

INDIGO SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE INDIGO SHIRE COUNCIL HELD IN THE SENIOR CITIZENS ROOMS, CONNESS STREET, CHILTERN ON TUESDAY 3 JULY 2007 COMMENCING AT 7.00 PM.

PRESENT

Councillors

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

Officers

Mr John Costello (Chief Executive Officer)
Mr Clive Walker (Acting Operations Manager)
Mr David Montgomery (Corporate Services Manager)
Ms Sally McCarron (Health & Wellbeing Manager)
Mr Nicholas Moore (Chief Finance Officer)
Ms Susan Cheetham (Environment & Development Services Manager)
Mr Phil Prior (Assets Manager)
Mrs Naomi Cox (Executive Assistant/Chief Executive Officer)

1.0 WELCOME

Cr Graham welcomed those in attendance.

2.0 OPENING PRAYER

Cr Dale read the Opening Prayer.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Councillor V J Issell – work commitments

**Moved Cr Dale
Seconded Cr Banks**

That the apology of Cr Issell be accepted.

CARRIED

4.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

Nil

5.0 OPEN FORUM

1. Burke Museum (represented by Gaynor Matthew, Patricia Williams and Margaret Carlton)

- a) Is there a position of ‘Beechworth Precinct Co-ordinator’ being advertised internally within Indigo Shire Council this weekend?

Chief Executive Officer – if not by the weekend, then early next week.

- b) If there is such a position being advertised, why is this being done when, as stated in Item 10.1 of tonight’s agenda under ‘Burke Museum’, discussions and meetings are ‘on-going’ and ‘underway’ and the interested body of people participating in the 2006 forward planning meeting at La Trobe have not been consulted at a promised third meeting?

Chief Executive Officer - Staffing is under the Chief Executive Officer’s direction. We need someone in place to assist the existing staff to analyse and implement the ideas that are carrying forward.

- c) Given the Chief Executive Officer’s willing attendance at the last committee meeting of the Friends of the Burke Museum on 20 June 2007 to update the Friends on the status of any Precinct changes impacting on the Burke Museum, and his acknowledgement of the value and importance of the opinions and work of the Friends as they support the Shire and the Burke Museum, why hasn’t the Chief Executive Officer updated the Friends of any changes to matters affecting the Burke Museum since then?

Chief Executive Officer - There have been no further changes implemented. The Friends were advised of the changed structure at the meeting on 20 June 2007.

- d) Why does the most recent strategic plan showing the staffing structure of the

Burke Museum not show the position of Research Officer?

Chief Executive Officer - The only position not shown is the Burke Museum Manager position. No other staff levels have been reduced. It appears the word "Research" is just missing from the "Burke Museum Officer" position shown.

- e) Could Indigo Shire consider giving the current highly skilled staff of the Burke Museum a trial period of between three to six months to initiate and implement their ideas for change as presented to the Shire, without the imposition of a Precinct Co-ordinator?

Chief Executive Officer - No –we need someone to tie together the Burke and the Precinct. I have advised the existing staff to look at the position. One of them even queried a job share approach and was advised to propose that by way of application.

2. Item 12.2 – Heavy Traffic Deviation

Jill Robson – Rutherglen

Does Council realise the maps attached to the report are out of date?

Mayor – this is just the beginning of discussions and a way forward for the best possible solution for Rutherglen. Maps and other information can be updated as the process unfolds.

Arthur Jones – Rutherglen

Reference to Recommendation 4:-

- a. Why did the Focus Group recommend to Council to actively discourage linehaul heavy vehicles from Gooramadda and Up River Roads when it is an excellent short term solution?

Phil Prior - The Focus Group considered all aspects of traffic deviation and considered that the existing State route via the Riverina Hwy existed and it would be preferable to utilise this rather than duplicate it. Also the Up River/Gooramadda Rds are lightly constructed and as outlined in the recent VicRoads study would have limited life if utilised for continued heavy traffic. The cost of upgrade of \$10M plus would be borne by Council.

- b. Was it in the Focus Group's charter to actively discourage any truck route that would remove any amount of heavy vehicles from the Main Street area?

Phil Prior - The Focus Group was required to look at all impacts including those caused by potentially rerouting heavy vehicles.

Mayor – the general intent was to find a new route but not necessarily push heavy traffic into other unsuitable areas eg. residential areas.

Has Council collected all relevant data on the destination of the traffic?

Mayor – part of the process is to get as much data as possible to enable the best decision to be made. VicRoads has been doing truck destination studies and traffic volumes as part of all of this.

Jill Robson

In relation to land acquisition maps show routes passing through properties. This includes holding yards and properties where there are two existing dwellings.

Mayor – Some identified routes will affect properties in some way. This is unavoidable. No go areas because of current or future activities may be considered. There is likely to be some upheaval outside urban area. We are starting the process off and advancing to what we all want for Rutherglen – safety.

Rachelle Enever

Decisions have been made regarding the exclusion of alternate routes based on technical research. No technical advice has been sought regarding the alternate routes for inclusion into the report. Will technical research be sought for all alternate routes listed in the report and others that members of the community may suggest?

Mayor – After technical assessment has been done – the best sustainable route in the long term will be selected. All input will be assessed by a Technical Group independent of the Shire. The current report shows suggestions but these need to be further assessed. Other routes might also be identified.

Deborah Stefanides

Will Council be ensuring that a thorough survey be conducted regarding the origin points and destination points of the heavy traffic, so that this can inform the most appropriate route for diversion, rather than setting an arbitrary route that heavy traffic may or may not follow?

Mayor – Yes – as mentioned earlier a lot more information needs to be obtained as to traffic patterns. VicRoads and truck operators need to be involved.

Jamie Cooper

Looking at 08/09 to build. The route will affect where and what I want to build. Have a planning permit that will run out.

Mayor – One of the subjects of the report is that need to identify where the road may go. We want to make sure that Council has the capacity to review what might be suitable for a bypass in the future. If inappropriate development goes on in that road then it precludes us from using that road. Trying to alleviate that problem.

Phil Prior – will meet with people that have problems and discuss these concerns with them. Will give people a clear picture of what is happening. Those people should

contact Phil Prior or Susan Cheetham to make an appointment.

Colin Campbell

Questions the wisdom / long term thinking of the Focus Group – cutting a housing estate in half. Must get it right as it says in the report. Could have a high impact on some people.

Mayor – some of the most important ideas stated where it should not go because of certain considerations. All this is the start of a very long process. Once the Technical assessment starts there will be a range of problems, ideas and solutions that come up. We are attempting to go forward from here so we can come up with a solution that we can live with.

Colin Campbell

There is a need to be careful not to restrict development in the meantime.

Mayor – Nobody wants to restrict development of the land, but having a route identified will assist everyone in their decision making processes.

6.0 CONDOLENCES

The Mayor paid tribute to the late Christopher John Killeen of Rutherglen and passed on condolences to his family.

**Moved Cr Graham
Seconded Cr Hotson**

That Council forward a letter of condolence under seal to the family of the late Christopher John Killeen.

CARRIED

7.0 CONFIRMATION OF MINUTES

**Moved Cr Murdoch
Seconded Cr Banks**

That the Minutes of the Council meeting held 5 June 2007 be adopted.

CARRIED

**Moved Cr Dale
Seconded Cr Walsh**

That the Minutes of the Special Council meeting held 19 June 2007 be adopted.

CARRIED

8.0 BUSINESS ARISING (PREVIOUS MINUTES)

Cr Dale queried whether any submissions to the Budget had been received? The Chief Executive Officer advised that two submissions had been received to date.

9.0 DEPUTATIONS AND PETITIONS

Nil

SUSPENSION OF STANDING ORDERS – 7.31 PM

Moved Cr Dale
Seconded Cr Murdoch

That Standing Orders be suspended to bring forward for discussion Item 12.2.

CARRIED

12.2 RUTHERGLEN HEAVY TRAFFIC DEVIATION (FILE NO: T360.1 - AM)

For Decision

RECOMMENDATION

That Council:

1. Receive the Rutherglen Heavy Traffic Deviation Focus Group report and commence the public consultation process.
2. Thank the members of the Rutherglen Heavy Traffic Deviation Focus Group for their participation and input.
3. Liaise with VicRoads to investigate possible short term safety improvements in Main Street.

Moved Cr Hotson
Seconded Cr Walsh

That the Recommendation be adopted.

CARRIED

SUMMARY

Council formed the Rutherglen Heavy Traffic Deviation Focus Group in October 2006 to look into possibilities for deviating heavy vehicles from Main Street, Rutherglen. The Focus Group has completed its study for presentation to Council. A copy of the report is attached.

BACKGROUND

Safety and amenity issues arising from heavy vehicles transiting Main Street (Murray

Valley Highway) have been a community and Council concern for many years. The narrow road reserve width and busy commercial and tourism precinct of Main Street limits options for safely managing heavy vehicle traffic in the commercial precinct.

There has been considerable community discussion and efforts to find a suitable alternative heavy vehicle route, however, there has not been any routes clearly identified, investigated or documented in the past. There are four main drivers to progress this project at this time:

- a) on-going and increasing community concern about the safety issues in Main Street;
- b) the review of Council's Municipal Strategic Statement being undertaken in 2006/7 and the need to clearly identify and protect future deviation routes in the Indigo Shire Planning Scheme;
- c) the development of the Logic Distribution Centre at the MVH and Hume Freeway intersection and the likely increase in heavy vehicle movements generally in the district, and in particular, along the MVH, and
- d) the opening of the new Federation Way bridge over the Murray River, the initial reduction in heavy vehicle traffic in Main St and the need to monitor heavy vehicle movements emanating from the increased access to the Federation Way.

Council's response to these factors was to form the Focus Group, to report to Council in accordance with the Focus Group Charter.

The 10 members of the Focus Group represented a broad cross section of interest groups and organisations. The Focus Group held four well attended meetings to arrive at their conclusions, outlined in the attached report.

Further technical assessments of the identified routes is currently being undertaken by Council and VicRoads' officers. Completion of this work will add to the study undertaken by the Focus Group and will enable the Community, Council and VicRoads to jointly progress this project. Results of this work will be available in August.

Importantly, the Focus Group study and the technical assessment currently underway and further community consultation will enable:

1. Viable alternative heavy traffic routes to be identified and considered in the MSS review process.
2. Clear timelines to be developed for progressing the necessary detailed and rigorous assessment of these viable routes.

The Focus Group report does not provide a definitive solution to the heavy vehicle problem, the Group had neither the time nor the required technical resources to undertake the necessary research. The report does provide a sound basis to progress the above two issues and importantly to progress public consultation and discussion.

All the identified routes impact on property owners to some degree. The Focus Group considered this issue in detail in determining their preferred routes, however acknowledge that while the shortlisted routes arguably impact on the least number of

property owners, there is a major impact on a few. To provide some certainty to these property owners and the community, the project should progress without delay.

The following timelines will ensure timely progress:

- July – September 2007 : Public consultation on the Focus Group Report;
- October 2007 – consideration of public comment and submissions;
- November 2007 – apply to VicRoads for joint funding for a detailed study in 2008/09 year;
- July 2009 – consideration of detailed study results and commence seeking funding if a suitable deviation route is identified;
- July 2007 – June 2009 – on-going community consultation and liaison with VicRoads and City of Wodonga.

CONSULTATION

Community consultation to be undertaken.

POLICY IMPLICATIONS

Council's recently adopted Council Plan, Project 6.1 identifies the need to pursue an effective alternative heavy vehicle route in Rutherglen.

FINANCIAL & RESOURCE IMPLICATIONS

If the project progresses to the detailed study phase and Council is successful in gaining support from VicRoads and the City of Wodonga, Council will need to allocate its one third share of the estimated \$100,000 required to undertake the study in the 2008/09 financial year.

Funding for and timing of construction cannot be ascertained until completion of the detailed study.

Attachments

RESUMPTION OF STANDING ORDERS – 7.44 PM

**Moved Cr Dale
Seconded Cr Walsh**

That Standing Orders be resumed.

CARRIED

10.0 TOURISM AND MARKETING

10.1 TOURISM & MARKETING - PROGRESS REPORT – JULY 2007

For Information

Project	Actions
Indigo Tourism Board	The Board has workshopped the proposed ITB Budget and met again on the 25 th June. Individual groups may make submissions to Council on the budget.
Tourism & Marketing Manager	Kate Biglin has been appointed to this position.
Town Brochures	This project is well over budget with anticipated income well below estimates. The Beechworth brochure has been printed. Chiltern Tourism Association is developing a new pricing model. Beechworth and Yackandandah Visitor Guides will be launched by the Minister for Tourism, Tim Holding on July 5 th .
Burke Museum	An implementation action plan and costing of the strategic plan is underway. Additional improvements are continuing to be suggested. A meeting of various parties involved has been initiated and is on-going. Hours of operation have been reduced. Concepts on increasing income are being developed.
MTMRT (Wahgunyah to Rutherglen)	\$250,000 Federal funding application is with Albury Wodonga ACC for consideration.
North East Valleys Food and Wine Group	EO position has been filled and meetings have been held with member Council representatives.
High Country Touring Route	Brochures and information centre banners complete and distributed. Lobbying for signage underway.
2007 Golden Horseshoes Festival	The Easter weekend event was highly successful. A debrief meeting has been held and plans are underway for the 2008 event. The costs of the event have not been fully ascertained but exceed the budget. The Committee have organised a public meeting to gain support for next year's festival. A detailed financial report will be prepared as at 30 June 2007 and provided to Council and the Committee.
Ned Kelly Festival	Planning for 2007 Festival is well advanced. The festival will be a smaller scale, more intensive event

	this year and deliver a larger scale event every 2 nd year. A brochure has been printed and is being distributed. Tickets are on sale on line and through the VIC.
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11.0 ENVIRONMENT AND DEVELOPMENT

11.1 SECTION 173 AGREEMENTS - (07/035, 07/113) (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) AJ & MP McKenzie-McHarg**
- B) BF & JC Fisher**

Moved Cr Dale Seconded Cr Banks
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That the Recommendation be adopted.
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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 07/035 relates to a proposed dwelling on land located at Smiths Lane, Yackandandah. The land is covered by the provisions of the Farming Zone and the application reflects an approval given under expired permit PP01-134. The subject land

is comprised of 5 Crown Allotments that are proposed to be consolidated into two separate lots of 3.9ha and 29.8ha that have regard to a waterway that bisects the property. The Planning Permit was issued on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which ensures that:

- (i) the lots created are not able to be further subdivided so as to increase the number of lots, and;
- (ii) Lot 2 can not be used for the purposes of a dwelling.

B) Planning Permit 07/113 relates to a proposed re-subdivision of land located at Pearces Road, Rutherglen. The land is covered by the provisions of the Farming Zone and is currently comprised of 2 Lots. The subdivision creates 2 lots of approximately 92 ha and 44 ha. The Planning Permit was issued 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 or 2 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) provides notification to future landowners of Lots 1 and 2 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 – PP07/035, Smiths Lane, Yackandandah.
Attachment B: Locality/Site Plan – PP07/113, Pearces Road, Rutherglen.

11.2 ENVIRONMENT AND DEVELOPMENT SERVICES PROJECTS – JUNE 2007 (EDSM)

For Information

Projects underway are shown in the following table.

Project	Current actions
Amendment C10 – Heritage Overlay	<ul style="list-style-type: none"> ○ Independent Panel hearing was 15 – 17 May 2007. Inspections of sites were carried out in May. ○ Awaiting a Panel report – this is due early July.
Amendment C21 - Kiewa-Tangambalanga	<ul style="list-style-type: none"> ○ Structure Plan adopted by Council in May 2006. ○ Authorisation received was conditional and a protracted negotiation took place before DSE allowed exhibition to commence. ○ Exhibition period for the amendment closes 2 July 2007.
Amendment C27 – Low Density Residential rezoning. Nashes Road, Rutherglen	Amendment forwarded to DSE in June. Awaiting advice regarding approval and a gazettal date.
Municipal Strategic Statement and Indigo Planning Scheme – major review	<ul style="list-style-type: none"> ○ First round of public consultation meetings held August - September 2006. Second round held March 2007. ○ Consultation with government agencies and neighbouring municipalities undertaken. ○ Rural planning issues workshops held November 2006 and March 2007. ○ Draft review report released for public comment. Closing date for submissions is 29 June..
Indigo Planning Scheme - environmental overlay	<p>Ecology Partners P/L appointed to undertake a project to identify biodiversity priority areas within the municipality for further investigation and possible furthers controls in the planning scheme.</p> <p>Draft report being revised by consultant to incorporate steering committee responses. Report to be presented to Council during July.</p> <p>NECMA has advised that second and third stage funding will be approved for this project over the next two years. This has been awarded through the Regional Catchment Investment Process.</p>
VCAT Appeals	<ul style="list-style-type: none"> ○ PP05-321 Appeal by Barden Consulting against refusal of Council to amend the Development Plan and against refusal by Council to amend conditions of the planning permit for subdivision, Elgin Road, Beechworth. Hearing scheduled for 27 June 2007 in Beechworth. ○ PP06-063 appeal by George Fendyk against

	<ul style="list-style-type: none"> ○ conditions of a planning permit for a 2 lot subdivision. Issue is around the loss of car parking area behind Tanswell's hotel in Beechworth. Hearing scheduled for 27 June 2007 in Beechworth. ○ PP06-242 Appeal by AR Bennett against refusal by Council to approve a balcony addition to a shop, Ford Street, Beechworth. Notice of appeal being given (March 2007). Date of hearing yet to be advised. ○ PP06-280 Appeal by C Brown against refusal by Council to approve an extension to a dwelling, Pioneer Road, Stanley. Date of hearing yet to be advised. ○ PP06-247 Appeal by C Rebbechi against refusal by Council to approve a dwelling, Lake Moodemere Road, Norong. Date of hearing yet to be advised.
Community Water Grants – round 2	Application successful for \$20,000 grant to retrofit Community Centres / Senior Citizens facilities with water saving devices and rainwater tanks. Investigation still underway as to the most appropriate centres.
Community Water Grants – round 3	Project proposals being developed. Proposals to be based on priorities highlighted in the Indigo Sustainable Water Use Plan.
Greenhouse Action Plan	Inventory completed. This is the first milestone in a 4 part plan. The second milestone will be to set a reduction target for greenhouse emissions. Technical staff have discussed possible reductions. Report to be presented to Council.
North East Greenhouse Alliance	<ul style="list-style-type: none"> ○ Key Council staff continuing investigation of feasibility of biodiesel trial in Council plant and fleet. ○ Public lighting audit completed. A number of inefficient lighting times found. This to be addressed with service provider (SP Ausnet). ○ Sustainable schools project – pilot schools engaged. St Mary's, Rutherglen and Beechworth Primary participating. Launch of project was early June.. ○ John Pettigrew (Al Gore trained presenter) scheduled to present in Beechworth in July/August ○ NEGHA involvement in Rural Futures forum in Kiewa Valley on 18 June. ○ Adaptation project completed. Report on key findings in this agenda.
Chiltern Green Corp project	Expression of interest and project proposal has been lodged for a green Corp team. Final approval yet to be received. This project proposed to commence in October.
Work for the Dole Team	Increased from one day to two days per week. Unfortunately there has been a break in work over part

	of May and June. Works focusing on maintenance at Lake Sambell.	
Lake Sambell	<ul style="list-style-type: none"> ○ In June prisoners undertook replanting of trees lost to drought. ○ Targeted weed spraying has been carried out by contractors. ○ LS Committee's Deed of Delegation currently under review. 	○
Indigenous Resource Area at Lake Sambell	<ul style="list-style-type: none"> ○ Targeted spraying and slashing has been undertaken; ○ Compaction of track completed; ○ Seeding of area with an appropriate grass species to be undertaken;. 	○
Isaac Park	<ul style="list-style-type: none"> ○ Targeted spraying of limited regeneration of willows has been undertaken. ○ Next step is to spread mulch material on site. 	○
Regional Stormwater Education Officer	<ul style="list-style-type: none"> ○ Regional Stormwater Code of Practice printed – yet to be distributed; ○ Litter grant application submitted and awaiting outcome; ○ Organising workshops for builders for July. This workshops will promote stormwater best practice on building sites; ○ Further development of Local Law for stormwater. 	○
Community woodlot program	<ul style="list-style-type: none"> ○ Stanley – timber still available; ○ Yackandandah – significant amounts of timber still remain from salvage operations; ○ Beechworth – prisoners currently delivering timber to concession card holders; and ○ Chiltern – no useful timber in this woodlot. <p>Note DSE's Firewood Collection Areas continuing to operate.</p>	
Roadside Management Plan	<ul style="list-style-type: none"> ○ Bridal Creeper, a Weed of National Significance, sprayed in the limited areas occurring on Indigo's roadsides – including new infestations areas; ○ Reviewing priorities for works for next financial year given budget reductions.. 	○
Roadside weed initiative	<ul style="list-style-type: none"> ○ Assessments of results for 2006 to be carried. ○ Proposed to call for applications for 2007 program at end of July. 	○
Ecobuy	Ongoing actions focusing on purchasing policy, green cost codes and their use by staff, and generally increasing staff awareness.	
Community awareness	<ul style="list-style-type: none"> ○ Preparation underway for National Tree Day (31 July); and ○ Joint project has been organised with NECMA, NEGHA and NevRWaste – Schools Environmental Education Day (Seed). To be held 17 July at Lake 	○

	o King, Rutherglen.
Upper Sandy Creek School revegetation project	Fencing completed. Ripping of area and pre-emergent spraying to follow prior to planting in July.
Sustainable water use plan	Priority actions identified in plan are the basis of Community Water Grants proposals.

11.3 BUILDING STATISTICS – MAY 2007 (EDSM)

For Information

rnawartha	imming Pool	\$23,750.	01/05/
utherglen	ew Building	\$25,000.	01/05/
echworth	imming Pool	\$35,380.	02/05/
echworth	-stump	\$4,800.	03/05/
ngambalanga	ew Building	\$8,974.	03/05/
rnawartha	ew Building	\$4,495.	03/05/
bornes Flat	ew Building	\$9,000.	03/05/
ahgunyah	ew Building	\$9,000.	03/05/
echworth	tension	\$11,500.	07/05/
ahgunyah	her	\$32,344.	07/05/

ltherglen	ew Building	\$400,000.	09/05/
echworth	ew Building	\$11,081.	10/05/
ltherglen	ew Building	\$18,000.	10/05/
ltherglen	ew Building	\$80,000.	11/05/
iltern	ew Building	\$262,636.	11/05/
ltherglen	tension	\$17,850.	14/05/
ltherglen	ew Building	\$309,044.	14/05/
echworth	ew Building	\$154,177.	14/05/
ckandandah	teration	\$50,000.	15/05/
ltherglen	imming Pool	\$32,660.	15/05/
ltherglen	ew Building	\$160,000.	15/05/
iltern	ew Building	\$2,000.	16/05/
echworth	ew Building	\$5,000.	17/05/
echworth	ew Building	\$1,500.	17/05/

ackandandah	ew Building	\$179,890.	17/05/
ooragee	teration	\$60,000.	17/05/
therglen	her	\$24,000.	17/05/
iltern	ew Building	\$4,900.	17/05/
ackandandah	ew Building	\$9,000.	17/05/
rnawartha Nort	ew Building	\$11,100.	17/05/
echworth	ew Building	\$35,000.	18/05/
ahgunyah	imming Pool	\$28,465.	18/05/
idigo Valley	ew Building	\$75,000.	22/05/
rlyle	ew Building	\$115,000.	24/05/
echworth	ew Building	\$301,132.	29/05/
rnawartha Nort	tension	\$65,000.	29/05/
ackandandah	ew Building	\$6,188.	29/05/
rnawartha	tension	\$150,000.	29/05/

Wilton	Extension	\$30,000.	31/05/
Lechworth	New Building	\$191,847.	31/05/
Witherglen	Extension	\$3,500.	31/05/
Total		\$2,984,413.	

11.4 PLANNING STATISTICS – MAY 2007 (EDSM)

For Information

File No	Locality	Purpose	Cost	Decision
06265	Witherglen	Wellings	\$465,0	Approved
06287	Blackandandal	Wellings	\$180,0	Approved
06304	Blackandandal	Lot Pt Subdivision 401822		Approved
07023	Wilton	ed	\$4,3	Approved
07042	Whangunyah	Prop of Popup, machine extension, ed Extension	50,000	Approved
07046	Manley	Host Farm Accommodation		Approved
07059	Wilton	Innovation/Restoration Shop	\$25,0	Approved
07064	Witherglen	Lot subdivision		Approved
07068	Wilton	Lot Subdivision		Approved

07077	ooragee	emporary Storage Containers X		pproved
07082	utherglen	onstruct verandah	\$9,0	pproved
07096	ahgunyah	Lot Subdivision		pproved
07097	echworth	gnage	\$1,0	pproved
07099	echworth	Signs		pproved
07100	arnawartha	welling	\$200,0	pproved
07101	echworth	ed	\$1,5	pproved
07104	ackandandal	removal of part of easement		pproved
07107	armutha	ood Shed		pproved
07110	ackandandal	ertificate of Compliance		sued
07113	utherglen	e-align Boundary		pproved
DTA			1,335,8	

12.0 CIVIL OPERATIONS

12.1 OSBORNES FLAT PRIMARY SCHOOL – KERB AND CHANNEL SPECIAL CHARGE SCHEME - (FILE NO:- T480.15 - AOM)

For Decision

RECOMMENDATION

That Council:

- 1. Adopt the Osbornes Flat Primary School, Kerb and Channel, Special Charge Scheme as presented.**
- 2. Formally notify the Education Department of the scheme and have a Committee of Council consider written and verbal submissions for a report and recommendation to Council on the future progress of the Osbornes Flat Primary School Kerb and Channel Scheme.**

**Moved Cr Dale
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends the commencement of statutory and consultative procedures in relation to the declaration of a Special Charge to Section 163 of the Local Government Act 1989, to construct kerb and channel together with associated drainage and pavement works fronting part of the Osbornes Flat Primary School.

The works will include; Kerb and Channel plus pedestrian protection elements, and associated stormwater drainage and pavement.

BACKGROUND

The forward works program has identified the need to construct kerb and channel and associated underground drainage and bituminous seal the car park at the Osborne Flat Primary School

Council has received complaints over the years involving drainage/flooding, dust and mud and potential safety issues from the school community.

Council is also aware that the cost of the works is to be recovered from abutting owners, the Education Department, in this instance. The amount to be recovered is in accordance with Councils' Cost Recovery policy and as to be determined by Council in consideration of this report.

Section 163 – 166 of the Local Government Act 1989, allows Council to declare a Special Charge for any purpose where there is, or will be a special benefit to persons required to pay the special charge.

A special charge can be declared on the basis of any criteria specified by Council. These may include frontage, percentage of benefit, percentage of use, valuation, land area, etc. In this case the declaration of a special charge will be based on lineal metre frontage of the cost of construction.

A special charge may be declared for the purpose of:

1. Defraying any expenses; or
2. Repayment (with interest) any advance, debt of loan, in relation to the purpose of that special charge.

PROPOSED OSBORNES FLAT PRIMARY SCHOOL SPECIAL CHARGE

In accordance with the Local Government Act, it is recommended that Council proceeds with the construction of the Osbornes Flat Primary School – Kerb and Channel Scheme, commence statutory procedures, and that the scheme be specified as follows:

1. **The purpose of the Special Charge and how levied**

a) The purpose of the special charge is to defray the costs associated with the design, supervision, construction and contract administration of a facility adjacent to Osbornes Flat Road at Osbornes Flat, fronting part of the Osbornes Flat Primary School, in accordance with the supporting plans, specification and apportionment.

b) The charge will be levied and will remain in force for a period of five years from the date of the Council resolution. For Council's information the Education Department usually treat these schemes as an ex gratia payment.

2. **Cost to be borne by benefiting owners**

The works are considered by Council to be of special benefit to the owners and occupiers of the land described in the scheme for the reasons of:

- a) safe all weather access for pedestrians and students
- b) improved property amenity
- c) Reduced maintenance requirements

Cost to be borne by benefiting owners is as detailed in the scheme.

3. **Method of apportionment of benefit**

The benefit has been apportioned on the basis of:

- a) The property having equal opportunity to access the proposed facility.

4. Total estimated cost and apportionment

The estimated cost of the Scheme is \$59,060.00, consisting of earthworks, concrete works, works contingency amount and design, supervision of the contract, GST and other administrative costs. A detail estimate is provided in the Scheme documents appended to this report.

5. Apportionment

OSBORNES FLAT PRIMARY SCHOOL Kerb and Channel CONSTRUCTION SCHEME						
OWNER	MAILING ADDRESS	SITE ADDRESS	SITE DESCRIPTION	Total Frontage (metres)	Apportionable Frontage	Cost to be recovered \$
Education Department	Melbourne	Osbornes Flat	School Reserve Osbornes Flat	135.6	135.6	59,060.00
			<u>TOTAL</u>			59,060.00

Apportionment:

\$59,060.00 Estimated Cost

\$59,060.00 Amount to be recovered from the owners

FINANCIAL, RESOURCE & POLICY IMPLICATIONS

The cost of the special charge scheme is detailed above. This proposal varies from Council's existing policy in that the recommendation apportions the whole of the cost to the abutting owner (Education Department) on the grounds that the works are solely for its clients (Student parents & teachers of Osbornes Flat Primary School). The Local Government Act allows Council to determine the amount of benefit etc to be recovered, in this case 100%.

13.0 ASSETS AND INFRASTRUCTURE

13.1 CHILTERN FLOOD STUDY – (FILE NO: W120 - AM)

For Decision

RECOMMENDATION

That Council:

- 1. Endorse the Chiltern Flood Study.**
- 2. Advise Mr Noel Bogetti that it will not be modifying the proposed land subject to the Inundation Overlay in accordance with his submission.**
- 3. Proceed with Structural Flood Mitigation Options in accordance with the Chiltern Flood Study and the recommendations in this report.**
- 4. Proceed with Non-Structural Mitigation Options in accordance with the Chiltern Flood Study and the recommendations in this report.**

**Moved Cr Murdoch
Seconded Cr Hotson**

That the Recommendation be adopted.

CARRIED

SUMMARY

Council and the North East Catchment Management Authority jointly commissioned the Chiltern and Barnawartha Flood Study. Consultants Water Technology has now completed the study. Council needs to consider the recommendations from the study and endorse a strategy for flood plain management improvements.

BACKGROUND

A copy of the Executive Summary of the Water Technology report is attached. Copies of the full report are available on request. Also attached are copies of table 11-1 Recommended Structural Flood Mitigation Options for Chiltern and Table 11-2 Recommended Non-Structural Flood Mitigation Options for Chiltern. Both of these tables are reproduced from the main body of the report. A column incorporating officers' comments and recommendations has been added. One submission was received on the flood study.

Consideration of Submissions Received

One submission was received from Mr Noel Bogetti in relation to his property at 6 Bridge St. A copy is attached. Mr Bogetti states that the property has never flooded in his 54 years association with the property.

Mr Bogetti's submission was forwarded to consultants Water Technology for comment, which is also attached. Their view is that their mapping is correct, that the Bogetti's property is partly protected by an informal levee bank and that if the property is flooded it would be to a depth of approximately 100mm. They recommend no changes to the proposed land, subject to Inundation Overlay, i.e. they do support Mr Bogetti's submission.

Importantly Bogetti's property could be flooded and does theoretically form part of the floodway. If the Water Technology position is supported, Mr Bogetti does have further opportunity for comment when the Planning Scheme amendment is considered.

Structural Flood Mitigation Options

The thrust of the report is twofold:

1. Upgrade and maintain existing floodway structures.
2. Provide a new major upstream detention basin storage.

The report identifies the need to undertake both strategies to provide assured protection in all possible events.

Council could consider the recommendations as Stage 1 and Stage 2 works. Careful and considered roll out of Stage 1 works will ensure that the impact of flooding is minimal. Council may then consider the need for Stage 2 being the major up stream from detention basin.

It is imperative that in undertaking any structural works within the Chiltern Floodways that due consideration is given to the downstream impacts of those works. Upgrading capacity of upstream structures has the potential to raise downstream water levels. The roll out of structural improvements and maintenance works will first review the need for improvements in the Peake & Dixon Court areas and then work upstream along the floodways.

An area not clearly addressed in the report is the flooding of commercial premises in Conness St/ Main St. Further investigation by Council Officers has identified the need to make significant improvements at the Main St floodway crossing.

The removal of fencing and opening up of the Greens Lane roadway on to Main St will provide relief for flood flows and ensure that the depth of flood waters is minimised. Further substantial works in conjunction with these works are required to provide protection to all properties.

Funding has been applied for, to undertake structural improvements through the Natural Disaster Mitigation Program. If successful, works in the Main St/ Martins Lane/ Rohner St area will be undertaken in conjunction with the commercial area car parking and access project.

Non Structural Flood Mitigation Options

The report considers the different options of Land Use Planning, Land Use Practices

Guide, Flood Warning and Flood Response.

Comments on these options are outlined on the attachments. All are supported except the introduction of a Flood Warning system, which, as identified by Water Technology, may not be cost effective. Initial discussions will be held with the Bureau of Meteorology.

CONSULTATION

Consultation with the community has been extensively explored via mail outs and press releases. Public response has been poor with few submissions and low attendances at meetings. The community will have further opportunity for input to the Land Subject to Inundation Overlay via the Planning Amendment process.

POLICY IMPLICATIONS

Policy and best practice guidelines for use and management of floodway areas will be further developed with Community groups including Landcare.

FINANCIAL & RESOURCE IMPLICATIONS

Council has tentatively allocated funding in it's 2007/2008 Capital Works Budget, as its contribution to the necessary structural works.

Improved maintenance procedures on the floodway need to be enshrined in to Operations works programs. The best method of ensuring these works are undertaken is to provide an annual and separate budget allocation of say \$5000.

The non-structural options will be undertaken by Council staff within current budget allocations.

13.2 CAPITAL WORKS – PROGRESS REPORT – MARCH 2007 (AM)

For Information

Project	Actions
Subdivisional works by developers	<ul style="list-style-type: none">• Lawranna Estate Stage 1 (off Fighting Gully Rd) 5 Rural Res lots- 50% complete. Tender for balance of 30 lots let, works to commenced. Significant improvements to Fighting Gully Rd to be undertaken in conjunction with subdivisional works.• Nickless St Chiltern 3 lots- 50% complete.• Bells Flat Rd wetlands- 50% complete.• Sheehan Dve Fletcher Hill Stage 2 Beechworth 10 residential lots- 50% complete• Sydney Rd Beechworth 18 lot retirement village- public roadworks 80% complete.

Rural Road Development Contributions	<ul style="list-style-type: none"> • Frasers Rd upgrade • Norms Rd drainage • Glass lane widening • Sinclair Lane upgrade
Plant	National Plant Hire plant maintenance agreement option for extension due in June. A detail assessment of the value of this agreement is being prepared.
Rutherglen Hall	Builders, Smith Alltimber Constructions is progressing well, but with significant problems with supper room sub-floor and other unforeseen problems. Costs will exceed the available budget in the order of \$40,000. Discussions are occurring with State and Federal funding bodies re additional funding. Works due to be completed by 29 June.
Wooragee Hall	Works 90 % complete.
Chiltern Floodplain Study	Application for Natural Disaster Relief Funding submitted.
Havelock Road area stormwater re-use	Detail designs complete. Land purchase being negotiated. Discussions ongoing with Baarmutha Park Committee. Permits from DSE & GMW & NECMA underway. Part outfall pipe constructed.
Ready/Soles Street drainage	Tomkinson Engineers has completed draft designs. A report will be presented to Council. Costs of Stage 1 construction incorporated in 07/08 Capital Budget.
Playgrounds upgrade	Beechworth Newtown Park equipment replaced.
Chiltern Commercial Area Parking	Detail design to commence immediately final access alignment chosen, pending planning processes. Funding applied for.
Local Infrastructure Works Program (Drought Funding)	\$300,000 received from State Government. Stanley Reserve trees clearance complete. Chiltern Hall Landscaping complete. Kergunyah hall carpark complete, note Committee paid for sealing. Hall painting at Stanley and Barnawartha complete. Tangambalanga netball repairs complete. Chiltern lake Anderson works complete. Beechworth Shire Hall internal painting to commence.

14.0 HEALTH AND WELLBEING

14.1 HEALTH & WELL BEING PROJECTS – PROGRESS REPORT – July 2007

PROJECT	ACTION/ PROGRESS												
<p>Sport and Recreation Victoria – 2007/2008 Community Facility Funding Program</p>	<p>The Victorian State Government recently announced three successful funding applications for Indigo Shire under its 2007/2008 Community Facility Funding Program:</p> <ol style="list-style-type: none"> 1. \$8,000 towards the resurfacing of two tennis courts at the Chiltern Tennis Club 2. \$31,000 towards the redevelopment of the sand arena at the Yackandandah Adult Riding Club’s facility at the Yackandandah Sports Park 3. \$10,000 towards the development of a feasibility study into the construction of two international hockey pitches at the Beechworth Campus of La Trobe University. <p>There was only one unsuccessful application through this Program:</p> <ol style="list-style-type: none"> 1. The \$37,500 project to construct safety walling at Corowa Rutherglen Motor Sports facility at the Wahgunyah Recreation Reserve <p>These projects are required to be completed by May 2008.</p>												
<p>Indigo Shire ‘In-Dig-O’ Youth Awards – 15 June 2007</p>	<p>The inaugural ‘In-Dig-O’ Youth Awards were held at the Beechworth Memorial Hall on Friday 15th June 2007. The awards aimed to recognise young people for their contributions to the community in the fields of art, community participation/volunteering, sporting, disability, environment and music. About 80 young people attended the awards. The winners of the categories were:</p> <table border="0" data-bbox="699 1693 1449 1910"> <tr> <td>Art</td> <td>Tom Westland</td> </tr> <tr> <td>Community participation/volunteering</td> <td>Hugh O’Reilly</td> </tr> <tr> <td>Sporting</td> <td>Coby Brock</td> </tr> <tr> <td>Disability</td> <td>David Clegg</td> </tr> <tr> <td>Environment</td> <td>Courtney Webster</td> </tr> <tr> <td>Music</td> <td>Josh Lovett</td> </tr> </table>	Art	Tom Westland	Community participation/volunteering	Hugh O’Reilly	Sporting	Coby Brock	Disability	David Clegg	Environment	Courtney Webster	Music	Josh Lovett
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Music	Josh Lovett												

15.0 CORPORATE SERVICES

15.1 LOCAL LAW NO. 1 – REDRAFT (FILE NO: M201.5A – CSM)

For Information

RECOMMENDATION

That:

- 1. The amended Local Law No. 1 (Streets and Roads) be adopted in principle; and**
- 2. In accordance with the Local Government Act (1989) advertisements be placed notifying that Council proposes to make Local Law No. 1 and inviting comment on the Local Law in accordance with Section 224 of the Act.**

**Moved Cr Walsh
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

Local Law No. 1 (Streets and Roads) was adopted by Council on the 4th November 1998.

The document has been reviewed taking into account ‘Trading Places’ and changes in legislation since that time.

BACKGROUND

The Local Government Act (1989) describes at Section 111 that “A 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 Act is very specific on the procedure for making a Local Law which is as follows:

Before making a Local Law, a council must: give notice in the Government Gazette and a Public Notice stating – a) purpose and general purport of the proposed Local Law and b) that a copy of the Local Law can be obtained from the Council office and c) that any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under Section 223.

After the making of the Local Law, the Council must give notice in the Government Gazette and a public notice giving details of the Local Law and a copy of the Local Law must be then sent to the Minister for Local Government.

Local Law No. 1 is one of Council’s major operational Local Laws. The topics contained within the Local Law are:

- Management of roads and traffic
- Control of vehicles and animals on roads
- Secondary activities on roads
- Administration and enforcement.

A working party comprising of staff from the Operations, Assets and Environment and Development Services departments have reviewed the Local Law and have incorporated items from the Trading Places document that has been previously adopted in principle by council.

CONSULTATION

There has been consultation with various communities across the shire as part of the Trading Places implementation. It is also proposed in accordance with the Local Government Act to advertise that the document is available for public inspection and comment.

POLICY IMPLICATIONS

The draft Local Law in its current form has been perused by Maddocks, solicitors.

Attachment

15.2 CORPORATE SERVICES - REVIEW OF MAJOR CEMETERY TRUSTS (FILE NO: C023 – CSM)

For Information

SUMMARY

In 2006, following an investigation of the Cheltenham and Regional Cemeteries Trust, the Victorian Auditor General reviewed 13 of Victoria's "major" cemetery trusts. Following the review, the Department of Human Services requested the State Services Authority to review other cemetery trusts around the State. The Interim Report and findings of that review are now to hand.

BACKGROUND

The review found that the cemeteries sector is, in general, meeting the service needs of the Victorian community.

Across Victoria there are 522 cemetery trusts managing 564 public cemeteries. 52 of these trusts are Councils.

However, the review found that the current institutional design for the sector is not conducive to sustainability. In particular, the devolved administrative model, in which cemetery trusts are required to manage current and future obligations on a standalone basis, puts the viability of many cemetery trusts at risk.

The review found that the sector will not be sustainable without significant changes to

the management and structure of the sector, particularly systems and governance.

Stage 2 of the review will focus on specific recommendations and options for reform. The direction of the reforms are foreshadowed in this interim report.

The report sets out four possible options. These are :-

1. Status quo;
2. Maintain existing structure and implement administrative reform;
3. Establish eight independent cemetery trusts arranged on State government regions: and
4. Establish a single public entity to operate all cemeteries.

In the case of options three and four, local control over cemeteries will be relinquished.

CONSULTATION

Apart from the Carlyle Cemetery at Rutherglen which is operated by Council, there are a number of other cemetery trusts across the Shire which will be affected by these proposals. These are located at Wahgunyah, Chiltern, Barnawartha, Beechworth, Stanley, Yackandandah, Kiewa and Sandy Creek.

The Carlyle Cemetery has been operated by Council for many years. Council has, with the assistance of the Rutherglen Lions Club and volunteers, improved the physical aspects of the cemetery significantly. The concern is if it was taken from local control, costs could increase significantly which would impinge on the local community.

COMMENT

The State Services Authority initially gave until 4 June for comment on the report. This was then extended to 15 June. We have written to the State Services Authority requesting an extension of 60 days to enable consultation with the other trusts. We have also been liaising with The Rural City of Wangaratta and it is requesting a similar extension.

15.3 CORPORATE SERVICES PROJECTS – PROGRESS REPORT – JULY 2007 (CSM)

Project

Actions

Enterprise Agreement	A draft Enterprise Agreement has been distributed to all parties involved in the negotiations for final comment prior to lodgement with the Workplace Authority for a prohibited content review. We expect this will take approximately 6 weeks based on other Council experiences. Once received back it will be put to the vote.
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16.0 FINANCE

16.1 MAY 2007 FINANCE REPORT – (FILE NO: M064 – CFO)

For Information

BACKGROUND

Attached are the financial reports from 1 July 06 – 31 May 2007 which shows a comparison between the YTD actual position and the YTD budgeted position for the period.

Also presented is the revised forecast position to 30 June 2007 which incorporates revised income and expenditure projections, and revisions to the capital works program as a result of new projects and projects not completed in the 2005/06 year.

SUMMARY

Profit and Loss Statement (A.1)

YTD Actual v YTD Budget

Council is reporting a YTD surplus of \$1.42 million against a YTD budgeted surplus of \$903,000. This represents a favourable variance of \$517,000. The favourable variance relates primarily to new grants announced this financial year for which expenditure remains outstanding. Major line item variances are detailed on page 2.

Forecast to 30 June 2007

Council is forecasting a surplus of \$1.58 million after capital grants as compared to a budgeted surplus of \$599,000. This is due to an additional \$1.15 million of capital grants expected this year including new grants of \$300,000 under the Local Works

Infrastructure Project, \$139,000 under the Country Football & Netball program and \$450,000 from Auslink for upgrade works to Mellish St Beechworth. Council has also received capital grants for projects carried forward from 2005/06 including the Rutherglen Hall project.

The underlying deficit, which excludes one off capital funding, is an improvement of \$250,000 or 12% despite over expenditure and income shortfalls in the Tourism and Economic Development department.

Departmental Profit & Loss Statement (A.2) pg 3

YTD Actual v YTD Budget

The operating revenue and expenditure report by department shows a favourable variance of \$597,628 or 39%. Half of this favourable variance (\$286,000) relates to the timing of the annual gravel roads resheeting works which were budgeted to be completed by March, however have not been completed.

All departments are reporting favourable variances against budget with the exception of the Tourism and Economic Development Department where there have been significant unbudgeted expenditure and overly optimistic income projections.

The Tourism and Economic Development department is reporting an unfavourable variance of \$215,164 or 33% to the end of May 2007. The more significant variances relate to the Burke Museum and Historic Precinct which contribute to nearly half this variance (\$104K) and unfavourable variances in the production of visitor guides. (\$56K).

Forecast to 30 June 2007

Based on the departmental revenue and expense report, Council is forecasting an unfavourable variance of \$64,869 or 2.7%.

The following provides a summary of the expected departmental forecasts and variances from the annual budget.

Department	Ann Bud	Forecast	Forecast Variance	Forecast Variance
			fav/-un	fav/-un
and Total	2,364,4	2,500,4	-64,8	-2.7

Assets & Infrastructure	3,888.2	3,891.9	-3.6	
Oil Operations	1,936.8	1,962.1	-25.3	-1.3
Corporate Support	1,645.6	1,577.8	67.8	4.1
Environment & Development	578.3	656.0	-77.6	-13.4
Finance	(7,781.3)	(7,956.9)	175.6	2.3
Governance	682.7	671.3	11.3	1.6
Health & Well Being	733.1	670.8	62.3	8.5
Tourism & Economic Development	680.2	955.6	-275.3	-40.3

As shown above it is expected that Council's departmental operating budget will be \$64,869 (April \$136,594) or 2.7% worse than budgeted. Council was budgeting for a \$2.36 million deficit on departmental operations as opposed to the forecast deficit of \$2.42 million.

The unfavourable forecast variance shown in the Environment and Development department relates primarily to uncompleted work in the Conservation and environment area for which Council has received grant funds in 2005/06 that had not been spent. This amounted to a carry over of \$56,000 or 72% of the unfavourable variance shown in this department.

Balance Sheet (B) pg 4

YTD Actual v Last year YTD Actual

Council balance sheet reflects a strong position of cash and investments on hand of \$2.26 million. This compares favourably to May 06 when Council held \$2.12 million of cash. This is due to a large amount of capital works outstanding (including supplementary roads to recovery funding received in June 06 \$731,000) yet to be spent.

Property plant and equipment, borrowings and provisions are at higher levels than the original budget due to the revaluation of Councils infrastructure assets at 30 June 06,

recognition of finance leases, and recognition of a provision for the Yackandandah landfill rehabilitation.

Cash Flow Statement (C) pg 5

Council has collected 93.1% (\$7.1m) of its total rate income of \$7.63 million to the end of May 2007.

The forecast cash position at 30 June 07 is slight increase in cash from the budgeted cash position of \$2.22 mill to \$2.26 million.

Capital Works Report (D) pg 6

Due to uncompleted projects from 2005/06 and additional projects announced this financial year the program has increased from \$4.67 million to \$6.14 million. Expenditure to date is \$4.62 million or 75% of forecast expenditure to the end of May.

Statement of Reserves pg 7

The statement of reserves shows Council's expected level of cash reserves at 30 June 2007 to be \$1.98 million. This compares to cash on hand at 30 June of \$2.27 million which leaves \$290,000 of unrestricted working capital.

Attachments

16.2 FIXED INTEREST LOAN FOR PURPOSE OF FUNDING 2006/07 CAPITAL WORKS (FILE NO: M395 - CFO)

For Decision

RECOMMENDATION

That Council sign and seal loan documentation in relation to its 2006/07 capital works fixed interest borrowings of \$440,000 repayable over a 10 year period.

**Moved Cr Banks
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends that Council sign and seal mortgage documentation for Council loan of \$440,000 repayable over ten years for the purpose of constructing capital works as part of the 2006/07 Capital Works Program.

BACKGROUND

Council was provided with the report at the June meeting authorising the Chief Financial Officer to obtain borrowings for the following projects.

2006/07

Purchase replacement grader	\$275,000
Sydney Rd Underground Drain	\$15,000
Land acquisition – Chiltern Commercial Development	\$150,000
Total to borrow per 2006/07 budget	\$440,000

Three quotes were obtained with the quote from the Commonwealth Bank being accepted based on the following:

Amount:	\$440,000
Facility Type:	fixed rate loan
Term	10 years fully amortising
Interest rate:	7.27%
Repayments:	Principal & Interest repayments
Frequency:	Monthly
Repayment amount:	\$5,172.50
Drawdown:	27 June 2007
First repayment:	27 July 2007
Final repayment:	27 June 2017

POLICY IMPLICATIONS

Nil, the amount to be borrowed fits within the Council Plan parameters.

ISSUES

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

The funding for loan repayments has been allowed for in the 2007/2008 Budget.

17.0 GOVERNANCE

17.1 COUNCIL PLAN 2006-2010 (FILE NO: M142.1 – CEO)

For Decision

RECOMMENDATION

That Council:

- 1. Adopt the updated Council Plan for the period 2006-2010 as amended and attached.**
- 2. Submit the updated Council Plan 2006-2010 to the Minister for Local**

Government as required under Section 125 of the Local Government Act 1989.

**Moved Cr Dale
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report presents the updated Council Plan for adoption by Council, having advertised the preparation of the Plan.

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 been through an internal process and decided that the main objectives and strategies and directions of the Council Plan did not need amendment.

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 monthly budget reporting processes to Council.

Furthermore, Council indicated that it wished to have improved Key Performance Indicators also included in the current Council Plan and that the projects needed to be updated.

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 2005/06 financial year and the forecast for the 2006/07 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. The adopted Plan last year showed that the rate rise for 2007/08 and 2008/09 would need to be a minimum of 6% and for 2009/10 it would need to be a minimum of 5%. We have now clarified with the inclusion of \$102,000 in each of those years and accumulating, needs to be allowed for to narrow the renewal gap of approximately \$512,000.

The additional 1.5% rate rise equates to just under \$100,000 on our current rating levels. With additional growth this should be enough to yield appropriate amounts to narrow that gap and also continue to provide similar level of services to that which we current provide. Unfortunately this rate rise does not allow for any increase in service levels or new initiatives. Any new initiative or increased service level will have to be found from reductions in other parts of the budget under the current scenario.

The final part of the Strategic Resource Plan that has been updated are the pages on performance indicators where the actual 2007 Community Satisfaction Indicators have been included and the Standard Statements of Financial Performance.

CONSULTATION

Under Section 125 of the Act, Council called for public submissions on the amended items in the Council Plan. Advertisements were placed in the Border Mail on Saturday 9 June calling for submissions closing on Monday 25 June. No submissions were received therefore council can adopt the Plan without any further consideration.

FINANCIAL IMPLICATIONS

The Strategic Resource Plan section of the Council Plan clearly sets out that there are many challenges for Council to achieve a balanced budget on an ongoing basis. However, Council is targeting to have a stronger financial position in the short to medium term. Part of this will be continued rate increases in excess of the Consumer Price Index and Average Weekly Earnings index.

As a strategy, Council will continue to lobby for changes to the way that Local Government is funded from both the Federal and State Governments. A change away from property based taxation and more into user charges and other types of subsidies such as a share of the GST, will be the only way that Council would have a growth income outside of its property based rating system.

17.2 STATE GOVERNMENT WATER ANNOUNCEMENTS (FILE NO: W100-02 - CEO)

For Decision

RECOMMENDATION

That Council supports in principle the general thrust of the State Government's recent announcements to secure water supplies across the state. However, Council requires further detail before it could fully endorse all aspects of these announcements.

**Moved Cr Banks
Seconded Cr Murdoch**

That the Recommendation be adopted.

For: Crs Graham, Murdoch and Banks

Against: Crs Hotson, Dale and Walsh

The Mayor used his casting vote and the MOTION was LOST

BACKGROUND

On 19 June 2007 the State Government announced (with some surprise) a series of projects aimed at securing water supplies for the State. These included:

1. a 150 billion litre desalination plant to provide water for Melbourne, Geelong, Western Port and Wonthaggi
2. a major irrigation upgrade in the Food Bowl in Northern Victoria to deliver water savings to be shared equally between irrigators, the environment and Melbourne; and
3. a major expansion of the Victorian Water Grid with pipelines to connect Melbourne's water system with the desalination plant and Northern irrigation upgrades, connect Geelong to Melbourne's water supplies, and connect Hamilton to the Grampians Wimmera Mallee System.

Councillors have been sent the press releases detailing these announcements.

ISSUES

Desalination Plant

A desalination plant would be built in the Wonthaggi region on at a cost of up to \$3.1 billion, funded through water bills and be built by the end of 2011.

Whilst this is remote from Indigo Shire and there does not appear to be any direct ramifications for our Shire, the intent is that it be funded through water bills. The information does not state whether they will be Statewide water bills or only for those who receive immediate benefit from the plant eg. Melbourne Water and other Water Board recipients in the area.

There are other matters such as sustainability issues with desalination plants in general. Council has not previously expressed any opinion on this type of activity.

Food Bowl Modernisation Project

This is a project that has several parts:-

- Modernisation of Goulburn Murray irrigation systems – up to 900 gigalitres of

water is lost annually from these systems due to poor measurement, leakage, seepage, evaporation and an outdated irrigation delivery system. Around 30% of water in these systems is lost.

The intent is to modernise the infrastructure including new metering and piping as well as providing a “Sugarloaf Interconnector” providing water from Eildon to Melbourne and a “Murray-Goulburn Interconnector” bypassing The Barmah Choke.

It is intended that the State Government Water Authorities will invest \$1 billion in this project expecting to deliver up to 225 gigalitres of water savings annually to be shared between the irrigation system, the environment and Melbourne.

The “Sugarloaf Interconnector” will deliver up to 75 gigalitres of water to Melbourne by 2010.

The “Murray-Goulburn Interconnector” will divert water from the Murray River near Yarrawonga and connect in with the East Goulburn main channel near Shepparton. This will enable a larger volume of water to be accessed from the Goulburn Murray system and from Echuca to Adelaide. This is currently severely constrained by the “Barmah Choke”.

The direct issue for Indigo Shire in all of this may be future river levels in the Murray River and distributaries around Indigo Shire. More information is required on these projects before Council could fully endorse them.

These projects do not include the previously announced Goldfields Super Pipeline providing water from Waranga Basin west of Shepparton into Bendigo and Ballarat.

Whilst several of these projects have been suggested by irrigation users in the Goulburn Valley, there is a lot of unrest about the security and volume of future supplies in that area. Obviously much of this is fed from the North East and therefore there could be indirect issues for us to consider.

Expanding the Victorian Water Grid

In addition to the three new projects previously mentioned there is also a reconnection to the Tarago Reservoir, again, servicing Melbourne.

Further projects under investigation are the Eastern Water Recycling proposal and environmental flows in the Yarra River.

There are also a number of other larger projects underway across the State including the Wimmera – Mallee Pipeline, the Sunraysia Irrigation Project, several irrigation modernisation programs, Newlyn Reservoir Interconnector and the Campaspe Pipeline to Waranga Channel.

Water restrictions will still apply whilst the new supply system is being built. Restrictions will obviously be dependent on rainfall patterns.

Overall however, with climate change it is envisaged that the water availability patterns

will be reduced and therefore it is necessary to undertake water saving projects where possible.

COMMUNITY CONSULTATION

Council has not been involved in any consultation with the State Government on these issues other than in very broad based discussions. The State Government has advised that community information sessions on the second stage of the “Our Water Our Future” Plan will commence shortly.

This matter has been discussed at the North East Local Government Forum and it has resolved in a similar manner as to the above recommendation.

FINANCIAL IMPLICATIONS

We are not aware of any financial implications for Indigo Shire at this stage, based on the projects mentioned in this report.

However, we are aware that water costs are rising for our urban towns and Council’s use of water. We have our own water savings initiatives in place and are accessing grants to assist us in reducing water consumption.

We will have to closely monitor these issues and localise water supplies/demand scenarios in future water pricing.

17.3 GOVERNANCE – WORK IN PROGRESS – JUNE 2007 (CEO)

For Information

Project	Actions
Councillors Training	Several councillors attended the VLGA Planning seminar held at Mansfield on 15 th June.
The Council Plan	The revised, draft Plan was adopted by Council at the June meeting and submissions called for closing at 25 th June. No submissions have been received and so the Plan can now be adopted.
The Council Budget	Budget submissions close on 11 th July and it is expected that there may be several based on discussions with community members. A meeting will be held on 17 th July to discuss any submissions with a adjusted budget then to be adopted at a Special Meeting on 24 th July.
Community Forums	A Forum was held at Beechworth (in Lieu of Wooragee because of continuing hall repairs) on 29 th May (attended by only seven community members) and at Wahgunyah on 26 th June. The next Forums are at Barnawartha on 24 th July and at Yackandandah on 31 st July..
Media & Communications	Excellent media coverage continues with numerous stories covering activities across the Shire.

Officer	
Operations Manager	I will be advertising the position of "General Manager Assets & Operations" in the coming weeks. This is due to not being able to attract a suitable applicant for the Operations Managers position so I have combined this position and that of Assets Manager. Depending on the outcome of applications I then hope to advertise the remaining vacant positions in this Department straight after that process is completed.
Municipal Offices Project	There is a slight delay in presenting a further report to Council which will now be at the August meeting.
Web Site Redevelopment	The updated Web site is working well with no complaints over the past month as to general content. The only issue is keeping it up to date in a timely manner as most users see it as an instantaneous medium.
Murray to the Mountains Rail Trail	The Federal Government is currently reviewing the application to Regional Partnerships for a \$250,000 grant for this project. Finalisation of the lease is being progressed with VicTrack.
Rural Councils Victoria	A seminar will be held on 23 rd to 25 th August at Birchip. Indigo had applied for this seminar to be held at LaTrobe at Beechworth but was unsuccessful with that application.

ECONOMIC DEVELOPMENT	
Agribusiness initiatives	
North East Brewers Collective	<p>Indigo has received a \$5,300 grant from Regional Development Victoria to auspice the North East Brewers Collective.</p> <p>This project aims to facilitate strategic planning for existing North East Victorian microbreweries to assist these businesses as a collective to develop their short, medium and long term goals, to explore potential collaborative market opportunities and economies of scale and strategies that will brand North East Victoria as the State's premier microbrewery region.</p> <p>This is a regional project initiated by Indigo Shire Council and supported by Alpine Shire Council, the Rural City of Wangaratta, Mansfield Shire Council, North East Valleys and the Alpine Valleys Agribusiness Forum.</p>
North East Valleys	<p>Indigo is maintaining its involvement with this forum and is represented by Kristy Taylor as the Beechworth Food representative (Tinkers Hill Wines), Phil Chamberlain as the Winemakers of Rutherglen representative (Rutherglen Estates), Marian Gilchrist as the Rutherglen Food Representative (Pickled Sisters Distillery) and the Council's EDO.</p> <p>North East Valleys is now chaired by Janelle Boynton from BoyNton's Winery in Porepunkah and has appointed a new Executive Officer.</p> <p>A successful networking dinner was held on Wednesday 30 May with David Haymes from Haymes Paint as Guest Speaker.</p>
North East Food Cluster – Virtual Pantry	<p>Indigo is auspicing a food cluster grant to establish a virtual on-line pantry. This website will provide an on-line vehicle for growers and food manufacturers to sell and market their product. The initiative has received \$50,000 from Regional Development Victoria and is a collaborative project between the Alpine Valleys Agribusiness Forum, North East Valleys and the Hume Murray Food Bowl.</p>

Business Assistance	
<p>Indigo Business Best Program</p>	<p>The Indigo Business BEST Program involved a series of breakfast workshops held in Rutherglen, Yackandandah, Chiltern and Beechworth in April and May.</p> <p>A total of ninety-four business representatives participated in these events.</p> <p>These seminars were specifically tailored to assist drought-affected non-farm businesses with their business development and aimed to provide participants with initiatives and strategies to minimise the negative impact on the health of their businesses caused by the drought and bushfires.</p> <p>Council’s Heritage Advisor provided the keynote address at each breakfast to encourage those businesses that traditionally rely on expenditure from farm and farming-related enterprises, to leverage more effectively from the area’s heritage/tourism competitive advantage.</p>
<p>Caravan Park Media Skills Training Forum</p>	<p>A media skills training day was held on Wednesday 21 March to provide local caravan park operators with the training necessary to assist them to promote their own businesses effectively to increase visitation.</p> <p>Speakers at the forum included Council’s Economic Development Officer and media consultant Michelle Armstrong. Representatives from six of the Indigo Shire’s caravan parks attended – this included Kergunyah Caravan Park, Yackandandah Holiday Park, Lake Sambell Caravan Park, Chiltern Caravan Park, Rutherglen Caravan Park and Bundalong Caravan Park.</p>
<p>Indigo Business Revival Forums</p>	<p>The propose of this program was to conduct a series of business information forums in a social setting that were specifically tailored to assist drought-affected non-farm businesses with initiatives and strategies to minimise the negative impact on the health of their businesses caused by the drought.</p> <p>A total of two hundred and eighteen people attended these events held in April and May.</p> <p>These forums also provided a conduit between key local businesses and the local community in each town. The aim was to build and enhance relationships and partnerships between key local businesses and their communities.</p>

	<p>Guest Speakers included:</p> <ul style="list-style-type: none"> • Chiltern BBQ: Michael Gobel, Director of Investment Attraction with the Wodonga City Council • Kiewa-Tangambalanga BBQ: Derrick Addison, Factory Manager for Murray Goulburn Co-operative • Beechworth BBQ: Tom Potter, founder of Australian owned Eagle Boys Dial-A-Pizza • Wahgunyah BBQ: Greg Lee, Chair of the Murray to the Mountain Rail Trail Committee of Management
Beechworth Chamber of Commerce	Indigo has received a grant from Regional Development Victoria to undertake a strategic planning process for the Beechworth Chamber of Commerce. A business survey will be undertaken in early-July and the first free working dinner is scheduled for 23 July.
Chiltern Barnawartha – Our Future project	It is likely that the highly ambitious and innovative community consultation process adopted for the Chiltern Barnawartha – Our Future process will be used as a best practice case study by the Department of Victorian Communities.
Leadership Conference	Indigo sponsored the national Leadership Conference held at La Trobe University on 1-2 June. Council Heritage Adviser and EDO facilitated a tour of Beechworth and a discussion as to how the town has reinvented itself from an administrative centre in the mid-1980's to the award-winning tourist destination it is now. The nexus between heritage, tourism and economic development was the focus of this workshop.
Hume Regional Economic Development Forum	Indigo is Steering Committee member for the Hume Region Economic Development Practitioners Network and with assistance from RDV and the North East Victoria Area Consultative Committee; the network's inaugural annual conference was held in Beechworth on 28 & 29 June. The conference focused on the development of an overall regional economic profile, needs, priorities, opportunities and challenges for the region as well as provided training sessions for EDO's.

18.0 NOTICE OF MOTION

Nil

19.0 COMMITTEE AND DELEGATES REPORTS

19.1 JUNE DIARY - CR GRAHAM

Date	Time	Function
1 June	9.30 am	Meeting with community residents, Chiltern
	11.00 am	Meeting with CEO, Beechworth
2	11.30 am	Meet with G Sutherland-Smith
4	7.00 pm	Yackandandah/Kiewa/Tangambalanga CAC, Tangambalanga
5	9.00 am	Admin, NevRWaste, Wangaratta
	11.30 am	Weekly meeting with CEO
	2.00 pm	Meet with Tidy Towns Judge at Beechworth Swimming Pool
	3.30 pm	Councillors Meeting, Chiltern
	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
7	12.30 pm	Admin at Beechworth
	3.30 pm	Meet with A Plietner re Wahgunyah Community Forum
8	6.30 pm	Opening Dinner at Cofields, Winery Walkabout
12	9.00 am	Admin, NevRWaste, Wangaratta
	11.30 am	Weekly meeting with CEO, Beechworth
13	11.30 am	Victorian Ombudsman's Visit, Benalla
14	12.30 pm	Admin, Beechworth
	7.00 pm	Mansfield, VLGA "Moving Forward" Planning Forum
15	Full Day	Mansfield, VLGA "Moving Forward" Planning Forum
	7.00 pm	In-Dig-O Youth Awards, Beechworth
16	7.00 pm	Beechworth Lions Club AGM, LaTrobe, Beechworth
18	1.30 pm	Disability Advisory Committee, Chiltern
	5.30 pm	Rutherglen-Wahgunyah CAC, Rutherglen
19	9.30 am	Admin, NevRWaste, Wangaratta
	11.30 am	Weekly meeting with CEO, Beechworth
	4.00 pm	Council Briefing Meeting, Yackandandah
	6.00 pm	Special Council Meeting to Consider 2007/2008 Budget, Yackandandah
20	10.30 am	MAV Waste Reference Group Meeting, Melbourne
	6.30 pm	Rutherglen Rotary 20 th Anniversary Dinner, Vintara Brewery
21	12.30 pm	NE Road Safe Meeting, Wangaratta
	5.00 pm	North East Local Government Network Meeting, Benalla
22	9.00 am	Rutherglen Wine Experience Board Meeting
	3.00 pm	LaTrobe Naming Ceremony for Nancy F Millis & Michael J Osborne buildings, Wodonga
	7.00 pm	Inaugural LaTrobe Town & Gown Dinner, Beechworth
25	11.00 am	Funeral Late Chris Killeen, Rutherglen
26	9.00 am	Admin, NevRWaste, Wangaratta
	11.30 am	Weekly Meeting with CEO, Beechworth
	6.00 pm	Council Briefing Meeting, Wahgunyah
	7.00 pm	Community Forum, Wahgunyah
27	9.30 am	Kerferd Committee Meeting, La Trobe

28	7.00 pm	Kerferd Discussion Night (Water Issues), La Trobe, Beechworth
29	7.00 pm	Lions Club Handover Dinner, Chiltern
30	7.00 pm	Official Re-opening Rutherglen Soldiers' Memorial Hall

Cr Peter Graham OAM
3 July 2007

19.2 COUNCILLOR TRAINING - MOVING FORWARD (FILE NO: M558-05 - CR GRAHAM)

For information

The VLGA conducted two training weekends on the theme "Moving Forward" Changes and Challenges - a Regional & Rural Perspective, which considered Planning Scheme issues in Victorian Local Government.

The programs were similar with the first being held in Ballarat and attended by Cr Barbara Murdoch while the second was conducted at Mansfield and attended by Cr Vic Issell, Cr Bill Hotson and myself.

The program raised considerations on the long term effects of planning schemes and their intent compared with the actual results of those schemes together with consideration of the changes to Rural Zones which were directed by the Victorian Government last year.

The training, coinciding as it does with the review of the Indigo Shire Municipal Strategic Statement (MSS), is timely and much of the discussion was about what does the community want from their Planning Scheme and how will this be delivered?

From this training I formed a view that there is a need to consider more use of the Schedules to Planning Zones in order to more clearly support the policies contained in the MSS.

I believe this use of schedules needs to be reported on in the MSS review.

Tabled is the information provided to participants at this training session.

19.3 PRESENTATION BY VICTORIAN OMBUDSMAN (FILE NO: M150-02 - CR GRAHAM)

For information

On Wednesday 13th June the Office of the Victorian Ombudsman visited the region and held a meeting to explain its operation at Benalla.

I found the meeting to be instructive and interesting.

The main points I took from this briefing were:

- the office can react to enquiries made OR initiate action itself on certain issues
- the office reports to State Parliament and is responsible to Parliament not to a Ministerial appointment
- an annual report is tabled in Parliament covering the years work
- the office does not have the power to investigate Members of Parliament or Ministerial actions
- the office does not have any powers regarding private enterprises
- most areas of conflict could have been avoided with EARLY COMMUNICATION / DISCUSSION between the parties involved
- the Ombudsman's office seeks feedback from all parties involved as to the effectiveness, or otherwise, of its actions in all cases.

Tabled is the information provided at this briefing.

19.4 JUNE DIARY - CR BANKS

Date	Time	Function
1-2 June		Doing Leadership Differently Forum, La Trobe, Beechworth
5 June	4.30 pm	Council Briefing meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
6	1.00 pm	CBCV Forum, Special Rates & Charges, Melbourne
19	4.00 pm	Council Briefing Meeting, Chiltern
	6.00 pm	Special Meeting to Adopt Budget, Chiltern
26	6.00 pm	Councillors Briefing Meeting, Wahgunyah
	7.00 pm	Community Forum, Wahgunyah

Cr Andrew Banks
3 July 2007

19.5 JUNE DIARY - CR DALE

Date	Time	Function
1-2 June		Doing Leadership Differently Forum, La Trobe, Beechworth
2	7.00 pm	Chiltern Guides Debutante Ball
6	9.00 am	VicRoads Advisory Board Meeting, Kew
8	6.00 pm	Chiltern Guides Awards
10	12.30 pm	Winery Walkabout, Rutherglen
19	4.00 pm	Council Briefing meeting, Yackandandah
	6.00 pm	Special Meeting of Council, Yackandandah
21	7.00 pm	Community conversation dinner, YCEN, Yackandandah
22	10.00 am	MAV Auditors Meeting & Annual Report Photo, Melbourne
	7.00 pm	Town & Gown Dinner, La Trobe, Beechworth
26	6.00 pm	Councillors Briefing Meeting, Wahgunyah
	7.00 pm	Community Forum, Wahgunyah
30	7.30 pm	Official re-opening Rutherglen Soldiers' Memorial Hall

Cr Jenny Dale
3 July 2007

19.6 COUNCILLOR TRAINING - MOVING FORWARD (FILE NO: M558-05 - CR HOTSON)

For Information

I attended this workshop at Mansfield on 14 and 15 June 2007 with Councillors Graham and Issell.

The welcome was by Mayor of Mansfield, Cr Sandie Jeffcoat. Mansfield has a relatively new information centre that processes \$3.5M of bookings, providing the economy to run the centre. There are 14,000 beds at Mansfield and Buller. There was a major impact from recent fires on Shire resources, farming and business community.

Michael Buxton - The State introduced a very centralised control through VPP's.

- Which land should be applied to a particular zone? E.g. rural activity zones.
- Need to use overlays. Landscape, vegetation overlays should and can be used as strategic tools to the maximum to protect decisions at VCAT.
- Local policies - can use minimum subdivision schedules as a local control.
- Kennett - McLellan reform was very market orientated to facilitate less government involvement. Aimed to reduce complexity. Ended with high cost, more complicated, more delays. Jumble of control. System inhibited development. Need to build up local level of control so it can be defended.

Trevor Budge - Evidence that Victoria has the most centralised system in the world.

- Supported by both sides of state government.
- Incredible power of the Minister e.g. every amendment must have Ministerial approval.
- Imperative to get the zoning right.
- Must have strategic basis.
- We have never seen so much change in rural and regional Victoria.
- Agriculture changing, water issues, tourism, sea-change-tree change.
- People moving to amenity landscapes, but want to ensure education and health services.
- Compounding all these things the public is better educated than ever before. Access to information everywhere. Very articulate in challenging councils.
- Councils have often made Municipal Strategic Statements too complicated.
- Strategy needs to be clear and maybe very tough in certain areas. It may 'favour' certain areas of towns over others.
- A lot of management is about conflicts between people.
- Everything in the last 10 years has been about more centralised control.
- The zoning of land is the first statement of policy. Must choose that zone wisely. Can take account of ownership and willingness to develop but not be driven by ownership.
- Can use Development Plan Overlays to set the standard for the development.

Zones - apply right zone to the right location.

1. What is the purpose of the zone? Applying them is hard. It is not easy.
2. What is the use of the zone - (1) no permit; (2) needs permit, can be refused; (3) prohibited..

Moving away from prescriptive planning to performance based provisions. What is the outcome that is being sought.

Strategic principles - Entering a period of fundamental change - (1) uncertainty; (2) anticipatory responses; (3) Fragmentation; (4) Precaution. It is irresponsible not to act cautiously.

The Regional Atlas - Fiona McKenzie, DSE. A Resource tool for regions throughout the State.

Dave Mercer, RMIT - Natural Resource Management, current and emerging issues in Victoria.

- Issues - water; soil; flora and fauna (bio diversity); landscape amenity.
- Water - long distance transfer of water - very controversial. It is not the way to go.
- Bio-diversity is a huge natural asset. Protected areas.
- Landscape amenity - wind farms, divisive to communities. Landscape guardian groups being formed everywhere.
- Soil - damage bill now estimated at \$3.5B per year. 50% of all land affected.
- NRM has impacts on lots of social and economic factors.

- Don't know a lot about ground water at the local level. Issues will become greater into the future.
- Issue of fuel-wood and protection of red-gum forests.
- 'Radical left wing, urban environmentalist', get rid of farming, irrigation, etc.
- Seeking non-agricultural uses in rural areas. Post agriculture.

Neil Barr - Productive Landscapes

- Fantastic increase in production over 40 years. Doubled or tripled. Long term decline in process and terms of trade.
- Subsidise labour for mechanisation. Double size of harvesters and sowing machinery. This means fewer farmers
 - Dairy, fruit, vegetables - increase in production - fewer farmers
 - Eggs, wool - decline in production and numbers
 - Nurseries, cotton, grapes, beef - increase in numbers and production
- Percentage of farmers to population is rapidly declining. There is now one farmer to 350 non farmers.
- Some areas of Victoria where there are broad acres, flatter land, lower land prices, small towns are struggling.
- Amenity landscape areas, ie US - farming as a business is less profitable in relation to capital. Less able to buy neighbouring land for increased production. More boutique industries. Small towns great for art, music, culture.
- Continued urban demands for MMF agricultural land.
- China effect - Chinese imports have taken over from our garlic industry. China will have big advantages in things that have a high labour content, eg horticulture.
- Rural land prices - large increase, tuned to low interest rates and subject to pressure if interest rates rise.
- Superannuation assets - increased five times in the last 10 years. A form of investment is in agriculture. Large producers financed by superannuation funds and connected to large supermarkets.

Water - irrigation is not the cause of dry rivers now. It simply prevents the big floods.

- Uncertainties
 - Future rainfall and run off
 - Taxation MIS
 - Trading structures
 - Purchase of environmental water
- Huge risk to investment in irrigation infrastructure with water changes.
- History of agriculture is of chronic over production so land going out of agriculture is not so much of an issue.

Trevor Budge - Rural Zones

- Old Rural Zone was the land left over after all other land was zoned for a purpose.
- Rural, rural living and environmental rural zones.
- It tended to be abused e.g. prisons, waste dumps, anything else.
- Review
 - Agriculture is a major economic activity.
 - Agriculture is changing.
 - Serious agriculture has high amenity impacts. It is an outdoor industry. It is not a

- good idea to have incompatible uses adjacent to each other.
- Right to farm - problem. Normal farming operations change all the time.

New Rural Zones

- Clearly identify and designate land used for and needed for productive agriculture.
- A farming zone where the clear purpose is for agriculture.
- A new rural activity zone - the jury is still out.
- Rural living and rural conservation zones.
- Implementation of the new zones should be guided and assisted by a Rural Strategy.
- Conversion of rural to farming is not the best planning outcome. Department of Planning has got it wrong.

What is a Rural Activity Zone?

- Thought that it would encompass amenity values to allow for tourism etc.

Rural Activity Zone

- Tourism related - many questions.
- Surf Coast - lots of pressure for cabins, host farms, conference centres etc.
- Anglesea - Lorne, behind Otways. Not top of hills, roads ok, not top of range soil.
- Greater Geelong - cannot compete with Yarra Valley with wineries, conference centres, etc.
- Who is qualified to identify this land?
- Rather Council to develop a set of policies to determine what should be rezoned.

Section 96A

- Submission for rezoning along with particular designated development.
- Will the rezoning take too long for developers, e.g. two years? It is essential that this is done right so best to take some time.
- Rural living zone - essentially the same.
- Rural Strategy - not easy, needs some sort of visioning with Shire to achieve.

Michael Buxton - Spatial Fragmentation

- If you bring in a small minimum lot size it can have a huge impact on land prices for speculation, hobby farms, non-productive uses, e.g. 20 hectares.
- Can increase conflict.
- Existing lots - opportunity for many more permits.
- Tenement control may be an option. Must have strong local policy, OR
- Restructure overlay. Equity is an issue. Can restructure from 10,000 lots to 5,000 lots. Not easy. Must have principles that are open and fair.
- Need to get DSE involved early and fight them for years to set sensible outcomes.

19.7 JUNE DIARY - CR ISSELL

Date	Time	Function
1 June	8.30am	Leadership forum, Beechworth
2	8.30am	Leadership forum, Beechworth
4	4.30pm	Meeting re Warner Rd site, Beechworth
5	3.00pm	Council Briefing meeting, Chiltern
5	7.00pm	Council meeting, Chiltern
8	10.00am	Councillor duty, Beechworth
12	8.00am	Murray Arts planning meeting, Albury
12	6.30pm	Community services committee meeting, Chiltern
14	4.00pm	VLGA Planning Seminar, Mansfield
15	8.30am	VLGA Planning Seminar, Mansfield
19	4.00pm	Special Budget meeting, Yackandandah
22	10.00am	Councillor Duty, Beechworth
22	7.00pm	La Trobe Uni Town and Gown Dinner, Beechworth
24	4.00pm	East Timor film screening, Beechworth
26	6.00pm	Council Briefing meeting, Wahgunyah
26	7.00pm	Community forum, Wahgunyah
27	11.45am	Rural counselling meeting, Yarrawonga
28	7.00pm	Kerferd discussion night on water, Beechworth
30	6.45pm	MC, Make Poverty History concert, Beechworth

Cr V Issell
3 July 2007

19.8 JUNE DIARY - CR WALSH

Date	Time	Function
1-3 June	Full days	'Doing Leadership Differently' Conference, La Trobe
4		Tidy Towns Judging, Rutherglen
5	4.30 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
7	7.30 pm	Corowa-Rutherglen Medical Support Meeting, Corowa
12	Half day	Junior Council meeting, Chiltern Primary School
15		Rutherglen Soldiers' Memorial Hall Ball Meeting
16		Arts Rutherglen, Wahgunyah
18	5.30 pm	Rutherglen Wahgunyah Community Advisory Committee, Rutherglen
19	4.00 pm	Council Briefing Meeting, Yackandandah
	6.00 pm	Special Meeting to Adopt 2007-2008 Budget, Yackandandah
21		Rutherglen Soldiers' Memorial Hall Ball Meeting
22		Corowa Rutherglen Medical Support Meeting
	7.30 pm	Town & Gown Dinner, La Trobe, Beechworth
23		Meeting with ratepayer, Chiltern

25	8.30 am	Indigo Tourism Board Meeting, Chiltern
	11.00 am	Funeral Late Chris Killeen, Rutherglen
28		Arts Rutherglen
		Rutherglen Soldiers' Memorial Hall Ball Meeting
29		Preparation for Soldiers' Memorial Hall Ball
30	7.00 pm	Official Re-opening, Rutherglen Soldiers' Memorial Hall RSL Ball

Cr Frances Walsh
3 July 2007

19.9 JUNIOR COUNCIL (FILE NO: M005 - CR WALSH)

For Information

The Junior Councillors met on 12 June at the Chiltern Primary School. A warm welcome was extended to Luke Baker who replaced Molly Petersen, who has moved to Queensland with her family.

The Junior Councillors gave an update of what type of functions they were planning and at what stage they were at. There were some very interesting ideas from a Super Hero Day to various dress up days and guessing competitions. Some events had been successfully held.

The scheduled guest speaker had been unable to attend and would possibly come later in the year.

Matilda Gleeson had just returned from an overseas holiday with her family and had visited London, New York, Philadelphia, Disney World, Barbados and Hawaii. Matilda shared some of her holiday stories with the other Junior Councillors who were eager listeners.

A morning tea of fresh fruit, biscuits and dip was enjoyed, which had been very kindly provided by the Chiltern Primary School.

The next meeting will be held on Tuesday 14 August 2007 at Stanley Primary School.

The meeting concluded at 11.15 am and prior to departure, Percy Morphy thanked Vicki, Chiltern Primary School for use of the school and the morning tea.

19.10 JUNE DIARY - CR B MURDOCH

Date	Time	Function
05 June	4:00pm	Council Briefing Chiltern
	7:00pm	Council Meeting Chiltern
10	12:30pm	Winery Walkabout Rutherglen
19	4:00pm	Council Briefing Yackandandah
	6:00pm	Special Budget Council Meeting Yackandandah
22	7:00pm	Latrobe University Town & Gown Dinner
25	10:30am	MAV Water Taskforce Melbourne
	7:00pm	Chiltern Township Tourism Meeting
26	6:00pm	Council Briefing Wahgunyah
	7:00pm	Community Forum Wahgunyah
28	7:00pm	Kerferd Discussion Night LaTrobe Beechworth
29	7:00pm	Lion's Club Handover Dinner Chiltern

Cr Barbara Murdoch

3 July 2007

20.0 GENERAL BUSINESS

20.1 *Wahgunyah Progress Association*

Cr Graham tabled a letter received from Alan Pleitner on behalf of the Wahgunyah Progress Association expressing concern at the lack of maintenance on the John Foord Bridge, particularly since the opening of the Federation Bridge.

Cr Graham to prepare a letter to the Minister, RTA, VicRoads regarding this matter.

20.2 Cr Graham tabled the financial statements for North East community Road Safety Council Inc as at 21 June 2007.

20.3 Cr Graham tabled Fact Sheets with information on various subjects published by the Ombudsman Victoria.

20.4 Cr Graham tabled information on the VLGA Planning Workshop – “Moving Forward” held at Mansfield on 14-15 June.

20.5 Cr Murdoch reported on the successful Kerferd Discussion night held 28 June.

20.6 Cr Murdoch advised she had received a complaint from Roy Collins of Chiltern regarding the naming of North Road which was in three sections and caused confusion in the community.

The Chief Executive Officer advised that a letter had been received from Mr Collins and was being forwarded to Mark Greene for action.

**Moved Cr Murdoch
Seconded Cr Dale**

That Council investigate the possibility of renaming North Road, Chiltern.

CARRIED

20.7 *Playgrounds in Indigo Shire*

Cr Murdoch advised there was a group of new young people in Chiltern who may be interested in putting forward ideas for the upgrade and improvement of parks in Chiltern.

The Health and Wellbeing Manager advised that Martin Park in Chiltern and Isaacs Park in Yackandandah were included in the works schedule for this year, and would involve input from the public. David Koren and John Fleming will be co-ordinating these discussions.

21.0 CONFIDENTIAL

Nil

There being no further business the meeting was declared closed at 9.37 pm.

.....
Cr Peter Graham, OAM
07/08/07