review of all aspects of Council's financial position.

The annual budget is designed to enable Council to achieve its key strategic activities as contained in the Council Plan.

BACKGROUND

An extensive program of consultation was conducted over the last couple of years to develop and refine a *Council Plan*. The plan required community support for its vision so it would take action to make it happen. The updated Council Plan has formed a strong basis of the budget 2011/2012.

KEY IMPLICATIONS – LEGISLATIVE REQUIREMENTS

Local Government Act 1989:

S 127. Council must prepare a budget

1. A Council must prepare a budget for each financial year.
2. The Council must ensure that the budget contains—
 - (a) the standard statements in the form and containing the matters required by the regulations;
 - (b) a description of the activities and initiatives to be funded in the budget;
 - (c) a statement as to how the activities and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
 - (d) separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
 - (e) any other details required by the regulations.

3. The Council must ensure that the budget also contains:
 - (a) the information the Council is required to declare under section 158(1);
 - (b) if the Council intends to declare a differential rate under section 161, the details listed in section 161 (2)
 - (c) if the Council intends to declare a differential rate under section 161A, the details listed in section 161(2).

S 129. Public notice

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

S 130. Adoption of budget or revised budget

1. A Council may adopt a budget or revised budget if it has complied with all of the relevant requirements of this Act relating to budgets and revised budgets.
2. The Council must give public notice of its decision under sub-section (1).
3. The Council must adopt the budget by 31 August each year.
4. The Council must submit a copy of the budget to the Minister by 31 August each year.
5. The Minister may extend the period within which a Council must comply with sub-section (4).
6. If a Council fails to submit a copy of the budget to the Minister within the time allowed, the Secretary must ensure that details of the failure are published in the annual report of the Department.
7. A Council must give the Minister any details concerning its budget or revised budget that the Minister requests.

8. A Council must comply with sub-section (7):
 - (a) within 14 days of receiving a request in writing for the details from the Minister; or
 - (b) within any longer period specified by the Minister in the request.

9. A copy of the budget or revised budget must be available for inspection by the public at:
 - (a) the Council office and any district offices; and
 - (b) any other place required by the regulations.

Local Government (Finance and Reporting) Regulations 2004 No. 30

PART 3—BUDGETS

R 8. Other matters to be included

For the purposes of sections 127(2)(e) and 128(3) of the Act, the budget and any revised budget must contain the following information for the financial year to which the budget or revised budget relates:

- (a) the total amount proposed to be borrowed, other than borrowings to refinance existing loans;
- (b) the proposed total amount of debt redemption;
- (c) in the case of the proposed budget—
 - the proposed rate in the dollar for each type of rate to be levied;
 - the estimated amount to be raised by each type of rate to be levied;
 - the estimated total amount to be raised by rates;
 - the proposed percentage change in the rate in the dollar for each type of rate to be levied compared to that of the previous financial year;
 - the number of assessments for each type of rate to be levied compared with the previous year;
 - the total number of assessments;
 - the basis of valuation to be used;
 - the estimated total value of land in respect of which each type of rate is to be levied compared with the previous year;
 - the proposed municipal charge, if any;
 - the proposed rate or unit amount to be levied for each type of service rate or charge under section 162 of the Act;
 - the estimated amount to be raised by each type of charge to be levied compared with the previous year;
 - the estimated total amount to be raised by rates and charges;
 - any significant changes that may affect the estimated amounts to be raised;
- (d) in the case of a revised budget, those matters referred to in paragraph (c) as applicable to any additional rates and charges to be levied.

R 9. Public notice of proposed budget or revised budget

For the purposes of section 129 of the Act, the following information must be included in the public notice of the preparation of a proposed budget or revised budget—

- (a) the date on which Council will meet to adopt its budget or revised budget;
- (b) the total amount borrowed as at 30 June of the previous financial year;
- (c) the total amount proposed to be borrowed during the financial year or the total amount borrowed immediately before the preparation of the revised budget, other than borrowings to refinance existing loans;
- (d) the total amount projected to be redeemed during the financial year;
- (e) the projected total amount of borrowings as at 30 June of the financial year;
- (f) the projected cost of servicing the borrowings during the financial year;
- (g) the proposed rate in the dollar for each type of rate to be levied;
- (h) the proposed municipal charge, if any;
- (i) the proposed rate or unit amount for each type of service rate or charge to be levied under section 162 of the Act;
- (j) in the case of a revised budget, a summary of reasons for the preparation of the revised budget.

126. Strategic Resource Plan

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

FINANCIAL IMPLICATIONS

As detailed in this report and the Budget 2011/2012 attached.

POLICY IMPLICATIONS

Not applicable.

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CONCLUSION

To reduce waste and minimise the impact on the environment, Council will provide a display copy of the Council Plan, incorporating the Strategic Resource Plan and Annual Budget, at its Council offices and service centres.

The documents will also be available to be downloaded from the Council website at www.indigoshire.vic.gov.au.

Alternatively a printed or electronic copy will be made available upon request.

Attachments:
Draft Indigo Shire Budget Report – 2011/12
Carlyle Cemetery Fees & Charges Schedule

10.3 FINANCE COMMITTEE INSTRUMENT OF DELEGATION

File No.: 09/661 – Frank Bonacci – Finance Manager

Moved: Cr Murdoch
Seconded: Cr Goldsworthy

That Council endorses the attached Finance Committee Instrument of Delegation.

Unanimously Carried

For Decision

RECOMMENDATION

That Council endorses the attached Finance Committee Instrument of Delegation.

INTRODUCTION AND BACKGROUND

At the 12 April 2011 Council meeting, Council resolved to defer the adoption of the Finance Committee Instrument of Delegation pending a final review and recommendation by the Finance Committee on the amended Instrument of Delegation.

The Finance Committee met on Wednesday, 13 April 2011, reviewed the Instrument of Delegation, made several minor changes and moved to submit the amended Instrument of Delegation to the May Council meeting for adoption.

A copy of the amended Section 86 Instrument of Delegation is appended to this report.

The committee is an advisory committee although its structure has been termed that of a Section 86 Committee with delegated duties and responsibilities, and detailed committee objectives. The committee has no power in its own right, with all recommendations to come before Council for adoption

At the Finance Committee meeting 8 December 2010, the issue of the committee membership pursuant to CI 3.1 was considered. It was resolved by the committee to recommend to Council that the committee's membership be widened in addition to the existing three councillor members pursuant to CI 3.1.

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The committee also agreed to the preparation of a 12 month program for committee consideration.

KEY IMPLICATIONS

Risk Management – From a risk management perspective, the widening of the committee’s membership to include skill based members as needed would have the potential to further reduce financial risk, and assist in the operations of the committee.

FINANCIAL IMPLICATIONS

Nil. People would be invited to attend and no payment is envisaged.

POLICY

The changes proposed to the Instrument of Delegation will support Council’s *Council Plan* Objective 13.1 “Optimise our financial sustainability”.

COMMUNICATION

No specific communication with the public will be required other than seeking our periodic voluntary advisory expertise.

CONCLUSION

The role of the committee may be strengthened by the inclusion of skill based members. It could be argued that the committee membership be restricted to three elected members only, and the inclusion of additional members may assist the workings of the committee.

There are no issues around setting some framework around the operations of the committee, and the delegation provides a basis for the workings of the advisory committee.

The committee has agreed to consider a committee works program for the coming 12 months and should consider the key objectives and roles detailed in the existing framework as part of this process.

Attachments:
Amended Finance Committee Instrument of Delegation
Draft Meeting Minutes of the Finance Committee 13 April 2011
Draft Calendar of Key Issues for Finance Committee

10.4 DEED OF ASSIGNMENT OF LEASE – RUTHERGLEN CARAVAN PARK

File No.: 09/459 – Leanne Bussell – Economic Development Officer

Moved: Cr Croucher
 Seconded: Cr Goldsworthy

That the Chief Executive Officer or the person acting in the position of the Chief Executive Officer, may on behalf of Council, affix the common seal of the Council to the Deed of Assignment of Lease/Transfer of Lease for the Rutherglen Caravan Park conditional to the following requirements being met:

1. The capital improved program detailed in schedule 3 has been completed in accordance with the lease agreement;
2. The cyclical management maintenance program has been carried out by the existing tenants in accordance with Schedule 3 of the lease agreement;
3. An inventory of buildings, structures, plant and equipment be carried out;
4. Written consent is granted by the Minister under Part 12.1 of the lease agreement; and
5. The requirements of Part 12.2 of the lease agreement being:
 - a) The tenant seeks Council’s (the Landlord’s) consent.
 - b) The tenant is not at the time in breach of the lease. and
 - c) The tenant proves to the satisfaction of Council that the proposed assignee is respectable, responsible and solvent person having the financial capacity and trading experience necessary to enable the permitted use to be successfully undertaken and maintained. The tenant must submit to Council all information reasonably required by Council including at least two references to the proposed assignee’s business experience, at least two references as to the proposed assignee’s financial circumstances, and a detailed statement of financial circumstances of the proposed assignee and any proposed guarantor.

Unanimously Carried

For Decision

RECOMMENDATION

That the Chief Executive Officer or the person acting in the position of the Chief Executive Officer, may on behalf of Council, affix the common seal of the Council to the Deed of Assignment of Lease/Transfer of Lease for the Rutherglen Caravan Park conditional to the following requirements being met:

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1. The capital improved program detailed in schedule 3 has been completed in accordance with the lease agreement;
2. The cyclical management maintenance program has been carried out by the existing tenants in accordance with Schedule 3 of the lease agreement;
3. An inventory of buildings, structures, plant and equipment be carried out;
4. Written consent is granted by the Minister under Part 12.1 of the lease agreement; and
5. The requirements of Part 12.2 of the lease agreement being:
 - a) The tenant seeks Council's (the Landlord's) consent.
 - b) The tenant is not at the time in breach of the lease. and
 - c) The tenant proves to the satisfaction of Council that the proposed assignee is respectable, responsible and solvent person having the financial capacity and trading experience necessary to enable the permitted use to be successfully undertaken and maintained. The tenant must submit to Council all information reasonably required by Council including at least two references to the proposed assignee's business experience, at least two references as to the proposed assignee's financial circumstances, and a detailed statement of financial circumstances of the proposed assignee and any proposed guarantor.

INTRODUCTION

The Minister has appointed the Indigo Shire Council as the Committee of Management of the land which the Rutherglen Caravan Park is situated. Council has agreed to lease the land to the tenant, being Fanshawe Pty Ltd (Gary and Sue Featherstone), pursuant to Section 17D of the Crown Land (Reserves) Act 1978.

The tenants are now seeking to sell their business and wish to transfer the existing lease agreement of the Rutherglen Caravan Park to new tenants, being Dennis Exton and Lisa Liddell.

BACKGROUND

The existing lease commenced on 14 February 2006 for a term of 16 years with rent payable at \$8,000 per annum (plus GST) for the first five years. Rent payable thereafter is to be set at market value in accordance with Schedule 2 of the lease agreement. In March 2011, an independent valuer was contracted by Council to perform the first rental valuation. The valuer has visited the premises and also performed an inventory and reviewed the capital works program to ensure that it was carried out in accordance with the lease agreement. The valuer has advised the rent to be \$10,000 per annum.

Whilst the existing lease agreement commenced in 2006, the tenants, G. and S. Featherstone, have been the tenants of the Rutherglen Caravan Park since May 2002. In that time, they have carried out significant maintenance on the park to ensure it is maintained in good operating condition.

KEY IMPLICATIONS

The lease agreement allows for the transfer to new tenants provided certain conditions are met. The conditions are as follows:

1. The capital improvements program has been carried out in accordance with Schedule 3 of the lease agreement. This was also audited by Council's independent valuer, A.W. Male and Associates in March 2011;
2. An inventory of buildings, structures, plant and equipment be carried out by Council's independent valuer;
3. Part 12.1 requires that the tenant seek written consent from Council (the landlord) and the Minister prior to transferring the lease; and
4. Part 12.2 requires:
 - a. The tenant seeks Council's (the landlord's) consent;
 - b. The tenant is not at the time in breach of the lease; and
 - c. The tenant proves to the satisfaction of Council that the proposed assignee is respectable, responsible and solvent person having the financial capacity and trading experience necessary to enable the permitted use to be successfully undertaken and maintained. The tenant must submit to Council all information reasonably required by Council including at least two references to the proposed assignee's business experience, at least two references as to the proposed assignee's financial circumstances, and a detailed statement of financial circumstances of the proposed assignee and any proposed guarantor.

The Economic Development Officer (EDO) is in the process of reviewing the valuer's report to ensure the capital works program is adequately complete carried out in accordance with the lease agreement. As the valuer performed an inventory in March 2011 as part of the valuation, the EDO does not see it necessary to carry out another. The existing tenants have also prepared a new cyclical maintenance program to ensure the new tenants are aware of the requirements. The Deed of Assignment/Transfer of Lease will be reviewed by Council's solicitor prior to being signed.

The EDO has received two references from the proposed tenants to date. Lisa and Dennis have two young children and have up until now run their family farm in Kinglake and have previously diversified into fruit growing and operating a fruit shop on the farm. The family lost their farm in the 2009 Kinglake bushfires and are now looking for an opportunity for change. As quoted by one of their referees (Lisa's father), he firmly believes Dennis and Lisa "will be a positive asset to any community they wish to settle in as I know the people of Kinglake will miss the contributions they have provided freely to their township. Kinglake's loss will be your gain".

FINANCIAL IMPLICATIONS

The financial implications to Council will be a small fee for the solicitor to review the Deed of Assignment/Transfer of Lease to ensure that it complies with Council requirements. The costs of drawing up the transfer were at the cost of the existing tenant.

Transfer of the lease also exposes Council to risks surrounding the management of the caravan park if the new tenants are not adequately suited or financially stable. This could mean costs to Council if the caravan park is not suitably maintained in accordance with the lease or management is unsatisfactory and Council is required to have the tenants removed. To ensure this risk is mitigated, the proposed tenants are submitting Council with the following written references:

- Bank manager;
- Accountant; and
- Business associate.

The proposed tenants are also submitting a summary of their financial position as part of the transfer process. This will be reviewed by the EDO upon receiving the documentation and if adequate authorised at the time of sign off by the Chief Executive Officer (CEO).

POLICY IMPLICATIONS

There are no policy implications.

COMMUNICATION

No communication actions are required.

CONCLUSION

The existing tenants, G. and S. Featherstone, of the Rutherglen Caravan Park have performed an excellent job of maintaining the caravan park in a good condition. They have indicated that the new tenants are excited about taking over the management of the holiday park and are keen to ensure that the reputation is maintained.

Approval of this report is essential to expedite the sale process for the existing tenants to ensure that their sale does not fall through as a result of Council processes. This is further emphasised based on the tenants having a settlement date of 1 July 2011 and prior to that the Minister is required to approve the transfer. The recommended delegation allows for the transfer process to continue, whilst still ensuring that Council's requirements are met.

11.0 SUSTAINABLE COMMUNITIES

11.1 BAARMUTHA PARK FUNCTION CENTRE – FUTURE BOOKING ARRANGEMENTS

File No.: 09/1149 – DAVID KOREN – MANAGER COMMUNITY PLANNING

**Moved: Cr Gaffney
Seconded: Cr Murdoch**

That this item be deferred to the July Meeting of Council and that a draft instrument of delegation for Baarmutha Park Committee of Management be prepared for Council consideration.

Unanimously Carried

For Decision

RECOMMENDATION

- 1 That Council support the decision of the Baarmutha Park Committee of Management for the Beechworth Football and Netball Club to manage the bookings, marketing and maintenance of the Baarmutha Function Centre.**
- 2 That Council authorise the Chief Executive Officer to enter into an agreement with the Beechworth Football and Netball Club for the management of bookings, marketing and maintenance of the Baarmutha Function Centre**
- 3 That Council authorise the Baarmutha Park Committee of Management to be managers of the Agreement.**

INTRODUCTION

The newly completed upstairs component of the Baarmutha Park multipurpose community facility, now known as the Baarmutha Function Centre, requires significant resources to appropriately maintain and manage future use. This report recommends that Council enters into an agreement with the Beechworth Football and Netball Club for the club to take on this task. The report also recommends that the Baarmutha Park Committee of Management become the 'contract managers' for the agreement to ensure the facility is being managed appropriately for the users and the broader community.

BACKGROUND

Baarmutha Park is located on crown land with Indigo Shire Council delegated the authority by the Department of Sustainability and Environment (DSE) to manage the land. Council has delegated this authority to the BPCOM under Section 86 of the Local Government Act. The committee's roles and responsibilities are detailed in an Instrument of Delegation.

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

The new community facilities at Baarmutha Park include an upstairs function centre which will be used by the user groups at the park and also by the broader community. Generally, the upstairs function centre will be used for larger events and activities such as the weekly (throughout the football season) football/netball club social dinner and large birthday parties and wedding receptions. The function centre has also been designed to act as an emergency relief centre when required.

It is anticipated that the use of the facility will continue to grow and the administrative requirements for running the facility will require significant resources. The Committee of Management have expressed concern that they do not have the volunteer time or the resources to provide the administrative support and have approached Council with a proposal for the Beechworth Football and Netball Club to take on this task.

The Beechworth Football and Netball Club is the largest user group at Baarmutha Park and has a strong membership and volunteer base. The club has a very strong presence at the park and has made significant contributions, both in kind and financial, over the years to build and develop facilities at the park. The club currently maintain the oval and their club facilities at no cost to the Committee of Management.

Given the Committee of Management has indicated that it does not have the volunteer resources to manage the Baarmutha Function Centre, the option for the club to do so is considered to be an appropriate one, subject to terms and conditions.

The agreement would see the club handling tasks such as taking the bookings for the facility, banking the income, putting in an appropriate cleaning regime, inspecting the function centre before and after an event, marketing the facility and performing minor maintenance as required.

As the facilities at Baarmutha Park were built with significant Council, government and community/club funds, it is important that the agreement provides an equitable and transparent system for bookings and distribution of income derived from the facility. Council will work closely with the committee and the club to ensure these factors are taken into consideration when developing the agreement.

One of the key considerations in developing the financial details in the agreement is the need to ensure that the Committee of Management receives an appropriate level of income to cover the ongoing major maintenance costs, the cyclic maintenance costs (e.g. regular servicing of air conditioners, floor polishing, major equipment maintenance etc) and to have an appropriate level of income in the bank for contingencies or to go towards new capital works projects.

Council and the Committee of Management have commenced drafting an agreement which will set out all the terms and conditions for this arrangement to be formalised. The agreement would be between Council and the Beechworth Football and Netball Club and would specify the Baarmutha Park Committee of Management as the 'contract manager' of the agreement.

KEY IMPLICATIONS

This type of agreement is relatively new for Indigo Shire Council. Generally, a Committee of Management managing a community facility has the volunteer resources to manage all aspects of the day to day operation of that facility. These tasks performed by the committee are guided by an Instrument of Delegation. However, this is a large facility with anticipated high levels of use and the Baarmutha Park Committee of Management believe it needs additional support to appropriately manage the bookings, income and marketing activities.

The agreement needs to be equitable and transparent and, importantly, it needs to ensure that an appropriate level of income derived from the centre is channelled back through the Committee of Management into ongoing maintenance, operating costs and cyclic maintenance costs for the facility.

It is important to note that, if this agreement, or if another arrangement is not put in place, the Committee of Management currently believe they do not have the capacity to manage the day to day operations of the Baarmutha Function Centre.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council as a result of these recommendations. However, if the new facility is not appropriately maintained by Council and the Committee of Management, the significant investment by Council, state and federal government and the local community could be compromised. Council has an obligation to maintain its assets and the agreement needs to reflect the need to financially resource the committee to assist Council in this role.

POLICY IMPLICATIONS

The recommendations in this report are supported by the Baarmutha Park Master Plan (Bigger Beechworth Project) recommendation numbers "18.Support for volunteers / activity development" which aims to encourage greater use of the facilities and support for the volunteers running the facility and "19.Tourism and marketing" which aims to market the facility to a broader base.

The recommendations are also consistent with the Indigo Shire Council Plan 2010-2013 Objective 4.6: Enhance the health and wellbeing of the community and Objective 4.8: Empowering our Communities.

COMMUNICATION

Council will not require any specific communication as a result of these recommendations; however, officers will assist the Committee of Management to ensure that community are aware of future management arrangements for the function centre.

CONCLUSION

The Baarmutha Function Centre will be used by the community for a variety of purposes, including user group functions and larger functions and activities such as parties, weddings and conferences. The Baarmutha Park Committee of Management has concerns that it does not have the resources to manage the day to day operations of making the facility available to the community which would include tasks such as taking the bookings, income receipting, cleaning the facility, providing minor maintenance and promoting/marketing the centre to the broader community.

The option to put an agreement in place whereby the Beechworth Football and Netball Club manage these tasks, in exchange for a proportion of the income, is considered to be a good option subject to the agreement having the appropriate terms and conditions in place to protect the long term viability of the centre.

11.2 ROADSIDE CONSERVATION MANAGEMENT PLAN

File No.: 09/613 – Shay Simpson – Team Leader Natural Resource Management

<p>Moved: Cr Goldsworthy Seconded: Cr Issell</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopts the final Roadside Conservation Management Plan; and 2. Proceeds with the development of a Local Law to provide a tailored consent mechanism to approve works within a municipal road reserve. 	
For:	Against:
Cr Pockley	Cr Croucher
Cr Murdoch	Cr Gaffney
Cr Issell	
Cr Goldsworthy	

For Decision

RECOMMENDATION

That Council:

- 1 Adopts the final *Roadside Conservation Management Plan*; and
- 2 Proceeds with the development of a Local Law to provide a tailored consent mechanism to approve works within a municipal road reserve.

INTRODUCTION

Indigo Shire Council has in place a *Roadside Management Plan* (the Plan) that ensures roadside activities can occur without affecting the natural features of roadsides. This plan was adopted in 1999 and updated in 2004. The latest update has been precluded by a re-survey of conservation values and has enabled a restructure of the document from an ‘issues’ based framework to an ‘activity’ based layout. Relevant and new legislation has also been included and original management actions updated. Public consultation yielded a total of 29 submissions from which 10 key themes were identified and that provided for changes to the Plan.

This report aims to provide a summary of the process that was undertaken to update the Plan, as well as the key issues that were identified as a result of public submissions. Collectively, this report will provide a basis on which to enable an informed decision to be made on the recommendations to adopt the final Plan and proceed with the development of a Local Law.

BACKGROUND

The draft updated *Roadside Management Plan* was adopted by Council in December 2010 and placed on public exhibition until 7 February 2011. This public exhibition period was later extended by four weeks until 7 March 2011 at the request of a community group.

A total of 29 submissions were received from a diversity of individuals and stakeholder groups throughout the consultation period. Ten key issues were identified from the comments within the submissions. These are summarised below, in association with the respective response outlining how the Plan was amended to account for this feedback. Key Issue 4, which addresses the mechanism for providing consent for working within a road reserve, is the most significant of these and is discussed in detail. The final Plan is attached.

KEY ISSUE 1

Naming of document to better reflect its purpose and intent.

RESPONSE

The name of the document has been changed to *Roadside Conservation Management Plan*.

KEY ISSUE 2

Uncertainty regarding the accuracy and criteria for determining conservation rating of high/medium/low.

RESPONSE

An appendix showing the fields (or assessment features) used for scoring and determining conservation ratings has been included (Appendix 6.2). Some additional information was also included in the section of the Plan that relates to the 'Roadside Conservation Values Assessment' (Section 2.3). Reference was included that roadside conservation value ratings do not preclude works but guide how works should be carried out (Section 4.8 'Fire Prevention and Management').

KEY ISSUE 3

The issue of dead/dangerous trees on roadsides presenting a safety hazard to road users, especially during fire when it can block access. This issue was highlighted in association with a request for Council to undertake greater works to reduce fuel hazards posed by dead/dangerous trees on the roadside and to implement a system whereby reports of dangerous trees can be made by residents.

RESPONSE

Information has been included in Section 4.31 'Vegetation Risk Management' detailing Indigo's process for receiving and actioning reports of trees and limbs posing risks to the safety of the road and its users. It also specifies that that the identification of priorities for fire prevention works are the remit of the *Municipal Fire Prevention Strategy* and not within the scope of the *Roadside Conservation Management Plan*.

KEY ISSUE 4

The process for approving works through the “*Works within Road Reserve*” permit is perceived as too onerous, deters proactive roadside management activities such as weed spraying and fire prevention activities when ownership of roadsides by adjacent landholders should be encouraged. Associated with this issue is the recognition that there is a need for greater control over inappropriate roadside activities.

Pertinent to this issue is the recent announcement that the Department of Sustainability and Environment (DSE) will no longer be issuing permits for roadside firewood collection. Should Council wish to permit this activity, a new system will need to be established. Many roadsides present excess levels of timber as a result of drought and storm events, which could be collected for firewood without impacting on conservation values.

RESPONSE

The existing consent mechanism referred to in draft Plan is a “*Works within Municipal Road Reserve*” Permit, with consent given under the *Road Management Act 2004*. This Act is principally concerned with the road asset and management of activities that may affect it. Works controlled under this Act are limited to those conducted on or in vicinity of a road in connection with the construction, maintenance or repair of the road. Activities included in the Plan such as weed and pest control, firewood collection and some activities for fuel reduction will not impact on the road infrastructure or the ‘asset’ and are not appropriately addressed by the *Road Management Act 2004*.

Where the activity listed is not clearly concerned with the road asset and management of activities that may impact on it, reference has been included to the effect that ‘consent’ from Council is required for working within the road reserve and that contact with Council is encouraged to confirm how this consent is administered (such as a Local Law Permit). This wording highlights that consent from Council is to ensure that care is taken in assessing and managing risk associated with working the road reserve, whilst acknowledging that the mechanism for providing consent is still not developed.

A review of legislation has also provided the basis for recommending the development of a Local Law as a mechanism with which to give consent for works within the road reserve. This is discussed below.

The *Road Safety Act 1986* makes provision for the conduct of works on a road and is applied to:

- (a) Any works within the meaning of the *Road Management Act 2004*; or
- (b) Any non-road activity within the meaning of section 99B of *Road Safety Act 1986* (i.e. activities that specifically interfere with normal use of a road (e.g. shooting a film, bicycle event, street market).

The *Road Safety Act 1986* is principally concerned with the road asset and management of activities that may affect the safe use of it. When addressing such activities, the *Road Safety Act 1986* makes it a statutory requirement that any person carrying out a non-road activity must:

- (i) Have in operation a traffic management plan;
- (ii) Give appropriate warnings to road users;
- (iii) Engage appropriately trained and qualified persons to carry out the works or manage the non-road activities or direct traffic; and
- (iv) Give appropriate directions to the persons engaged in carrying out the works or non-road activities.

The intent of this Act, coupled with the prohibitive statutory requirements, indicates that it is not an appropriate regulatory mechanism for administering roadside activities.

The *Local Government Act 1989* clearly provides that Councils have the care and management of certain roads with such care and management also being subject to the *Road Management Act 2004*. Having regard to the above, unless it is decided to prohibit non-road activities addressed by the *Roadside Conservation Management Plan* such as weed and pest control or firewood collection (which would then require Council to take over these functions), there does not appear to be an appropriate regulatory mechanism for the management of these activities. Development of a Local Law, however, appears to present a feasible way forward. The *Local Government Act 1989* provides that Council may make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this or any other Act.

The position of Civic Mutual Plus (the sectors public liability scheme), specifically in relation to recent changes in roadside firewood collection whereby domestic firewood permits are no longer required by DSE and councils are now the only approval authority for collections adjacent municipal roads is as follows “*if collections are to be allowed then it is recommended Council pass a Local Law*”. Advice received from the Municipal Association of Victoria (MAV) specifically on the approach that councils should take in regards to roadside firewood collection is that “*councils must take all care in assessing and managing risks associated with working in the complex area of road management.. This risk-based approach may mean that some activities present an unacceptable risk and should not take place*”. Specific legal advice would be sought, however, to confirm the legalities of the approach to develop a Local Law.

There are positive and negative implications associated with the approach to develop a Local Law. The negatives are around the resources that would be required for development, as well as the resources required for administration and enforcement. The positive implications would be that it would provide clarity in the process for permitting works on roadsides; enable a tailored, specific consent mechanism for works; provide an opportunity to address risk-management issues in permitting such activities and would give effect to policy contained within the Plan.

Essentially, there are four options in response to Key Issue 4 of providing an appropriate consent mechanism for roadside activities. These are as follow:

1. Maintain the existing arrangement – request formal permission for some works under the *Road Management Act 2004* via issue of a “*Works within Municipal Road Reserve*” Permit and do not request formal permission for other works that would technically require some level of consent from Council;
2. Do not allow activities within the road reserve;
3. Remain silent on activities within the road reserve; or
4. Develop a Local Law to enable appropriate consent for activities within the road reserve.

KEY ISSUE 5

There has been a perceived lack of publicity and consultation regarding the update of the Plan.

RESPONSE

There are no changes proposed in response to this key issue (see following for a list of main communication and consultation measures that have taken place).

Media

- Home page in the ‘Council Updates’ section of the new website all year;
- Indigo Connection six times this year, 23/2, 16/2, 9/2, 2/2, 26/1, 19/1 and once last year 22/12;
- Article contained in the December – January edition of the Indigo Informer;
- Media release sent out on 17 January 2011 and the *Ovens and Murray Advertiser* ran a story on 19 January 2011; and
- There was a public notice in the Corowa Free Press on 22 December 2010.

In addition to this media, there have been email and postal distributions. The postal distribution list has included all CFA groups within Indigo Shire (specifically, the delegate nominated to the Municipal Fire Prevention Committee) and representatives from Hancocks Plantation and some Landcare representatives who don’t use email. The email distribution list has included representatives from Indigo Landcare groups, representatives from government departments as well as members of the Indigo Environment Advisory Committee. Below are the dates and content of these distributions.

- 25 August 2010 - information provided on the update process, how and when involvement will occur;
- 15 September 2010 - release of pre-draft;
- 20 December 2010 - release of draft invitation to provide comment; and
- 1 February 2011 - extension to public comment period.

There has also been considerable internal consultation regarding the update of the plan, as well as two Council reports for information and a briefing presentation. Below are the dates and content of these.

- Council report and briefing - August 2009.
- Report for information and Council briefing presentation - 23 November 2010.
- Council report - Draft Roadside Management Plan Update - December 2010.

KEY ISSUE 6

Poor practices of Council's road maintenance operations, such as leaving stockpiles of spoil and heaping timber on roadsides, create a harbour for pests.

RESPONSE

Additional detail as to what is best practice has been included under the guidelines in Section 4.19 'Road Maintenance, Construction and Widening'.

KEY ISSUE 7

The assessment process for permitting roadside planting and associated requested consultation with CFA prior to the approval of any requests.

RESPONSE

In Section 4.6 'Enhancement and Restoration of Roadside Habitats' a requirement to consult with the relevant CFA brigade has been included. This is to ensure that any proposals will not be in conflict to priorities in the *Municipal Fire Prevention Strategy*. Further detail has also been included in regards to the information requested when assessing proposals for revegetation.

KEY ISSUE 8

Requests for firewood collection should be assessed on an individual basis and not precluded on high and medium roadsides on the basis of this conservation rating.

RESPONSE

Under the guidelines in Section 4.9 'Firewood Collection and Timber Harvesting' detail has been included as to the factors that will be assessed when requests for roadside firewood collection are received. This change acknowledges that areas of 'low' conservation may mean that retention of timber is vital in that area as it may yield from the only large remnant trees present in that location – likewise, areas of 'high' conservation may have excess levels of timber where removal would not affect conservation values. This gives weight to the approach that each request for firewood collection should be assessed on its merits.

KEY ISSUE 9

Victorian Royal Bushfire Commission (VRBC) recommendations are not considered in the Plan and reference to them should be removed.

RESPONSE

More detail as to what the relevant recommendations are has been included in Section 2.1 'Legislative and Strategic Background'. This detail includes the wording of VRBC recommendations 60 and 61.

KEY ISSUE 10

Guidelines under Section 4.8 'Fire Prevention and Management' are misleading, are inconsistent with the Section 4.9 'Firewood Collection and Timber Harvesting' and need redrafting.

RESPONSE

Greater reference to the *Municipal Fire Prevention Strategy* has been included under Section 4.8 ‘Fire Prevention and Management’ and throughout the whole of the document. The limitation of the Plan have also been acknowledged in that the identification of priorities for fire prevention works are the remit of the *Municipal Fire Prevention Strategy* and not within the scope of the *Roadside Conservation Management Plan*.

KEY IMPLICATIONS

Adoption of the final *Roadside Conservation Management Plan* will allow the implications of risk management, legislation, regulation and environmental aspects as they relate to roadside management to be recognised and applied.

FINANCIAL IMPLICATIONS

The financial implications of adopting the final *Roadside Management Plan* would require Council to provide an annual budget allocation for implementation of priority actions. This has occurred over the past six years, with an average recurrent allocation of \$10k for the previous plan. This has been used to secure external funding from state government agencies.

The financial implications of proceeding with the development of Local Law will be evident in officer time for firstly the development of the Local Law. Subsequent to approval there would be a financial commitment required from Council for the administration and enforcement of such a Local Law.

POLICY IMPLICATIONS

Adoption of the final *Roadside Conservation Management Plan* and the recommendation to proceed with development of a Local Law will:

- Enable a tailored, specific consent mechanism for permitting works on roadsides;
- Provide clarity to roadside users for permitting works within the road reserve;
- Provide a mechanism for Council with which to assess the risks for permitting specific activities within the roadside; and
- Give effect to the guidelines specified in the *Roadside Conservation Management Plan*.

COMMUNICATION

The final *Roadside Conservation Management Plan* will be promoted through a range of means, including media and existing distribution lists used during consultation. The Plan is also intended to be communicated to residents and the public through revision of the ‘Roadside’ series of brochures. These brochures provide an information guide specific to a range of activities.

CONCLUSION

Adoption of the final *Roadside Conservation Management Plan* will provide a current document that allows roadside activities to align with current legislation and policies. This update has identified that a more streamlined approach to assessing and permitting roadside activities is needed.



ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

Attachment:
Indigo Shire Roadside Conservation Management Plan
Confidential Attachment: Submissions



**INDIGO VALLEY
RURAL FIRE BRIGADE**

924 Indigo Creek Road
Indigo Valley Victoria 3688

**PETITION TO THE INDIGO SHIRE
COUNCIL**

We the undersigned wish to raise protest at the proposed Indigo Shire Council Roadside Management Plan, on the grounds that no proper consultation has been undertaken with members of the Community adversely affected by the proposed regulations.

12.0 MAJOR PROJECTS AND PROGRAMS

Nil.

13.0 GOVERNANCE

13.1 ADVISORY AND COMMITTEES OF MANAGEMENT REPORTS

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

**Moved: Cr Goldsworthy
Seconded: Cr Croucher**

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

COMMITTEE	DATE OF MEETING
Audit Committee	Nil
Burke Museum & Historic Precinct Advisory Committee	Nil
Environmental Advisory Committee	Nil
Finance Committee	13 April 2011
Indigo Arts & Cultural Advisory Committee	Nil
Indigo Heritage Advisory Committee	Nil
Indigo Shire Disability Advisory Committee	18 April 2011
Indigo Shire Grants & Awards Advisory Committee	Nil
Indigo Tourism Advisory Committee	1 April 2011

COMMITTEE	RESOLUTION	MOVED	SECONDED
Finance Committee	1. That the minutes of the committee meeting 7 March 2011 be confirmed.	Bernard Gaffney	Barbara Murdoch
	2. That the Instrument of Delegation as amended be submitted to the next Council Meeting for adoption.	Bernard Gaffney	Barbara Murdoch
Indigo Shire Disability Advisory Committee	That the minutes of the Committee meeting dated 21 March 2011 be confirmed.	Loretta Caunt	Ron Walker
Indigo Tourism Advisory Committee	1. That the minutes of the Committee meeting on 4 February 2011 be confirmed.	Bill Bell	Peter Croucher
	2. That ITAC request a funding increase of \$5000 to support festivals and events during 2011/12.	Bill Bell	Peter Croucher

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

2. That Council receive and note the attached record of an Assembly of Councillors.

Unanimously Carried

FOR DECISION

RECOMMENDATION

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

COMMITTEE	DATE OF MEETING
Audit Committee	Nil
Burke Museum & Historic Precinct Advisory Committee	Nil
Environmental Advisory Committee	Nil
Finance Committee	13 April 2011
Indigo Arts & Cultural Advisory Committee	Nil
Indigo Heritage Advisory Committee	Nil
Indigo Shire Disability Advisory Committee	18 April 2011
Indigo Shire Grants & Awards Advisory Committee	Nil
Indigo Tourism Advisory Committee	1 April 2011

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

COMMITTEE	RESOLUTION	MOVED	SECONDED
Finance Committee	1. That the minutes of the committee meeting 7 March 2011 be confirmed.	Bernard Gaffney	Barbara Murdoch
	2. That the Instrument of Delegation as amended be submitted to the next Council Meeting for adoption.	Bernard Gaffney	Barbara Murdoch
Indigo Shire Disability Advisory Committee	That the minutes of the Committee meeting dated 21 March 2011 be confirmed.	Loretta Caunt	Ron Walker
Indigo Tourism Advisory Committee	1. That the minutes of the Committee meeting on 4 February 2011 be confirmed.	Bill Bell	Peter Croucher
	2. That ITAC request a funding increase of \$5000 to support festivals and events during 2011/12.	Bill Bell	Peter Croucher

2. That Council receive and note the attached record of an Assembly of Councillors.

Attachments:
 Minutes – Finance Committee – 13 April 2011
 Minutes – Indigo Shire Disability Advisory Committee – 18 April 2011
 Minutes – Indigo Tourism Advisory Committee – 1 April 2011
 Assemblies of Councillors Record – Finance Committee – 13 April 2011

14.0 NOTICES OF MOTION

Nil.

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

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

15.1 CR POCKLEY – MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Apr	10.30am	Council, LaTrobe & RDV Meeting re: LaTrobe Beechworth	Beechworth
2-Apr	2pm	Beechworth Football & Netball Family Day	Beechworth
3-Apr	am	Opening of Connection Rural Business Women's Conference	Beechworth
4-Apr	12pm	Kerferd Oration Meeting	Beechworth
	3.30pm	Weekly Meeting with CEO	via telephone
5-Apr		Meeting with constituent - Re: local food production/university study	Indigo Valley
	4pm	Council Briefing Meeting	Beechworth
6-Apr	4pm	Councillor Budget Workshop	Yackandandah
7-Apr	10 am	Meeting with Nerida Kerr, RDV	Wodonga
	12.30pm	Rostrum	Albury
	4pm	Councillor Budget Workshop	Yackandandah
8-Apr	11am	Inauguration of Governor of Victoria	Melbourne
	6pm	Yackandandah Museum Exhibition Opening	Yackandandah
9-Apr	6.30pm	Yackandandah Golf Club Centenary Dinner	Yackandandah
11-Apr	8am	Starting Vintage Motor Bike Rally	Beechworth
	8.30am	Meeting with Beechworth ratepayer	Beechworth
	10am	Weekly Meeting with CEO	Beechworth
	12pm	Kerferd Oration Meeting	Beechworth
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr	am	Heritage Awards bus trip	Shire-wide

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

	1.45pm	Meeting with Minister Guy re: LaTrobe Beechworth	Beechworth
	6pm	Environmental Advisory Committee Meeting	Rutherglen
14-Apr	2pm	LaTrobe Meeting	Beechworth
	6pm	Biodiesel Community Reference Group	Yackandandah
15-Apr	12pm	Yackandandah Community Meal	Yackandandah
	11.30am	Environmental Advisory Committee Nominations	Yackandandah
	7.15pm	ISC Business Awards Dinner	Vintara Winery
16-Apr	5pm	Australian Tidy Towns National Awards	Beechworth
18-Apr	10am	Weekly Meeting with CEO	Beechworth
	12pm	Official Launch of First Phase of Indigo Gold Trail	Beechworth
19-Apr	4pm	Council Briefing Meeting	Beechworth
20-Apr	11.30am	Interview with Corowa Free Press	Rutherglen
	12pm	Rutherglen Community Meal	Rutherglen
	5pm`	Public opening of the Powder Magazine	Beechworth
	6pm	Book Launch ' <i>Exposed</i> ' by Richard Patterson	Beechworth
21-Apr	2.30pm	Indigo Heritage Advisory Committee Meeting	Wahgunyah
25 Apr	5.50 am	Dawn Anzac Service	Yackandandah
	9.30am	Anzac Service	Yackandandah
22-28 Apr		Annual leave	

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

15.2 CR GAFFNEY – DEPUTY MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Apr	9.30am	Indigo Tourism Association Committee Meeting	Chiltern
	10.30am	Council, La Trobe & RDV Meeting - Re: La Trobe Beechworth	Beechworth
2-Apr	10am	Beechworth Farmers Market	Beechworth
	11am	Beechworth Football & Netball Family Day	Beechworth
5-Apr	9am	Wine Board Meeting	Rutherglen
	4pm	Council Briefing Meeting	Beechworth
6-Apr	4pm	Councillor Budget Workshop	Yackandandah
7-Apr	12.30pm	Rostrum	Albury
	4pm	Councillor Budget Workshop	Yackandandah
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr	1.45pm	Meeting with Minister Guy - Re: La Trobe	Beechworth
	4pm	Finance Meeting	Beechworth
14-Apr	2pm	La Trobe Meeting	Beechworth
15-Apr	7.15pm	ISC Business Awards Dinner	Vintara Winery
16-Apr	5pm	Australian Tidy Towns National Awards	Beechworth
	7pm	Tidy Towns Awards Dinner	Beechworth
18-Apr	11am	Memorial service and unveiling of a headstone for Robert Lincoln Tidyman	Chiltern
	4pm	Audit Committee Meeting	Beechworth
	7.30pm	Baarmutha Park Committee of Management Meeting	Beechworth
18-Apr	12.30pm	Chiltern Community Meal	Chiltern
19-Apr	4pm	Council Briefing Meeting	Beechworth

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

20-Apr	6pm	Book Launch 'Exposed' by Richard Patterson	Beechworth
21-Apr	12.30pm	Rostrum	Albury
23-Apr	12pm	Golden Horseshoes Festival	Beechworth
24-Apr	All Day	Golden Horseshoes Festival	Beechworth
25-Apr	1pm	Wooragee Market	Wooragee
	6am	Anzac Day Dawn Service	Beechworth
	6.30am	Gunfire Breakfast	Beechworth
	10am	Anzac Day Service	Yackandandah
	11.30am	Anzac Day Service	Beechworth
28-Apr	2pm	North East Local Government Networking Meeting	Wangaratta
29-Apr	10am	Meeting with Indigo Shire Council Tourism Department	Beechworth

ORDINARY COUNCIL MEETING MINUTES – 10 MAY 2011

15.3 CR GRAHAM

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Apr	10am	Meeting with Jane Roots – re: Rural Land Study	
2-Apr	7pm	Chiltern & District Community Response Team 5 Year Celebrations	Chiltern
3-Apr	12pm	Order of Australia Luncheon	Barooga
5-Apr	All Day	Veterans Affairs Forum	Melbourne
6-Apr	All Day	Veterans Affairs Forum	Melbourne
7-Apr	All Day	Veterans Affairs Forum	Melbourne
8-Apr	10am	Interview with ratepayer	Rutherglen
10-Apr	7.30am	Rutherglen Market	Rutherglen
11-Apr	All Day	Road Safety Forum	Yarrowonga
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
14-Apr	2.30pm	Beechworth Australian Red Cross Meeting	Beechworth
	6pm	Biodiesel Community Reference Group	Yackandandah
15-Apr	7.15pm	ISC Business Awards Dinner	Vintara Winery
16-Apr	9.30am	Meeting - re: Rutherglen/Corowa Arts Society	
	5pm	Australian Tidy Towns National Awards	Beechworth
18-Apr	All Day	Aged Care Forum	Melbourne
19-Apr	11am	Rutherglen Neighbourhood Watch Meeting	Rutherglen
	4pm	Council Briefing Meeting	Beechworth
20-Apr	9am	nevRwaste Meeting	Wangaratta
	4pm	Rutherglen Gold Battery Meeting	Rutherglen
	6pm	History of Yackandandah Sports Park	Yackandandah
21-Apr	12pm	North East Road Safety Meeting	Wangaratta

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23-Apr	12pm	Golden Horseshoes Festival	Beechworth
25-Apr	5.45am	Anzac Day Dawn Service	Rutherglen
	6.30am	Anzac Day Gunfire breakfast	Rutherglen
	8.45am	Anzac Day Parade and Service	Rutherglen
	9.45am	Anzac Day Parade and Service	Wahgunyah
27-Apr	1pm	Elder Abuse/Veterans Forum	Melbourne
28-Apr	All Day	Elder Abuse/Veterans Forum	Melbourne
29-Apr	All Day	Elder Abuse/Veterans Forum	Melbourne

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15.4 CR GOLDSWORTHY

DATE	TIME	FUNCTION/EVENT	LOCATION
2-Apr	11am	Opening Beechworth Football Club Rooms	Beechworth
	6pm	Beechworth F/Ball & Netball club room formal night	Beechworth
5-Apr	4pm	Council Briefing Meeting	Beechworth
6-Apr	4pm	Councillor Budget Workshop	Yackandandah
8-Apr	10am	Timber Towns Annual General Meeting	Melbourne
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr	4pm	Finance Committee Meeting	Beechworth
14-Apr	7pm	Lake Sambell Management Committee	Beechworth
15-Apr	7.15pm	ISC Business Awards Dinner	Rutherglen
16-Apr	5pm	Australian Tidy Towns National Awards	Beechworth
18-Apr	7.30pm	Baarmutha Park Committee Meeting	Beechworth
19-Apr	4pm	Council Briefing Meeting	Beechworth
20-Apr	5pm	Powder Magazine Tour	Beechworth
23-Apr	12.30pm	Easter Parade	Beechworth
25-Apr	6.30am	ANZAC Day Dawn Service	Beechworth

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15.5 CR ISSELL

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Apr	12pm	Albury/Wodonga Leaders Luncheon	Albury
2-Apr	11am	Beechworth Football & Netball Family Day	Beechworth
	2pm	MC – Opening of change rooms	Beechworth
	6pm	Football/Netball Club Dinner and Fundraiser	Beechworth
5-Apr	4pm	Council Briefing Meeting	Beechworth
	4pm	ACSUM Meeting	Wodonga
6-Apr	4pm	Councillor Budget Workshop	Yackandandah
7-Apr	4pm	Councillor Budget Workshop	Yackandandah
9-Apr	2pm	Bluescope Youth Orchestra	Beechworth
12-Apr	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr	6pm	Environment Advisory Committee	Rutherglen
15-Apr	10am	Meeting with student re Rural Land Use	Beechworth
	11.30am	Environmental Advisory Committee Nominations	Yackandandah
	12pm	Yackandandah Community Meal	Yackandandah
16-Apr	5pm	Australian Tidy Towns National Awards	Beechworth
19-Apr	4pm	Council Briefing Meeting	Beechworth
23-Apr	10am	Welcome to Country – Golden Horseshoes Festival	Beechworth
	1pm	Call Easter Parade	Beechworth
29-Apr	2pm	Murray Arts AGM	Albury
	3pm	Murray Arts Monthly meeting	Albury

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15.6 CR MURDOCH

DATE	TIME	FUNCTION/EVENT	LOCATION
2-Apr	7pm	Chiltern & District Community Response Team 5 Year Celebrations	Chiltern
5-Apr	4pm	Council Briefing Meeting	Beechworth
6-Apr	12pm	Beechworth Community Meal	Beechworth
	4pm	Councillor Budget Workshop	Yackandandah
	5pm	Chiltern Memorial Hall Committee Meeting and Presentation	Chiltern
7-Apr	2pm	Chiltern Primary School Fete	Chiltern
	4pm	Councillor Budget Workshop	Yackandandah
	6..30pm	Youth Awards Presentation	Rutherglen
8-Apr	10:30am	ALGWA Meeting	Benalla
11-Apr	2.30pm	Resilience Committee Meeting	Rutherglen
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr	12pm	Wahgunyah Community Meal	Wahgunyah
	4pm	Finance Meeting	Beechworth
14-Apr	2.30pm	Beechworth Australian Red Cross Meeting	Beechworth
15-Apr	1:30pm	MAV Professional Development Committee	Melbourne
	7.15pm	Indigo Shire Council Business Awards Dinner	Vintara Winery
16-Apr	5pm	Australian Tidy Towns National Awards	Beechworth
18-Apr	11am	Headstone Unveiling R. Tidyman Chiltern Cemetery	Chiltern
	12pm	Chiltern Community Meal	Chiltern
	4pm	Audit Committee Meeting	Beechworth

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19-Apr	4pm 7pm	Council Briefing Meeting Chiltern Strengthening Committees Review	Beechworth Chiltern
20-Apr	4pm	Meeting with constituent	Chiltern
	5pm	Beechworth Powder Magazine Opening	Beechworth
	6pm	History of Yackandandah Sports Park	Beechworth
21-Apr	12pm	Jamie Heritage's Farewell Luncheon	Yackandandah
24-Apr	All Day	Golden Horseshoe Festival	Yackandandah
25-Apr	.10am	Barnawartha Anzac Service	Barnawartha
	11am	Chiltern Anzac Service	Chiltern
27-Apr	11am	Presentation of the Chiltern Recreation Reserves Plan	Chiltern
29-Apr	9.30am	Cuddle Time Reading, Osbornes Flat Primary School	Osbornes Flat
30-Apr	12pm	Tangambalanga Community Meal	Tangambalanga
	6.30pm	Chiltern Lion's Amateur Player's 'Anything Goes'	Chiltern

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15.7 CR CROUCHER

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Apr	10am	Indigo Tourism Advisory Committee Meeting	Yackandandah
2-Apr	11am	Beechworth Football & Netball Family Day	Beechworth
5-Apr	4pm	Council Briefing Meeting	Beechworth
6-Apr	4pm	Councillor Budget Workshop	Yackandandah
7-Apr	12.30pm	Rostrum	Albury
	4pm	Councillor Budget Workshop	Yackandandah
12-Apr	2pm	Council Briefing Meeting	Beechworth
	3pm	Council Meeting	Beechworth
	6.30pm	Community Forum	Beechworth
13-Apr		Heritage Awards Bus Trip	Shire wide
14-Apr	2.30pm	Beechworth Australian Red Cross Meeting	Beechworth
15-Apr	12pm	Yackandandah Community Meal	Yackandandah
	7.15pm	ISC Business Awards Dinner	Vintara Winery
18-Apr	12pm	Official Launch of First Phase of Indigo Gold Trail	Beechworth
19-Apr	4pm	Council Briefing Meeting	Beechworth
20-Apr	12pm	Rutherglen Community Meal	Rutherglen
	5pm	Opening of Powder Magazine	Beechworth
	6pm	History of Yackandandah Sports Park	Yackandandah
21-Apr	12.30pm	Rostrum	Albury
	2.30pm	Indigo Heritage Advisory Committee Meeting	Wahgunyah
23-Apr	All Day	Golden Horseshoe Festival	Beechworth
24-Apr	All Day	Golden Horseshoe Festival	Beechworth
25-Apr	5.45am	Anzac Day Dawn Service	Tangambalanga
	8.55am	Memorial Service	Tangambalanga

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27-Apr	7pm	Community Strengthening meeting	Tangambalanga
29-Apr	12pm	Community Luncheon	Tangambalanga
30-Apr	11pm	Opening –Yackandandah Primary School	Yackandandah
	6.30pm	Star Theatre CLAP	Chiltern

16.0 CONFIDENTIAL

Nil.

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17.0 GENERAL BUSINESS

COUNCILLOR	ITEM
Cr Croucher	Indigo Shire Council Business Awards Cr Croucher congratulated all those involved.
Cr Gaffney	Proposed Victoria Road CFA Station Cr Gaffney requested that a letter be written to the CFA Chief Fire Officer regarding the proposed Victoria Road CFA Station.

Meeting Concluded: 5.07pm

Next Meeting: Tuesday 14 June 2011 at 3pm
Senior Citizens Hall, Rutherglen