

ORDINARY COUNCIL MEETING MINUTES – 12 APRIL 2011

Mission Statement:

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

HELD: Tuesday 12 April 2011 at 3pm

LOCATION: The Supper Room, Beechworth

ATTENDEES:

Councillors:	Senior Management/Officers
Ali Pockley – Mayor	Brendan McGrath – CEO
Bernard Gaffney – Deputy Mayor	Jamie Heritage
Peter Croucher	Mark Florence
Larry Goldsworthy	David Koren
Vic Issell	Frank Bonacci
Barbara Murdoch	Roberta Baker
Peter Graham	

APOLOGIES:

Vision Statement:

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

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1.0 WELCOME

The Mayor welcomed all those in attendance.

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

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

Cr Croucher introduced Junior Councillor Emma Gulliford from St Joseph's Beechworth Primary School.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Nil.

4.0 DECLARATION OF CONFLICT OF INTEREST

Nil.

5.0 OPEN FORUM

Nil.

6.0 CONDOLENCES

Nil.

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 8 MARCH 2011

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

Item 14.2 be amended to note:-

Moved: Cr Gaffney Seconded: Nil Motion: Lapsed

That the minutes from 8 March 2011 Council Meeting be confirmed.

Unanimously Carried

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

9.0 DEPUTATIONS AND PETITIONS

Nil.

10.0 CORPORATE SERVICES

10.1 RATING STRATEGY

File No.: 10/2532- Andre Kompler- General Manager Corporate Services

**Moved: Cr Goldsworthy
Seconded: Nil**

That Council;

- 2. Rating Strategy Amendment 1 being tightening up of the definition of Residential 2 to capture only short term accommodation and rate all Residential 2 properties as Commercial properties thereby effecting no change to the rate differential applied to current Residential 2 business.**

Lapsed

**Moved: Cr Gaffney
Seconded: Cr Graham**

That Council;

That the rating strategy be returned to the Finance Committee and they present a strategy to Council in April 2012 that is fair and equitable in the meantime the status quo remains except that residential 2 be changed from 135% to 120% and that it applies to short term accommodation comprising up to and including four bedrooms.

Carried

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

For Decision

In the interests of recognising:

- a) The need for clarity of rating position and application as inputs into Council's future Long Term Financial Plan;**
- b) Which groups predominantly benefit from Council's tourism endeavour aside from existing commercial rated establishments;**
- c) The need for administrative efficiency;**
- d) The practical limitations to delivering equity;**
- e) The relatively less or more remote access to Council facilities, but also recognising quality of life afforded of small rural holdings when compared to urban residential land; and**
- f) The desire of Council to support its strategies of encourage genuine farm land development.**

- g) The significant financial resources currently applied by Council to Tourism (i.e. Marketing & Publicity, Visitor information, sourcing of grants and provision of community support for visitor attracting events, Shire wide strategic Planning),
- h) The provision by Council for Economic Development support,
- i) The beneficiaries of Council inputs to Tourism and Economic Development.

RECOMMENDATION

That Council;

- 1. Adopt the Rating Strategy subject to amendment;
- 2. Rating Strategy Amendment 1 being tightening up of the definition of Residential 2 to capture only short term accommodation and rate all Residential 2 properties as Commercial properties thereby effecting no change to the rate differential applied to current Residential 2 business.
- 3. Rating Strategy Amendment 2 being to provide clarity of requirements to qualify for Rural 1 rating status. This clarity being Rural 1 shall apply to 80+ha as a matter of right, and to those properties between 8ha and less than 80ha, subject to the later making separate annual application to Council providing a business plan for the land-use and the provision of a statutory declaration stating their land-use fully complies with definition of “farmland” as cited in the Valuation of Land Act 1960.
- 4. Aside from the Rating Strategy, endorse the development of an ancillary study and recommendation to Council on the quantum and implementation of a potential Tourism and Economic Development Levy or differential for Commercial rated business to fund future Tourism and Economic Development expansion. Such a study shall consider;

INTRODUCTION

The attached draft rating strategy is the unamended version from the Dec 2010 meeting. Such will be amended to reflect Council’s decisions at the 12th April Council Meeting.

As part of the 2009/2010 Council Plan there was a requirement to develop a rating strategy which better reflected equity and better promoted the rural base of the shire. There have been a number of versions of the strategy over the last 2 years and the public have been asked to comment upon the draft strategy consequent to Council resolution. It would appear the main issues of contention are the workability of the current Residential 2 (Home Industry) and Rural categories.

Whilst a rating strategy should be straight forward in view of rates technically being a land tax, the reality is Council has strategic directions it would like to support and different groups benefit from Council services in different ways, with some “benefiting” more than others. Even so, the best balance is often the one that:

- Is generally accepted.
- Is clearly defined, objective and enforceable, minimising the likelihood of litigative consequence.
- Is as simple as possible to administer.

The time frame for Council adopting a strategy could speak to the difficulty of finding a balance of strategic response to the plethora of competing interests, and there is no doubting any decision will not accommodate everyone. However, there is a need to move on, and consequent to listening to all views, embrace a collective of thinking that hopefully is an improved balanced workable response.

The most recent public comment opportunity closed mid March with receipt of 11 submissions. These submissions were presented to Council at a briefing meeting on March 29 to help inform Council and officers of the status of community sentiment. Whilst the number of submissions received was small, a number of conclusions could be drawn from community acceptance of the draft as presented, to consultation fatigue and the desire for a Council conclusion of the matter.

It is this officer's view that the inherited efforts of others to-date can be made to work if there is some more clarity around the rating categories of Residential 2 (Home Industry) and Rural 2.

This report speaks to some of the issues associated with Residential 2 (Home Industry) and Rural 2 categories, and provides some options for treatment of the same.

In summary the following definition and clarifications are recommended;

1. rather than trying to administer some sort of "mixed use" category in lieu of Residential 2, Residential 2 to apply to only short term accommodation facilities
2. Rural 1 shall apply to 80+ha as a matter of right, and to those properties between 8ha and less than 80ha, subject to the later making separate annual application to Council providing a business plan for the land-use and the provision of a statutory declaration stating their land-use fully complies with definition of "farmland" as cited in the Valuation of Land Act 1960.

BACKGROUND

This Rating Strategy is all about how Council shares the rating load amidst its rate base. The quantum of rate take is generally fixed unless there is specific resolution to up the take for some specific purpose.

A justification put forward for having a "Residential (Home Industry)" differential exceeding the "Residential" category is the assumption that home based business receives a tax deduction on the rates they pay and effectively are in a more financially advantageous position than the adjacent ordinary resident who receives no tax deduction. So principles of equity would mandate the application to the Residential 2 (Home Industry)" of a higher rating differential than that applied to the ordinary resident.

Another proposition put is that Residential 2 (Home Industry) type establishments benefit more from Council service than the ordinary resident by virtue of the Tourism and Economic Development expenditure of Council encouraging visitation and expenditure from outside of the Shire. If this view is accepted and if the principles of equity and "user pays" are to be embraced, the same group of beneficiaries should pay more in some form or another if Council is to continue on with and possibly increase its Tourism and Economic Development. The alternative to commercial enterprise not picking up its fair share of public expense is for the rest of the rate base to perhaps unreasonably subsidise the growth and prosperity of Residential 2 (Home Industry) and Commercial rated establishments.

The justification for increasing the land area definitions for "Rural 1" and "Rural 2" and transitioning the "Rural 2" property rate differential toward the full "Residential" classification was to try and more clearly support land use given to genuine farming endeavour as opposed to land use supporting lifestyle choices. Whilst it can be said most Rural 2 properties are out of town and have less proximity to town services provided by Council, or do not benefit from street lighting and the like, such is the choice of people who choose the privilege of fresh scenic detached rural life. From an alternate view point, one could envision the cost to Council of providing rural services, maintenance of rural roads, bridges & drainage repairs as being higher on average per ratepayer in rural areas compared to urban counterparts, so it is difficult to support the contention that Rural 2 ratepayers be paying a rate differential less than urban residents.

To-date there has been a diversity of opinion on the draft rating strategy ranging from:

- Rates should not be lowered in light of infrastructure needs.
- The need to be equitable in rating classifications
- The value of supporting and encouraging genuine farming endeavour as opposed to encouraging “hobby farming” or “life style choice” as part of Council’s Rural Land-use Strategy and other strategy
- The need for definitions and rating classifications to be clear, devoid of subjectivity to the extent possible, and to be simple in application

OPTIONS & KEY IMPLICATIONS

Per the Valuation of Land Act 1960, “farm land” means any rateable land:

- that is not less than 2 hectares in area; and
- that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities; and
- that is used by a business-
 - that has a significant and substantial commercial purpose or character; and
 - that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating;

The Rural 1 rating category is intended to cover land-uses which comply with the above definition with the exception that the land area not be less than 8ha. If Council was to mandate land owner demonstration of a business plan and statutory declaration of compliance with the above definition amended for a minimum lot size of 8ha, it is suggested many a property would not attract a Rural 1 rating on account of hobby farming, lifestyle use etc.

For the purposes of exploring rate impact possibilities, 5 scenarios were considered for impact on average rate changes and compared against the status quo for 2010/2011. These numbers and assumptions are contained in attachment 1.

In summary the options were;

1. All Residential (Home Industry) to be ordinary Residential status. Rural 1 & 2 treatment to be the same as in the Rating Strategy Draft amendments previously endorsed by Council and assuming 30% of properties between 8 to 80 ha qualifying for the Rural 1 category.
2. Residential 2 (Home Industry) be limited in Scope and definition to cover only short term accommodation with the Res 2 differential being 1.2 per previous Council resolution. Rural 1 & 2 treatment be the same as in the Rating Strategy Draft amendments previously endorsed by Council and assuming 30% of properties between 8 to 80 ha qualifying for the Rural 1 category.
3. Residential 2 (Home Industry) be limited in Scope and definition to cover only short term accommodation with the Res 2 differential being 1.2 per previous Council resolution. Also leave the Rural 2 differential at 90% and base Rural holdings solely on land areas (ie Rural1 only >80ha & Rural 2 >8ha and <80ha)

4. Residential 2 (Home Industry) be limited in Scope and definition to cover only short term accommodation with the Res 2 differential being 1.2 per previous Council resolution. Rural 2 to progressively move to 100% Residential in keeping with Council's previous resolution, but base the differential of Rural 1&2 solely on land area without any provision for Rural 2 opportunity to attract the lesser Rural 1 differential on account of genuine "farmland" land-use.
5. Residential 2 (Home Industry) be more tightly defined and maintain the existing 1.35 differential in sync with the 1.35 Commercial rating differential. The balance of the previous Council resolution re Rural 1 & 2 remain as is except for clarification of the basis for attracting a Rural 1 rating.

OPTION	POSITIVES	NEGATIVES
<p>current differential applications</p>	<p>Rating is based on land size only for Rural 1 & 2</p>	<p>Residential 2 is not applied all possible businesses.</p> <p>Questionable administrative efficiency and effort to maintaining accurate up to date listings of business's potentially applicable to the category of Res 2.</p> <p>Lack of future direction on rate differential relativities and inputs to the Long Term Financial Plan. Most people do not appreciate uncertainty or inequity.</p> <p>There exists the inequity of Rural 1& 2 differential concession being applied to land-use that could said to not warrant the same such as "lifestyle" and "hobby farmers".</p>
<p>1. Assist Home Industry by treating them the same as any other Resident rate payer.</p> <p>Leave Rural 1 & 2 as previously endorsed in Dec 2010 except with "clarification" and 30% of Rural 2 qualifying for Rural 1</p>	<p>If Res 2 (Home Industry) reverts to short term accommodation facilities, there is clear definition of coverage and manageable administrative impact. Further more help is provided to this business group by reducing the rating differential.</p>	<p>Whilst the equity intent of Res 2 present the draft strategy is clear, at Res 2 definition is broad enough to be almost unworkable. Whilst one may capture more entrants to this category, this category will be continually changing as business start up or fail, as property changes hands, as facts and property use changes (i.e. adverts, business listings, membership all of which provide a limit on accuracy of information available to Council). There are so many "what ifs" associated with this category as it stands, upon reflection one has to question the merit of staying with the current draft's broad coverage definition of Res 2.</p> <p>Whilst Res 2 type small businesses might benefit from a rate differential decrease from 1.35 to 1 with this option,</p>

		<p>it is at the expense of other rate payers. The current draft rating strategy shows Council contemplating reducing the Res 2 differential down from 1.35 to 1.2, and this Option 1 scenario of differential moving from 1.35 to 1.0 would see even more consideration given to the Res 2 Category. One might question why this Res 2 category is provided any more consideration over and above other commercial businesses who are rated at the 1.35 differential.</p> <p>This Res 2 group are ultimately businesses seeking to make a profit and a part of the rates incurred could be offset as an expense against tax liability. On grounds of equity alone it would be difficult to justify treating Res 2 properties the same as normal Residential ratepayers who enjoy no such tax deductability.</p> <p>Additionally many of the current Res 2 category enjoy the consequences of regional prosperity underpinned and driven by other industry and tourism visitation. Council spends considerable funds on tourism and economic development support to the obvious benefit of some more than others.</p> <p>In summary one might reasonably question why the same Res 2 should be given a financial lift over and above other commercial and industrial enterprise.</p>
<p>2.Limit the scope for Res 2 application and assume 30% of Rural 2 qualify for Rural 1 under a “clarified” Rural 1& 2 arrangement</p>	<p>Tightening the definition of Res 2 will aid efficiency of rate implementation and at the same time provide reduction in the differential from the status quo of 1.35 to 1.2 per previous Council resolution</p>	<p>There will be arguments of equity in narrowing the focus of capture for Res 2, but such needs to be balanced with the pragmatism of administrative efficiency.</p> <p>An implication of idealistic broad definition for Res 2 is the problematic implementation on account of limited Council resources.</p>
<p>3.Limit the impact of Res 2 application. Retain Rural 2 at 90%, and simply base</p>	<p>Tightening the definition of Res 2 will aid efficiency of rate implementation and at the same time provide reduction in the differential from the status quo of 1.35 to 1.2 per previous</p>	<p>There will be arguments of equity in narrowing the focus of capture for Res 2, but such needs to be balanced with the pragmatic consideration of administrative efficiency. An implication of broad definition is problematic and</p>

<p>Rural 1 & 2 on Land area only.</p>	<p>Council resolution.</p> <p>By basing Rural rating 1 & 2 on land area only, such makes for administrative efficiency and simplicity of rate payer understanding of rating rules. The quid pro quo for simplicity is the retention of some concession for being situated outside the urban space via the <u>retention of the current Rural 2 differential of 0.9</u></p> <p>Problems with Rural 1 qualification are resolved via simple land area definition only.</p>	<p>consistent implementation on account of limited Council resources.</p> <p>When compared to the current status quo, those genuine “Farmland” landholdings greater than 40ha and less than 80ha will be worse off from a rate differential viewpoint, but one may say this is balanced by the regard given to larger holdings greater than 80ha.</p> <p>There is no rating model where absolutely everyone comes out better off.</p>
<p>4.Limit the impact of Res 2 application. Rural 2 to move to ultimately to 100% Residential differential per previous Council resolution, however, Rural 1 & 2 based on Land area only.</p>	<p>Tightening the definition of Res 2 will aid efficiency of rate implementation and at the same time provide reduction in the differential from the status quo of 1.35 to 1.2 per previous Council resolution.</p> <p>Similarly simplifying the Rural 1 & 2 definitions based on land areas. Adoption of a clearly understood administratively efficient model where rating differentials are based on land area only and moving non genuine “farmland” use to a Residential rating.</p> <p>One would expect average Residential rates to come down as the smaller rural holdings paid more of the rate base. On a capacity to pay basis, this would seem more equitable to the growing fixed income urban Residential group whose capacity to pay is being eroded with time.</p>	<p>There will be arguments of equity in narrowing the focus of capture for Res 2, but such needs to be balanced with the pragmatism of administrative efficiency. An implication of idealistic broad definition is the problematic implementation on account of limited Council resources.</p> <p>When compared to the status quo, those genuine “Farmland” landholdings greater than 8ha and less than 80ha will be worse off from a rate differential viewpoint, so the impact on some rural quadrants will be enhanced, but one may say this is balanced by the regard given to larger holdings greater than 80ha along with the benefits to the wider Residential community in the Shire.</p> <p>There is no rating model where absolutely everyone comes out better off.</p>
<p>5.Tighten the definition of Res 2 to only include short term accommodation, and treat Res 2 like Commercial with the same current 1.35</p>	<p>The Res 2 group is a beneficiary of Council service like other Commercial rated business’s, thus this approach results in consistency of differential application and maintains the current rate differential of 1.35.</p> <p>The above approach helps the</p>	<p>Whilst some question the equity of not capturing in Res 2 all of the small business’s operating from home like the tradesman storing their equipment, and the rental property that receives a tax deduction on rates etc, the reality is business drivers and risks for such small scale affairs are different to the Short Term Accommodation and other more</p>

<p>differential. Apply Rural 1 & 2 as previously endorsed by Council albeit with tighter definition on Rural 1 entitlement</p>	<p>Res 2 group being no worse off from a rating differential view point. Such facilitates equity and a common starting position in the future should commercially rated properties and Res 2 be subject to a Tourism and Economic Development Levy.</p> <p>The task of better considering genuine Rural 1 land-use will have been aided by tighter definition on who qualifies and the process for obtaining a re-rating.</p>	<p>significant Commercial enterprise. Whilst it might be ideal to adopt an all captured or non captured position, this needs to be balanced with the consideration of administrative efficiency and thoughts about what practically can be done with the resources at hand.</p> <p>The tighter definition on qualifications for Rural 1 rating coupled with Council's previously endorsed stepped approach will dictate the need for more finance time and attention devoted to considering the expected cohort of annual applications for re-rating from Rural 2 to Rural 1 based on the "farmland" definition & associated business plan provision.</p> <p>Such will be for no nett financial gain to Council. This time and attention need will add to the requirements of an already stretched team.</p>
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FINANCIAL IMPLICATIONS

Which ever way Council rates its constituency, the total rate take will not change. However according to the level of complexity built into the classifications, administrative efficiency can be greatly reduced and disputes greatly increased for no rate gain. When one looks the scenarios above, there are rate adjustments to categories, some up, some down, but on balance such are arguably reasonable reflecting the desire of Council to support Council strategies and to try and create more equity.

Where the adjustment appears substantially increased in the Rural 1 space, one has to be mindful that this is a skewed number over a smaller group number on much larger property holdings.

What is interesting is that if a simple to administer Option 4 were adopted based on land area only basis, there would be more Rural 2 properties ultimately paying the residential rate, thus contributing more to the shire and effectively deliver the greatest average rate reduction to the Residential rate category. Whilst this might be the all round simplest and most equitable way forward, for Council to endorse the Option 4 approach may mandate more delay to locking down a rating strategy for application in the future budgets and the Long Term Financial Plan.

It is a matter of fact that Indigo Shire is the lowest rating Council in North East Victoria for all but some vacant land, and commercial/ industrial, so with that back drop and the fact that Council wants to deliver more equity, and support its genuine rural base more, there is a reasonable case for some elements of the Shire to pay more of their share and contribute to the greater good of the Shire.

POLICY

This document signals a change in the differentials applied to various rating categories and an increase of support for various rating groups consistent with the existing Council Plan and policy direction.

In the above there is mention of the significant contribution Indigo Shire affords to tourism marketing and economic development. This ongoing and increasing emphasis comes at a significant cost which many constituents pick up and a number of commercial enterprises and accommodation providers benefit from. To enable this increasing emphasis, there may have to be consideration of a “beneficiary” approach in the future whereby a Tourism and Economic Development Levy is attached to some groups like commercial and accommodation providers. The notion of a Levy warrants more exploration outside of the Rating Strategy document.

COMMUNICATIONS

In the event of Council making a decision to pass the recommendation as stated, it is envisaged that clarifying amendments will be made to the attached draft Rating Strategy and the updated version reflecting Council resolution be implemented as policy and lodged on the Council website without further consultation.

CONCLUSION

The draft rating strategy attached is provided unamended and will be amended to reflect Council's decisions at the 12th April Council Meeting.

When one compares the average rates paid by each differential group for each option, there is not a great difference of change and either way the financial impact should not be the driver for adopting one option over another. The drivers for change should be striking the right balance between support of Council strategy, pursuit of equity principles and simplicity of administration.

If businesses purport that such decisions are seriously disadvantaging them, one would need to question how viable such establishments really are.

Whilst option 4 may embody most of the drivers for change, one might question the need and the wisdom of going out to the community a 4th time on an issue that is never going to please everyone.

At this point in time Option 5 would appear to be workable if some clarity was put around the Residential 2 definition and the Rural 1 & 2 application per the last paragraph of the introduction to this report.

Attachments:

Status Quo & Rating Options
Draft Rating Strategy – 14 December 2011
Rate Comparison across North East Councils

Confidential Attachment

Most recent Rating Strategy Public Submissions

10.2 FINANCE REPORT – FEBRUARY 2011

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

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

That Council receive and endorse the finance report for February 2011.

Unanimously Carried

For Decision

RECOMMENDATION

It is recommended that Council receive and endorse the finance report for February 2011.

The February 2011 Year to Date (YTD) result in the attached reports has been compared against the YTD forecasts prepared at the December mid year Budget review. The February YTD result shows a favourable variance of \$1,008,540. At first glance, this variance appears to be significant, however, the majority of the variance is due to \$768,406 in Victorian Grants Commission (VGC) funding paid earlier than originally expected. This final VGC payment was due to be paid in May but the Federal Government decided to pay this final VGC payment in February to assist Councils to fund flood and storm damage recovery works. This early payment by VGC will continue to appear as a favourable YTD variance in the next few monthly finance reports.

The balance of the YTD favourability comes from Contract Payments (\$162k) made up of a range of delayed payments. The major contributors being the Bushfire Response Gift project (\$34k); delayed operational maintenance activities such as line marking, footpaths and major patching due to focus on storm recovery works (\$46k); delays in several Conservation & Environment projects (\$31k); and several other smaller amounts.

Other Expenses show YTD favourability of \$87k which are also timing related and due to a combination of the instalment contribution to the Destination Rutherglen (\$45k) and Plant and Fleet costs (\$35k).

Employee Costs are also favourable YTD which is due to delayed training costs (\$11k); Wodonga Pool salaries due to seasonal impact (\$8k); Local Roads caused by teams focusing on storm damage recovery (\$15k); and a range of smaller amounts due to position vacancies.

Council's Cash position as at 28 February 2011 remains strong at \$5.3 million. This will improve even more in the coming months with the receipt of 50% of the flood recovery money from the State Government during March.

The YTD Capital works spend as at 28 February 2011 is \$5.03 million which continues to indicate that Council remains on track for another year of high capital works completion rates.

Attachments:
Profit and Loss Report to 28 February 2011
Department By Business Unit Report for February 2011
Cash & Investment Report as at 28 February 2011

10.3 FINANCE COMMITTEE DEED OF DELEGATION

File No.: 09/661 - Andre Kompler - General Manager Corporate Services

**Moved: Cr Croucher
Seconded: Nil**

That Council adopt the revised Finance Committee Deed of Delegation.

Lapsed

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

That this is held over until the Finance Committee reviews it and puts a recommendation to Council.

Unanimously Carried

For Decision

RECOMMENDATION

That Council adopt the revised Finance Committee Deed of Delegation.

INTRODUCTION & BACKGROUND

At the 12 May 2009 meeting of Council, Council established the Indigo Shire Council Finance Committee pursuant to Section 86 of the Local Government Act 1989 (LGA89).

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

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

It may be timely to affirm that the committee is an advisory committee and that its functions have been detailed by way of instrument, but that it not be termed a Section 86 committee pursuant to the LGA89.

At the Finance Committee meeting 8 December 2010, the issue of the committee membership pursuant to Cl 3.1 within the Deed of Delegation was considered. It was resolved by the committee to recommend to Council that the committees membership be widened in addition to the existing 3 Councillor members pursuant to Cl 3.1 within the Deed of Delegation. Since this time the Deed of Delegation has been updated, reviewed by the committee and the final version attached.

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

KEY IMPLICATIONS

- Risk Management – From a risk management perspective, the widening of the committees membership to include skill based members as needed would have the potential to minimise financial risk and assist in the operations of the committee.
- Legislative: Not applicable.
- Regulatory: Not applicable.
- Environmental: Not applicable.

FINANCIAL IMPLICATIONS

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

POLICY

No changes necessary.

COMMUNICATION

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

CONCLUSION

The role of the committee may be strengthened by the inclusion of skill based members. It could be argued the committee membership is restricted at 3 elected members only, and the inclusion of additional members may assist the workings of the committee.

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

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

Attachments:
Current recommended DOD
Previous Finance Committee Meeting Minutes
Draft Calendar of Key Issues for Finance Committee Follow-up.

11.0 SUSTAINABLE COMMUNITIES

11.1 ROWDY FLAT TRACK DEVELOPMENT PLAN

File No.: 09/1240 – David Koren – Manager Community Planning

For Information

INTRODUCTION

In early 2009 Indigo Shire Council officers received a request from local Yackandandah residents to assist them in developing a more formal walking track at Rowdy Flat in Yackandandah. As a result the Rowdy Flat Track Development Plan November 2009 was completed.

In December 2010, the Rowdy Flat Track ‘committee’ presented a petition to Council in support of the construction of a multi-purpose walking/cycling track and adjacent horse trail between Yackandandah and Osbornes Flat. This report provides information to Council on the current status of the development of the track.

BACKGROUND

Interested community members in Yackandandah have been working on formalising and developing the rough track at Rowdy Flat for many years. The track is used by locals, primarily for walking and some limited cycling. Although the track is well defined in places, it is very difficult to walk the entire length of the proposed track from Yackandandah to Osbornes Flat Road due to the roughness of the terrain and the myriad of different tracks and trails towards the eastern end of Rowdy Flat.

The proposed track is located on Crown land.

In early 2009 Indigo Shire Council officers met with the group to support them in the process of progressing the project to construct the track. Public meetings were called and a “committee” made up of interested community members, local landowners, Council officers and representatives from the Department of Sustainability & Environment (DSE) and the North East Catchment Management Authority (NECMA) was formed.

The committee recognised the need to develop a plan of the proposed location of the track, a preferred construction design and determine the estimated costs for the project. Council officers engaged the appropriate professional expertise which resulted in the Rowdy Flat Track Development Plan being completed in November 2009. The Plan is an attachment to this report.

The proposed track commences near the Yackandandah Holiday (caravan) Park and generally heads in an easterly direction through Rowdy Flat to eventually link up with the Osbornes Flat Road. The attached Development Plan details the route.

The Indigo Shire Strategic Bicycle Plan 2008 does not have the Rowdy Flat Track as a recommended priority project; however there are references in the Bicycle Plan to “In Town Community Link Routes” and the importance of these tracks to the local community.

It is important to note that there is considerable community support for a track to be developed between Beechworth and Yackandandah with Council officer investigation into this track ongoing. If this track is completed, the Rowdy Flat track is considered to be an important component in the network of tracks which can then link Yackandandah to Osbornes Flat through to Kiewa/Tangambalanga and potentially linking up with the High Country Rail Trail.

The Development Plan has based the cost estimations on sealing the whole track. When the Plan was developed in November 2009 a fully sealed track was estimated at costing over \$500,000. Additional works to construct an adjacent horse riding track require further investigation.

The Rowdy Flat Track Committee and Council currently have all the necessary documentation to support a funding application for the construction of the Rowdy Flat Track. In December 2009 Council submitted an application for funding for the track with the State government. Unfortunately this application was unsuccessful.

The project is now awaiting funding opportunities.

In December 2010, the Rowdy Flat Track committee presented a petition to Council in support of the construction the track, and an adjacent horse trail, between Yackandandah and Osbornes Flat.

KEY IMPLICATIONS

The Rowdy Flat Track project has had initial concept designs completed along with an estimated costing. The project is now awaiting suitable funding opportunities.

The project is strongly supported by the local community and will provide an excellent link between Yackandandah and Osbornes Flat Road.

There are no significant implications for Council as a result of the completion of the Development Plan. However, if the track were to be constructed there would be health and well being benefits for the local community with the potential for some economic benefits.

FINANCIAL IMPLICATIONS

The Rowdy Flat Track project has been estimated to cost in excess of \$500,000. Without significant external funding, it is difficult to see the project progressing. If a funding opportunity did arise, the submission of an application would be subject to Council's capital works prioritisation processes.

POLICY IMPLICATIONS

The development of Rowdy Flat Track Development Plan is consistent with the Council Plan Objective 2.8 - Expand and promote the bicycle and pedestrian network, Objective 4.6 – Enhance the Health and Wellbeing of the Community and Objective 4.8 - Empowering our Communities.

The Indigo Shire Recreation Plan also recommends that Council: “Develop and promote an integrated network and hierarchy of trails that enhances participation in walking, cycling and horse riding.”

COMMUNICATION

The development of the Rowdy Flat Track Development Plan involved consultation with local landowners (adjacent to the proposed track) and interested community members. If the proposed track were to receive funding for its construction a Communication Plan would be developed to inform the local community of the project.

CONCLUSION

In December 2010 the Rowdy Flat Track 'committee' presented a petition to Council in support of the construction of a multi-purpose walking/cycling track and adjacent horse trail between Yackandandah and Osbornes Flat. There is currently in place a Development Plan for the track which details the preferred location of the track and has an estimated cost. The project is now awaiting suitable funding opportunities.

Attachment:
Rowdy Flat Track Development Plan Nov 2009

11.2 NAMING OF NEW UPSTAIRS COMMUNITY FACILITY AT BAARMUTHA PARK

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

**Moved: Cr Issell
Seconded: Cr Gaffney**

That Council endorse the recommendation from the Baarmutha Park Committee of Management to name the new upstairs community facility at Baarmutha Park the “Baarmutha Function Centre”.

Unanimously Carried

For Decision

RECOMMENDATION

That Council endorse the recommendation from the Baarmutha Park Committee of Management to name the new upstairs community facility at Baarmutha Park the “Baarmutha Function Centre”.

INTRODUCTION

This report presents a request from the Baarmutha Park Committee of Management to name the recently completed upstairs community facility at Baarmutha Park, the “Baarmutha Function Centre”.

BACKGROUND

Council secured funding in 2009 to construct a multipurpose community facility at Baarmutha Park which would also be used as an Emergency Relief Centre when required. The project basically involved the construction of two new buildings, including an upstairs community facility, downstairs spaces for sporting clubs and a stand alone clubroom/change room facility for football and cricket.

The upstairs component will be used for a variety of purposes including as a function centre for the Park user groups and for the broader Beechworth community.

The Park is managed by a Council delegated Section 86 Committee of Management. The powers, duties and functions relating to the operation of the Baarmutha Park Committee of Management are set out in the Committee’s Instrument of Delegation.

At its March meeting the Committee passed a motion seeking endorsement from Council that the upstairs function centre at Baarmutha Park be named the “Baarmutha Function Centre”. By naming the Centre, the Committee believe the future management and operation of the Centre will be made easier as the local community will be able to identify the name with the facility on documents such as Hire Agreement forms, public notices, advertisements and marketing campaigns.

The key rationale of the Committee involved in proposing the above name was:

- Identifying the local historic area
- Identifying what the building is for
- Selecting a generic name that does not identify a single individual
- Selecting a name that would have meaning into the future

KEY IMPLICATIONS

There are no major implications for Council to name the facility as recommended by the Committee. However, there may be some comments from the broader community on what they believe the upstairs facility should be called.

FINANCIAL IMPLICATIONS

There are no financial implications with the recommendation.

POLICY IMPLICATIONS

The recommendation in this report is consistent with Indigo Shire Council Plan 2010 – 2013 Objective 4.8: Empowering our Communities.

COMMUNICATION

If the recommendation is adopted, Council officers will work directly with the Committee of Management to ensure an appropriate communication plan is in place to inform the community of the decision.

CONCLUSION

The newly constructed community facility at Baarmutha Park will be used by the community for a variety of purposes, including major functions and activities. The Baarmutha Park Committee of Management is the delegated authority managing the day to day operations of the Park and will manage the future operation of the upstairs function centre. The Committee's recommendation to name the Centre will assist in the future marketing and development of the Centre and give it a recognisable name within the community.

11.3 DRAFT ACCESS AND INCLUSION PLAN

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

**Moved: Cr Croucher
Seconded: Cr Murdoch**

That Council adopt the Indigo Shire Council Access and Inclusion Plan 2011-2014.

Unanimously Carried

For Decision

RECOMMENDATION

That Council adopt the Indigo Shire Council Access and Inclusion Plan 2011-2014.

INTRODUCTION

This report presents the final version of the Indigo Shire Council Access and Inclusion Plan 2011-2014 and recommends Council adoption of the document.

BACKGROUND

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

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

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

This Draft Plan, following endorsement by Council, was placed on public exhibition calling for comment and feedback until Monday 22nd March 2011.

No further comments were received from the broader community and, following some minor amendments to the formatting of the Draft e.g. updated contents page and the inclusion of a statement from the CEO and Mayor, the final draft of the Plan is presented as an attachment to this report.

KEY IMPLICATIONS

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

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

Priority Area 1: Moving Around

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

Priority Area 2: Using Spaces and Places

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

Priority Area 3: Getting involved

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

Priority Area 4: Being Informed

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

Priority Area 5: Staying Engaged

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

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

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

Implementation of the Plan will be coordinated by the Community Planning department of Council. However, it is important to note that many of the actions require strong partnership and collaboration with other departments of Council, external service providers and agencies, state and federal government, community groups and the broader public.

One of the key Actions of the Plan is to: “5.3 Support an advisory committee that strengthens Council’s ability to provide accessible and inclusive services, programs and infrastructure.” This recommendation supports the redevelopment of the existing Indigo Disability Advisory Committee (IDAC) into a broader advisory committee to Council that would operate at a strategic level and support Council in the implementation of the Plan. It is anticipated that this will be one of the first Actions implemented once the Plan has been adopted by Council.

FINANCIAL IMPLICATIONS

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

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

POLICY IMPLICATIONS

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

COMMUNICATION

The development of the Indigo Shire Council Access and Inclusion Plan 2011-2014 involved extensive community, agency, Council and government consultation. Specific Actions in the Plan will generally require consultation within Council departments and appropriate consultation with affected agencies, community groups and the general public. A communication plan will be developed for those Actions that require one.

CONCLUSION

This report presents the final draft of the Indigo Shire Council Access and Inclusion Plan 2011-2014. The Draft Plan was placed on public exhibition throughout February and March and, following some minor amendments, the Plan is now being presented to Council for adoption.

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

11.4 REQUEST FOR COMMUNITY LOAN – BAARMUTHA PARK COMMITTEE OF MANAGEMENT

File No.: 09/808 – DAVID KOREN – MANAGER COMMUNITY PLANNING

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

That

- 1. That Council advise the Baarmutha Park Committee of Management that it is prepared to provide a loan of \$50,000 for the Committee to purchase tables, chairs, crockery, cutlery and other associated items for the new community facility at Baarmutha Park.**
- 2. That the Loan will be paid back over a 10 year period at an interest rate defined by the cost to council of a 10 year borrowing at the time of making the loan.**

Unanimously Carried

**Moved: Cr Goldsworthy
Seconded: Cr Gaffney**

That Council set the interest rate at 6%.

Unanimously Carried

For Decision

RECOMMENDATION

That Council advise the Baarmutha Park Committee of Management that it is prepared to provide a loan of \$50,000 for the Committee to purchase tables, chairs, crockery, cutlery and other associated items for the new community facility at Baarmutha Park.

That the Loan will be paid back over a 10 year period at an interest rate defined by the cost to council of a 10 year borrowing at the time of making the loan.

INTRODUCTION

This report presents a request from the Baarmutha Park Committee of Management for a Community Loan to purchase tables, chairs, crockery, cutlery and other associated items for the new community facility at Baarmutha Park.

BACKGROUND

In April 2008 Council resolved to implement a new Community Loans Policy for loans which could be made to community groups for community projects.

Under the new Policy Council took the position that its core business did not include acting as a lending institution and that there was a real cost to Council in providing a loan to a community group. However, there was an understanding that the Community Loans program is a valuable program for the community.

The Community Loans Policy states: *“Interest rates and repayment terms will be set by the Council in a consistent manner on a case by case basis.”*

The Baarmutha Park Committee of Management has written to Council seeking a Community Loan of \$50,000 to assist in the purchase of tables, chairs, crockery, cutlery and other associated items for the new community facility at Baarmutha Park. The Club is looking to pay the loan off over a 10 year period.

The Baarmutha Park Committee of Management is a Section 86 committee of Council who are the delegated authority managing the operations of the Park on behalf of Council.

The new community facilities currently being constructed at Baarmutha Park include an upstairs function centre which will be used by the user groups at the Park and also by the broader Beechworth community. Generally the upstairs function centre will be used for larger events and activities such as the weekly (throughout the football season) football/netball club social dinner and large birthday parties and wedding receptions. To ensure the facility can appropriately cater for these and other anticipated functions, tables, chairs, crockery, cutlery, glassware, cookware and other items will be required.

The Committee have estimated that these items will cost in the order of \$50,000.

Other funding options or grants are very limited for these items and the option of a Community Loan appears to be the best solution to purchase them.

KEY IMPLICATIONS

Council has assisted clubs in the past with community loans. In 2007 Council made the decision to grant loans to the Tangambalanga Netball Club for \$10,000, the Tangambalanga Tennis Club for \$10,000 and to the Rutherglen Golf Club for \$9,000, all at Council’s borrowing rate at the time of 6%. In May 2008, Council resolved to offer a loan of \$6,000 to the Wahgunyah Football and Netball Club at an interest rate of 7.5% and in 2009 the Yackandandah Riding Club were offered a loan of \$8,000 at an interest rate of 4.0%.

The magnitude of this loan is significantly more than recent Community Loans; however Council did endorse a \$50,000 loan to the Beechworth Bowls Club around 10 years ago to install a synthetic bowling green at the club’s facility in Harper Avenue.

The Committee have supplied Council officers with financial statements for the last three years and have projected a strong level of future income from user group rentals and facility hire fees to comfortably cover their normal operating/maintenance costs and the anticipated costs of loan repayments.

The interest rate for the most recent Community Loan (4.0%) was based on the interest rate Council could get from the bank if the money was invested at that time. For Council to determine an appropriate interest rate applicable to this Community Loan, the following information needs to be considered:

1. Council's current borrowing rate is approximately 7.7% (based on loan taken in November 2010).
2. To borrow the amount of the loan through an overdraft account would attract an interest rate of around 10.0%.
3. If the loan came out of Council's investments, it could be argued that the interest rate could represent a replacement for what Council could get from the bank if the money was invested i.e. around 6.1%.
4. Not all Councils have a community loans program and of those that do, there is great diversity in their policies.
5. Some Councils add an administration fee by increasing the interest rate on the loan by about 1-2%.
6. The loan is for a non-profit community committee to improve a facility under the indirect management control of Council.
7. The amount of cash that Council has available for this type of discretionary use.

It should be noted that previous recommended interest rates applied to Community Loans have been largely based on Point 3 above and on Council's Community Loans Policy to set interest rates "*in a consistent manner on a case by case basis*".

The Club has requested that the loan be repaid over a 10 year period. This is considered a reasonable request. As detailed in Council's Community Loans Policy, the Club will also be required to provide "*a minimum of three personal guarantors for a loan, or provision of a bank guarantee in favour of the Indigo Shire Council to the value of the Loan.*"

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

The recommendation in this report is consistent with Council's Community Loans Policy and with the Indigo Shire Council Plan 2010 - 2013 Objective 4.6: Enhance the health and wellbeing of the community and Objective 4.8: Empowering our Communities.

COMMUNICATION

A communication plan is not required for this recommendation. If the recommendation is adopted, Council officers will engage directly with the Committee to ensure all obligations for the loan are met.

CONCLUSION

The newly constructed community facility at Baarmutha Park will be used by the community for a variety of purposes, including major functions and activities. For the facility to be equipped to meet these needs, an appropriate level of furniture such as seating and tables and kitchen items such as cutlery, crockery and glassware is required. The Committee of Management has recognised this need and is applying for a Community Loan to purchase these items.

Attachment:
Indigo Shire Council Community Loans Policy

11.5 STANLEY RECREATION RESERVE MASTERPLAN

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

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

That Council adopt the Stanley Recreation Reserve Master plan.

Unanimously Carried

For Decision

RECOMMENDATION

That Council adopt the Stanley Recreation Reserve Master plan.

INTRODUCTION

In 2010 Council secured funding to develop a Master plan for the Stanley Recreation Reserve. The Plan will be the key driver in assisting Council and the Stanley community plan for future recreational and social needs.

The Draft Plan was placed on public exhibition in February/March inviting comment and feedback from the community until the closing date on 22 March 2011.

This report presents the final draft of the Stanley Recreation Reserve Master plan and recommends adoption of the Plan by Council.

BACKGROUND

Council and the community recognised the need to develop a Master plan for the Stanley Recreation Reserve, a project listed in the Indigo Shire Recreation Plan adopted by Council in March 2008.

Council secured funding to develop the Plan in 2010 and, following consultation with the Stanley Recreation Reserve Committee of Management and user groups, completed the first Draft which was presented to Council at its February 2011 meeting. The Draft Plan was placed on public exhibition until March 22nd inviting further comments and feedback from the community.

Comments from the Stanley Recreation Reserve Committee of Management and recent developments regarding funding have resulted in the following amendments to the Draft Plan:

- Better quality map included on Page 6
- Planning Zone amended to FZ – Farming Zone
- Identified Priority 1 on Page 14 has been updated to include the recent funding announcement for the facility extensions.
- Identified Priority 9 on Page 18 has had some additional comments around ensuring any approved activities at the Reserve are appropriate for the intended purpose of the Reserve.

There were no other significant changes to the Draft.

KEY IMPLICATIONS

The Plan has nine (9) Identified Priorities, many of which will require financial resources to implement. The Stanley Recreation Reserve Committee of Management will continue to drive the implementation of these Priorities with the support of Council.

Some of the Identified Priorities from the Plan include:

- Development of additional building facilities to assist in the site being used as a Neighbourhood Safer Place (NSP) – note: Stanley Recreation Reserve has now been provisionally adopted by Council as a NSP and funding has been secured to complete these works.
- Oval renovations
- Playground improvements
- Improved signage
- Tennis court renovations

FINANCIAL IMPLICATIONS

The Master plan includes a number of priorities which, if implemented, may have financial implications for Council and the community. It will be Council's role, in conjunction with the Committee of Management and user groups to assist in the implementation of these actions, subject to appropriate budget and capital works processes.

POLICY IMPLICATIONS

The development of the Stanley Recreation Reserve Master plan is consistent with the Council Plan Objectives 4.1 – Effective and Efficient Service Delivery, 4.6 – Enhance the Health and Wellbeing of the Community and 4.8 – Empowering our Communities. The development of the Plan also delivers on one of the outcomes of the Indigo Shire Recreation Plan.

COMMUNICATION

The development of the Master plan involved consultation with the Committee of Management, user groups and Council staff. Comments and feedback from this process resulted in the Draft presented to Council at its February 2011 meeting. Further consultation, in the form of a public exhibition period, resulted in some final amendments to the Plan.

CONCLUSION

The Stanley Recreation Reserve Master plan was developed as a framework for future works and activities at the Reserve. The Plan will guide Council and the community's decision making in respect to future development at the facilities. The Plan has undertaken a strong consultation process and is being presented for adoption by Council.

Attachments:

- A: Sustainable Communities - Draft Stanley Rec Reserve Master Plan Mar 2011
- B - Sustainable Communities - Draft Stanley Rec Reserve Master Plan Pictorial Mar 2011
- C – Sustainable Communities - Stanley Rec Reserve Pavilion Extension Plan Mar 2011
Submissions (confidential)

11.6 UPPER MURRAY REGIONAL LIBRARY – LIBRARIES CO-OPERATION AGREEMENT

File No.: Mark Florence - General Manager Sustainable Communities

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

That after consideration of the report Council:

- 1. Authorise the Mayor and CEO to sign of the Libraries Co-operation Agreement 2011, and**
- 2. Confirm the appointment of Councillor Croucher as the Council representative as Director on the Upper Murray Regional Library Board, and the General Manager Sustainable Communities as alternate Director.**

Unanimously Carried

For Decision

RECOMMENDATION

That after consideration of the report Council:

- 1. Authorise the Mayor and CEO to sign of the Libraries Co-operation Agreement 2011, and**
- 2. Confirm the appointment of Councillor Croucher as the Council representative as Director on the Upper Murray Regional Library Board, and the General Manager Sustainable Communities as alternate Director.**

BACKGROUND

The Indigo Shire Council is a member Council of the Upper Murray Regional Library Limited and participates in the governance and oversight of the library services provided across the member Councils, and in particular, in Indigo Shire.

A Co-operation Agreement has existed between member Councils and the UMRL since its inception in 1997. The Agreement provides a framework for the company's operations in delivering library services to the various communities for which the Councils are responsible.

Changes in recent times to the demand for library services, and the growth in various functions offered by libraries e.g. electronic services, has brought about the need to update the Co-operation Agreement. The Co-operation Agreement tabled for consideration is intended to replace all former agreements between Councils and the company, to regulate relationships, responsibilities and discretions available to the Councils and the company.

The updated Agreement reflects developments which have been considered over recent months whereby the operations of the company have been closely analysed, and various governance and management issues resolved. The updated Agreement provides greater certainty and clarity for member Councils and ensures a stronger position from which individual operating Service Agreements can be developed and managed.

Indigo Shire is well positioned through the recommended representation to ensure that communities within Indigo are able to access library services that are relevant and in tune with community demand.

KEY IMPLICATIONS

The approval of the Co-operation Agreement 2011 strengthens Indigo Shire's representation on the UMRL Board and includes a Councillor representative as Director and a senior manager as the alternate Director. This initiative allows for a good balance of community representation through the elected Councillor, and a strategic management influence through the senior manager.

The Co-operation Agreement also clarifies voting rights and procedures to reflect concerns expressed by some member Councils, and is definitive in relation to assets and resources should any member Council withdraw from the company, or if the company is dissolved.

FINANCIAL IMPLICATIONS

Financial contributions by member Councils are subject to a specific hybrid formula and is contained in the operating Service Agreement. The development of the formula has resulted in only a 0.3% increase for Indigo Shire on the 2010/11 contribution. The level of Indigo Shire's financial contribution to UMRL is considered appropriate and reasonable for such a vital service to the communities within Indigo Shire.

POLICY IMPLICATIONS

The approval of the Co-operation Agreement 2011 supports Council's policy to deliver a range of accessible and affordable services across the shire

COMMUNICATION

The approval of the Co-operation Agreement does not require any formal or widespread communication to the community. The services offered by the library services will be communicated as a regular function of informing the community of what is available and how the library services in Indigo can accommodate needs.

CONCLUSION

It is recommended that Council approve the signing of the Co-operation Agreement 2011 and confirm the representatives on the UMRL Board, as a means of demonstrating its commitment to the Upper Murray Regional Library service.

Attachment:
UMRL Libraries Co-operation Agreement 2011

11.7 INDIGO INFLUENZA PANDEMIC PLAN

File No.: 09/854 – David Koren - Manager Community Planning

**Moved: Cr Croucher
Seconded: Cr Murdoch**

That Council adopt the revised Indigo Influenza Pandemic Plan.

Unanimously Carried

For Decision

RECOMMENDATION

That Council adopt the revised Indigo Influenza Pandemic Plan.

INTRODUCTION

This report presents the updated Indigo Shire Council Influenza Pandemic Plan for the information of Councillors.

BACKGROUND

In April 2007 the Victorian State Government released the Victorian Human Influenza Pandemic Plan. This was followed in July 2007 by the release of the Council of Australian Governments National Action Plan for Human Influenza Pandemic.

The Victorian Department of Health supported local governments to develop local Influenza Pandemic Plans with Indigo Shire Council adopted its Plan in December 2009.

The 2009 outbreaks in Australia, whilst reasonably mild, provided a clear indication for the need for the Plan, and the need to regularly review the Plan to ensure it remains a relevant document.

A review of the Plan conducted in late 2010 determined that the content was current and the document did not require any major changes.

The updated Plan (an attachment to this report) included the following minor changes:

- Some minor formatting of Chapter numbering
- The inclusion of a more readable activation procedure (Figure 2 on pages 11-13)
- An update of contact details

KEY IMPLICATIONS

Whilst the Department of Health has overall responsibility at a State level for any outbreaks of disease, including pandemics it is important that Council recognises the level of risk to both the organisation and to the community.

The updated Plan identifies and addresses key organisational business continuity issues, particularly in the event of significant staff shortages in key business areas. It also identifies key risks when working with the community, many of whom may be infected, and how to address these risks.

The Plan was appended to the Municipal Emergency Management Plan (MEMP) and copies of the updated Plan will be forwarded to the members of the Municipal Emergency Management Planning Committee following this reports presentation at the Council meeting.

As previously stated the Department of Health has overall responsibility at a State level for any outbreaks of disease. However, Indigo Shire Council has an obligation under the Plan to provide appropriate information to the community and to ensure public health control measures within its responsibility are carried out. Information dissemination as detailed on Page 23 of the Plan will take place throughout April/May 2011 in preparation for the 2011 influenza season. 'Flu shots' are currently being made available to all Council staff.

The Plan also details on Page 29 other Council responsibilities in the event of an outbreak including:

- Assisting the Department of Health with any mass vaccination sessions,
- Communicating with the public to ensure appropriate awareness of vaccination sessions is in place,
- Ensuring venues for vaccination sessions are available as required

Council is currently in a position to be able to activate these responsibilities.

Council officers can also make use of its register of vulnerable clients to specifically target information to individuals who may be more susceptible to influenza outbreaks.

FINANCIAL IMPLICATIONS

There no significant financial implications associated with the development of the Plan. Council has incurred small levels of expenditure to date (approximately \$1000) to purchase items such as anti bacterial wipes, antiseptic hand wash and protective clothing. Such expenditure can again be anticipated in the event of another outbreak.

The key issue for Council in a pandemic is potential staff shortages. Modelling suggests that the attack rate for people is approximately 40%. Staff will be required to be redeployed to key operational areas with some activities being shut down. Opportunities for working from home need to be considered.

POLICY IMPLICATIONS

The development of the Influenza Pandemic Plan is consistent with objective 4.2 of the Council Plan "provide a safe environment for our community" and specifically addresses the action of developing a Pandemic Plan. The Plan will only be enacted when directed by the Department of Health.

CONCLUSION

The development and review of the Influenza Pandemic Plan enables Councils to be well placed to deal at the local level with any outbreak of Pandemic Influenza.

Attachments:

A - Indigo Shire Council Influenza Pandemic Plan

B - Indigo Influenza Pandemic Plan Review.pdf

12.0 MAJOR PROJECTS AND PROGRAMS

12.1 DRAFT BUILDING ASSET MANAGEMENT PLAN & DRAFT BRIDGE ASSET MANAGEMENT PLAN

File No.: 09/312 – Robert Uebergang – Manager Assets

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

That Council adopt:

- 1. the Draft Building Asset Management Plan and advertise seeking public submissions on the plan.**
- 2. the Draft Bridge Asset Management Plan and advertise seeking public submissions on the plan.**

Unanimously Carried

For Decision

RECOMMENDATION

That Council adopt:

- 1. the Draft Building Asset Management Plan and advertise seeking public submissions on the plan.**
- 2. the Draft Bridge Asset Management Plan and advertise seeking public submissions on the plan.**

INTRODUCTION

Asset management plans detail how Council intend to manage their assets over the medium to long term.

The formulation and adoption of asset management plans for Council's major asset types is necessary to establish a framework for a core level of asset management within Council. The formulation of asset management plans for buildings, bridges, roads, pathways and drainage are significant actions outlined in Indigo Shire's Asset Management Strategy adopted in December 2010. This report provides details on the first two of these Draft plans.

BACKGROUND

A major part of Council's resources are expended on maintaining, renewing and creating new assets. The degree and way in which council's assets are managed are key in determining the financial position and long term sustainability of a council.

The MAV Regional Asset Management & Service Program has seen the formation of five state regional asset management (AM) groups charged with developing and implementing regional action plans to improve asset management practices. The target measure for the North East Regional Group, of which Indigo Shire is a part of, is to meet 100% score on the core asset management standards by December 2012. The core standards are defined within the National Asset Management Assessment Framework (NAMAF) which is the adopted reporting tool to measure a Council's asset management performance.

Further to Council adopting an Asset Management Policy and Asset Management Strategy in December 2010, one of the major items for their consideration in 2011-12 is the adoption of asset management plans in the asset areas of:

- Buildings;
- Bridges;
- Roads;
- Pathways, and;
- Drainage.

The *International Infrastructure Management Manual (IPWEA, 2006) Appendix A: Asset Management Plan Structure* has dictated the structure of these draft asset management plans, with the underlying aim of achieving 100% core standard in the national asset framework assessment areas. The formulated drafts seek to keep the document as brief and simple as practical, whilst fulfilling the required national asset framework requirements.

The Draft Building Asset Management Plan has been compiled and documented by Council's asset unit, with the Draft Bridge Asset Management Plan compiled and documented by Bon Consulting.

Council's Asset Management Strategy targets the adoption of both a building asset management plan and a bridge asset management plan by June 2011. The Draft Building Asset Management Plan was taken to a Council briefing meeting in February 2011, with the Draft Bridge Asset Management Plan taken to a Council briefing meeting in March 2011, for review and comment. Both draft plans have been now revised and amended in accordance with Councillor and officer comments.

It is proposed that further to consideration of the draft plans and potential receipt of these draft plans by Council:

- the Draft plans be advertised for public submissions from the community in the April-May period 2011, and;
- the Draft plans be reviewed in relation to submissions received and then presented to the June Council meeting for consideration of plan adoption of the building asset management plan and the bridge asset management plan.

KEY IMPLICATIONS

The Federal Government has outlined that councils need to improve their asset and financial management. The key implications in Council not achieving core asset management practice are:

- potentially poor and unsustainable management of the community's assets, and;
- infrastructure funding from government bodies potentially being put at risk by a lack of demonstration of good asset management practice.

The formulation and adoption of Council's asset management plans are critical building blocks on the pathway to achieving core asset management by December 2012, as detailed in Councils Asset Management Strategy and the North East Regional Group's action plan.

FINANCIAL IMPLICATIONS

Asset management plans seek to identify and document the costs associated with maintenance, renewal and planned new or upgrade works associated with an asset. The adoption of an asset management plan by Council is the recognition of the long term costs associated with that asset, and not necessarily a commitment to fund those identified long term costs.

The way in which Council seeks to fund long term asset costs is integral to Council's Long Term Financial Plan. Financial information from each asset management plan are to be included in the formulation of the Long Term Financial Plan. The Long Term Financial Plan is integral to Council's Asset Management Strategy and is scheduled for completion in December 2011 as part of this Strategy.

There are long term financial implications including appropriate staffing and software improvements that will be required to support and maintain a core standard of asset management practice within Council.

Improvement plans are included as Section 8 of the Draft Building Asset Management Plan and Draft Bridge Asset Management Plan. These detail proposed short term plan improvements and an estimate of resources required to implement these improvements.

POLICY IMPLICATIONS

Asset management plans are key documents that are required by Council in the journey towards 100% core asset management competency. Adoption of sound asset management plans for buildings and bridges support the following Council Plan objectives:

Objective 2.1: Protect the Shire's Heritage Assets: Continue to foster a strong culture of support for the historic assets in our communities.

Objective 2.2: Improve the quality and maximise the long-term sustainability of the built environment: Ensure that Council's asset management practices are clearly defined and in accordance with a strong Asset Management Policy and Strategy.

Objective 2.3: Manage and maintain to a high standard assets critical to our economic prosperity: Identify critical assets and prioritise actions.

Objective 2.7: Build a network of safe roads.

COMMUNICATION

Upon receipt of these draft plans by Council, it is proposed that the draft documents be made available to the community and publicly advertised inviting written submissions. These submissions are then to be considered in the formulation of final draft plans for Council's consideration of adoption.

CONCLUSION

The Council Plan outlines the goal to ensure that Council's asset management practices are clearly defined and in accordance with a strong Asset Management Policy and Strategy. Further to Council adopting an Asset Management Strategy in December 2010, the formulation and adoption of a Building Asset Management Plan and a Bridge Asset Management Plan are some of the first scheduled actions within this strategy.

The consideration for Council receipt of these draft asset management plans and the invitation for community comment on these plans are the next steps towards achieving the defined Council Plan objectives and the journey towards a core standard in Council's asset management practices by December 2012.

Attachments:
Draft Building Asset Management Plan
Draft Bridge Asset Management Plan

12.2 MILL ST WAHGUNYAH – SPECIAL CHARGE CONSTRUCTION, SCHEME 2011

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

**Moved: Cr Graham
Seconded: Cr Goldsworthy**

That Council:

- 1. Declare a Special Charge on Mill Street, Wahgunyah, as per the Public Notice and Proposed Declaration previously adopted.**
- 2. Send Levy Notices to all property owners identified as special beneficiaries within the Declaration.**
- 3. Continue all necessary project preparations to allow commencement of construction in the 2011/12 financial year.**

Unanimously Carried

For Decision

RECOMMENDATION

That Council:

- 1. Declare a Special Charge on Mill Street, Wahgunyah, as per the Public Notice and Proposed Declaration previously adopted.**
- 2. Send Levy Notices to all property owners identified as special beneficiaries within the Declaration.**
- 3. Continue all necessary project preparations to allow commencement of construction in the 2011/12 financial year.**

SUMMARY

At its meeting on 8 February 2011, Indigo Shire Council made a resolution of intent to declare a special charge for defraying the cost associated with design, administration, supervision, and construction of a bituminous sealed pavement with kerb & channel both sides in Mill Street, Wahgunyah.

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

Given that no submissions or objections have been received within the allotted 28 day time period since the public notice it is recommended that council now formally adopts the attached declaration and uses this to levy the Special Charge in Mill Street.

BACKGROUND

As per the recommendations adopted at the 8 February 2011 Council Meeting, a Public Notice detailing Councils intent to declare a special charge was advertised in the following publications:-

- The Border Mail – Saturday 12 February
- The Corowa Free Press – Wednesday 16 February

Copies of the adopted Proposed Declaration were also placed on public display at all of Councils customer service centres as stipulated within the Public Notice.

In addition, copies of the Public Notice and Proposed Declaration were mailed directly to all property owners identified as being liable to pay the proposed levy. This included details of the estimated levy amount for each affected property.

Pursuant to Section 223 of the Local Government Act (1989) an invitation to make submissions or objections in relation to the Proposed Declaration was extended. Any person wishing to do so had 28 days following the Public Notice being issued to submit this to Council for consideration.

There were no submissions or objections received by Council up to the closing date of Monday 14 March and, at the close of business on Friday 25 March, no late submissions wishing to be considered had been received either.

FINANCIAL IMPLICATIONS

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

SCHEME COST SUMMARY

Estimated cost of the proposed works:	\$156,852.44
Cost of non-recoverable works i.e. Council funded only: <i>(cost of rail trail foot path link within the road reserve is solely funded by council as part of a wider community benefit)</i>	\$21,496.80
Total cost of recoverable works is:	\$135,355.64
Benefit ratio of 50% gives a maximum levy amount of: <i>(the end of the court bowl has been included as an additional property within the scheme for benefit calculation. This cost of \$7,027.60 is also to be borne by council)</i>	\$67,677.82

FINAL COST SPLIT:	
Total Cost to Special Beneficiaries	\$60,650.22
Total Cost to Council	\$96,202.22

POLICY IMPLICATIONS

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

STATUTORY PHASE

The Local Government Act clearly outlines the statutory process required to be undertaken when Council is looking to levy a Special Charge. We are currently at Step 6 of the Statutory and Consultative Procedure as listed below:

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

CONCLUSION

Adoption of the above recommendations by Council will initiate the issuing of individual levy notices to all owner/occupiers of those properties included within the attached declaration.

These levy notices will also include details of how anyone who is aggrieved by Council's imposition of this Special Charge may apply, under section 185 (2) of the Local Government Act (1989), to the Victorian Civil and Administrative Tribunal (VCAT) for a review of this decision. Affected owner/occupiers have 30 days following issuing of the Special Charge to lodge such an appeal with VCAT.

Following this statutory 30 day period, providing there are no submissions, Council will be able to proceed with the project. Should submissions be received, these will need to be addressed at a hearing on a date set by VCAT.

Attachment:
Confidential

13.0 GOVERNANCE

13.1 DRAFT COUNCIL PLAN 2011-2014

File No.: Brendan McGrath – Chief Executive Officer

**Moved: Cr Issell
Seconded: Cr Murdoch**

That

- 1. Council adopt the Draft Indigo Shire Council Plan 2011-2014 as attached to this report.**
- 2. The plan be made available for public comment.**
- 3. Any submissions received be considered within the final Indigo Shire Council Plan 2011-2014, as determined by Council.**

Unanimously Carried

For Decision

RECOMMENDATION

That:

- 1. Council adopt the Draft Indigo Shire Council Plan 2011-2014 as attached to this report.**
- 2. The plan be made available for public comment.**
- 3. Any submissions received be considered within the final Indigo Shire Council Plan 2011-2014, as determined by Council.**

INTRODUCTION

Section 125 and 126 of the Local Government Act requires that the Council must annually review its Council Plan and Strategic Resource Plan and submit it for approval to the Minister by 30 June each year.

BACKGROUND

Following the election in November 2008, Indigo Shire Council embarked on an extensive process of community consultation that underpinned the development of the new Council Plan. Consultation involved about 1400 people through roundtable discussion and a community survey. The results were used to develop the key strategic objectives, strategies, and actions contained in the Council Plan. A follow-up survey was done last year with 286 responses. This year there were more than 650 responses to the survey, copies of which were included with the February *Indigo Informer*.

KEY IMPLICATIONS

The Council Plan is the over-arching document that sets out our strategic direction, guiding the development of programs and initiatives for our community. The resources needed to implement various agreed programs and initiatives are determined through the Strategic Resource Plan, which is part of the Council Plan. The Council Plan drives what we do for our community.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this review of the Council Plan. Costs for the community survey and for the printing of the plan are contained in the 2010-2011 budget. The budgets for 2011/12, 2012/13, 2013/14 will all be aligned with the key elements of this plan through the Strategic Resource Plan.

POLICY IMPLICATIONS

The review of the Council Plan is consistent with sections 125 and 126 of the Local Government Act.

COMMUNICATION

The Council Plan will be made available for public comment.

CONCLUSION

The Council Plan has been developed with vital input from our community. It is revised each year after discussion with senior staff and Councillors, and feedback from the community. This allows the document to continue to reflect community aspirations and act as a measure of our progress against the agreed priorities in the plan.

Attachment:
Draft Council Plan 2011-2014

13.2 ADVISORY AND COMMITTEES OF MANAGEMENT REPORTS

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

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

- 1. That the following Advisory Committee Minutes be received and noted by Council. Note: all Minutes listed below are unconfirmed unless specified.**
- 2. That Council receive and note the attached record of an Assembly of Councillors.**

Unanimously Carried

For Information

RECOMMENDATION

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

COMMITTEE	DATE OF MEETING
Audit Committee	Nil
Burke Museum & Historic Precinct Advisory Committee	2 February 2011
Environmental Advisory Committee	Nil
Finance Committee	7 March 2011
Indigo Arts & Cultural Advisory Committee	9 March 2011
Indigo Heritage Advisory Committee	Nil
Indigo Shire Disability Advisory Committee	21 February 2011 & 21 March 2011
Indigo Shire Grants & Awards Advisory Committee	Nil
Indigo Tourism Advisory Committee	Nil

COMMITTEE	RESOLUTION	MOVED	SECONDED
Burke Museum & Historic Precinct Advisory Committee	1. That the minutes of the committee meeting 1 December 2010 be confirmed.	Carole O'Neill	John Baine
	2. That the Historic Precinct Managers Report be accepted by the Committee.	David Lawrence	Pam Davis-Jones
	3. That 'justice' be adopted as the main educational focus until further advice from the Strategic Management Workshop.	Rita Lazauskas	Jean McAuslan

COMMITTEE	RESOLUTION	MOVED	SECONDED
	4. That Council should accept Ali Garnet's resignation from the Burke Museum and Historical Precinct Advisory Committee and confirm Penny Bingham as a replacement.	Carole O'Neill	John Baine
Finance Committee	That the minutes of the Committee meeting 2 February 2011 be confirmed.	Bernard Gaffney	Barbara Murdoch
Indigo Arts & Cultural Advisory Committee	1. That the minutes of the Committee meeting 19 January 2011 be taken as a true record.	Lyn Blackman	Pamela Thomas
	2. That the Arts and Culture Development Officer Report be accepted.	Lyn Blackman	Jenny King
Indigo Shire Disability Advisory Committee	That the minutes of the Committee meeting 21 February 2011 be confirmed.	Loretta Caunt	Ron Walker

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

- Attachments:
- Minutes – Burke Museum & Historic Precinct Advisory Committee – 2 February 2011
 - Minutes – Finance Committee – 7 March 2011
 - Minutes - Indigo Arts & Cultural Advisory Committee – 9 March 2011
 - Minutes – Indigo Shire Disability Advisory Committee – 21 February 2011 & 21 March 2011
 - Assemblies of Councillors Record – Finance Committee – 7 March 2011

14.0 NOTICES OF MOTION

14.1 MAV STATE COUNCIL MEETING - NOTICE OF MOTION

**Moved: Cr Goldsworthy
Seconded: Cr Graham**

That Council put forward the following motion to the MAV State Council Annual Meeting to be held on 26 May 2011;

That the MAV as a matter of urgency recognize and identify the potential impacts of rising energy costs (e.g. electricity, gas, fuel [and therefore by default asphalt costs and availability]) for local governments and their business activities, and immediately commence development of strategies to deal with these impacts, whilst also raising the issue with the State Government for their consideration and action.

Unanimously Carried

TAKE NOTICE that at a meeting of Council to be held on 12 April 2011 I intend to move the following motion:

That;

Council put forward the following motion to the MAV State Council Annual Meeting to be held on 26 May 2011;

That the MAV as a matter of urgency recognize and identify the potential impacts of rising energy costs (e.g. electricity, gas, fuel [and therefore by default asphalt costs and availability]) for local governments and their business activities, and immediately commence development of strategies to deal with these impacts, whilst also raising the issue with the State Government for their consideration and action.

Explanatory comment:

Every single council will be affected by the potential impact of rapidly rising energy costs, and this has already been seen with the sudden peaks in oil prices caused by civil unrest in the Middle East over the past couple of months. This coupled with the forecasted reduction in oil availability will have a massive impact on budgets in the foreseeable future. Now is the time to be looking at alternative fuels instead of waiting for this to happen and then trying to seek solutions.

The financial sustainability of small rural Councils in regional Victoria is increasingly being compromised and challenged by rising energy costs and the implications that this has on the operational aspect of Council business.

The ongoing impact / influences in relation to this can further be described as follows:

- Disparity in the provision of services (both physical and social) as a result of rising energy costs;
- Increased inequality between regions around service provision;
- Greater detrimental impact on smaller rural Councils given (typically) larger geographic areas, with a small rate base presenting a greater cost for the provision of any service;
- Increase in rates as a result of the cost of energy generation, and rising material and labour

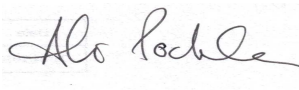
costs; and

- Current lack of up take or State Government direction around the implications and / or impact on rising energy costs to Local Government.

This motion would go some way to thoroughly examining the likely fall-out from spiraling energy costs, and being in some way ready to implement strategies or take necessary action to mitigate the financial impact of these rapidly increasing costs.

Cr Ali Pockley

Signature:



Date: Wednesday 30 March 2011

14.2 SUPPORT OF KIEWA MILK PRODUCTS

Moved: Cr Murdoch
Seconded: Cr Gaffney

That Indigo Shire Council write to Shire supermarkets and general stores to ask them to consider having Kiewa milk and Kiewa low fat milk for sale.

Unanimously Carried

TAKE NOTICE that at a meeting of Council to be held on 12 April 2011 I intend to move the following motion:

That;

Indigo Shire Council write to Shire supermarkets and general stores to request them to have Kiewa milk and Kiewa low fat milk for sale.

Explanatory comment (if required):

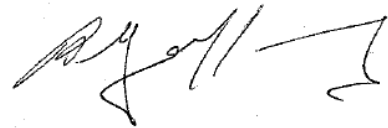
A number of Indigo Shire dairy farmers are concerned that price cutting of milk by large supermarket chains of their generic milk brands will make dairy farming in this district unviable.

Murray Goulburn, which produces Kiewa milk, is one of the Shire's largest employers. It is in everyone's ones interest that this industry thrives and goes forward. A lot of people are turning to low fat milk, however a number of supermarkets are not having this product available.

Residents have asked that Council make representations on their behalf to have this product available so they can purchase this product to assist our local industry and local dairy farmers.

Cr Bernard Gaffney

Signature:



Date: Monday 4 April 2011

14.3 MAYDAY HILLS SITE – BEECHWORTH

Moved: Cr Graham
Seconded: Cr Issell

That this item be moved into Confidential session.

Unanimously Carried

14.4 MAV STATE COUNCIL MEETING

This matter was considered in General Business Item 16.1.

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

15.1 CR POCKLEY - MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
2-Mar	10.30am	Meeting with Rural City of Wangaratta Mayor Anthony Griffiths	Beechworth
	12pm	Community Lunch	Beechworth
5-Mar	9am	Beechworth Farmers Market	Beechworth
6-Mar	12pm	Victorian Rural Fire Brigade Association Competition	Stanley
7-Mar	9.30am	MAV Workshop	Benalla
8-Mar	11am	International Women's Day Morning Tea	Indigo Valley
	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	7pm	Community Forum	Yackandandah
9-Mar	7am	Swim and breakfast with voluntary lifesavers and swimmers	Yackandandah
	5.45pm	Arts and Culture Committee Meeting	Chiltern
10-Mar	8am	Meeting with Peter Ryan MP and North East Local Government Network Chair Cr Anthony Griffiths	Wangaratta
	10.30am	Citizenship Ceremony	Beechworth
	11.30am	Meeting with Beechworth constituent	Beechworth
	3pm	Meeting with Upper Sandy Creek constituent	Upper Sandy Creek
11-Mar	10.30am	Meeting with Beechworth constituents	Beechworth
	12on	Meeting with Beechworth constituent	Beechworth
	1pm	Indigo U3A Annual General Meeting	Beechworth
13-Mar	6.30pm	Opening of Chiltern Rodeo	Chiltern
15-Mar	2.30pm	Meeting with Yackandandah constituent	Yackandandah
	3.30pm	Weekly Meeting with CEO	Yackandandah
	4pm	Council Briefing Meeting	Yackandandah
17-Mar	11am	Photo shoot with Victorian Motorbike Riders Association	Beechworth
18-Mar	10am	North East Local Government Network Meeting	Wangaratta

19-Mar	All day	Tastes of Rutherglen including visit to Rutherglen Art Display	Rutherglen
22-Mar	2pm	Meeting with La Trobe management	Beechworth
	4pm	Council Briefing Meeting	Beechworth
	7pm	Rural Pre-Summit dinner	Rutherglen
23-24 Mar	All day	Rural Summit	Wahgunyah
24-Mar	6pm	Art Exhibition Opening	Yackandandah
25-27 Mar	Various	Yackandandah Folk Festival	Yackandandah
25-Mar	12pm	Tangambalanga Community Meal	Tangambalanga
28-Mar	12pm	Chiltern Community Meal	Chiltern
	7.30pm	VicRoads public meeting re Kiewa Valley Highway	Tangambalanga
29-Mar	4pm	Council Briefing Meeting	Yackandandah
30-Mar	10.30am	Old School House Gallery Fashion Parade	Beechworth
31-Mar	5.30pm	Beechworth Neighbourhood Centre Annual General Meeting	Beechworth
	7.30pm	Yackandandah Tourism Association Meeting	Yackandandah

15.2 CR GAFFNEY – DEPUTY MAYOR

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	9am	Rutherglen Wine Board Meeting	Rutherglen
	4pm	Council Briefing Meeting	Beechworth
2-Mar	3.30pm	Disability Access Meeting	Beechworth
3-Mar	12.30pm	Rostrum	Albury
	3pm	Meet with La Trobe employees	Beechworth
4-Mar	10am	Visit Stanley temporary Post Office	Stanley
5-Mar	9am	Meeting with La Trobe employees	Beechworth
	10am	Beechworth Farmers Market	Beechworth
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
15-Mar	4pm	Council Briefing Meeting	Yackandandah
20-Mar	9am	Save the Gaol Group Meeting	Beechworth
	12.30pm	Opening Stanley Post Office	Stanley
21-Mar	5pm	Planning Meeting	Yackandandah
	7.30pm	Baarmutha Park Committee of Management Meeting	Beechworth
22-Mar	2pm	Meeting with La Trobe Administration	Beechworth
	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
	7pm	Rural Summit Dinner	Rutherglen
24-Mar	All day	Rural Summit	Rutherglen
	4.30pm	Beechworth Community Strengthening Project Meeting	Beechworth
25-Mar	9am	Planning Meeting	Tangambalanga
	7pm	Yackandandah Folk Festival	Yackandandah
26-Mar	6pm	Yackandandah Folk Festival	Yackandandah
27-Mar	11am	Yackandandah Folk Festival Market	Yackandandah
29-Mar	4pm	Council Briefing Meeting	Yackandandah
31-Mar	5.30pm	Beechworth Neighbourhood Centre Annual General Meeting	Beechworth

15.3 CR GRAHAM

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
28-Feb – 6-Mar		Department of Veterans Affairs Forum	Brisbane
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
15-Mar	4pm	Council Briefing Meeting	Yackandandah
16-Mar	12pm	MAV Briefing Meeting	Benalla
17-Mar	All day	Association of Victorian Regional Waste Management Group Meeting	Geelong
20-May	7am	Legacy Golf Day	Rutherglen
21-Mar	6.30pm	Road Safety Forum	Yarrowonga
22-Mar	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
24-Mar	All day	Rural Summit	Rutherglen
28-Mar	12pm	Chiltern Community Meal	Chiltern
29-Mar	4pm	Council Briefing Meeting	Yackandandah

15.4 CR GOLDSWORTHY

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
7-Mar	4pm	Finance Committee Meeting	Beechworth
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
9-Mar	5pm	Beechworth Hockey Club	Beechworth
10-Mar	5.30pm	Municipal Emergency Management Planning Committee Meeting	Chiltern
15-Mar	4pm	Council Briefing Meeting	Yackandandah
22-Mar	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
29-Mar	4pm	Council Briefing Meeting	Yackandandah

15.5 CR ISSELL

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
2-Mar	4.30pm	Murray Arts – CASP assessment panel	Wodonga
4-Mar	10am	Meeting re Community Strengthening	Beechworth
5-Mar	10am	Farmers Market	Beechworth
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
9-Mar	5.45pm	Arts & Culture Committee	Chiltern
11-Mar	1pm	U3A AGM	Beechworth
11-Mar	7pm	Opening, Rutherglen Annual Arts Show	Rutherglen
12-Mar	12noon	Tastes of Rutherglen	Rutherglen
15-Mar	4pm	Council Briefing Meeting	Yackandandah
18-Mar	4pm	Sustainability Awards meeting	Beechworth
20-Mar	12.30pm	Opening, Stanley Post Office	Stanley
22-Mar	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
25-Mar	7pm	Yackandandah Folk Festival	Yackandandah
28-Mar	7.30pm	Golden Horseshoes planning meeting	Beechworth
29-Mar	4pm	Council Briefing Meeting	Yackandandah
31-Mar	5.30pm	AGM, Beechworth Neighbourhood Centre	Beechworth

15.6 CR MURDOCH

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
6-Mar	10.30am	International Women's Day Celebration	Rutherglen
7-Mar	4pm	Finance Committee Meeting	Beechworth
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
9-Mar	5.30pm	ACSUM Meeting	Wodonga
10-Mar	5pm	EPA Gathering	Wangaratta
11-Mar	6.30pm	Rutherglen Art Exhibition	Rutherglen
15-Mar	4pm	Council Briefing Meeting	Yackandandah
16-Mar	12pm	MAV Strategic Planning Meeting	Wangaratta
17-Mar	2.30pm	Murray to Mountains Cycle Tourism Committee	Myrtleford
	6pm	Chiltern Natter Night	Chiltern
18-Mar	11.30am	Rutherglen Historical Society & Rutherglen Gold burial of Time Capsule	Rutherglen
22-Mar	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
24-Mar	All day	Rural Summit	Rutherglen
28-Mar	7pm	Chiltern Cycle Group	Chiltern
29-Mar	4pm	Council Briefing Meeting	Yackandandah
30-Mar	4pm	Rutherglen Gold Battery Meeting	Rutherglen
31-Mar	5.30pm	Beechworth Neighbourhood House AGM	Rutherglen

15.7 CR CROUCHER

DATE	TIME	FUNCTION/EVENT	LOCATION
1-Mar	4pm	Council Briefing Meeting	Beechworth
2-Mar	12pm	Beechworth Community Meal	Beechworth
3-Mar	4pm	Vision 2030 Meeting	Yackandandah
4-Mar	All day	Junior Council Young Leaders Day	Melbourne
7-Mar	10am	Towong Council Meeting	Tallangatta
8-Mar	2pm	Council Briefing Meeting	Yackandandah
	3pm	Council Meeting	Yackandandah
	6.30pm	Community Forum	Yackandandah
9-Mar	7.30pm	Coulston Park Committee of Management Meeting	Tangambalanga
10-Mar	10.30am	Citizenship Ceremony	Beechworth
	7.30 pm	Kiewa Memorial Park Annual Meeting	Tangambalanga
11-Mar	3pm	Presentation Yackandandah Primary School SRC Badges	Yackandandah
15-Mar	2.30pm	Meeting with Leanne Bussell – Rural Summit	Beechworth
	4pm	Council Briefing Meeting	Yackandandah
	7.15pm	Economic Development Meeting	Tangambalanga
16-Mar	12pm	Hume Dam Camping Policy Review Meeting	Hume Dam
17-Mar	12.30pm	Rostrum	Albury
	6pm	Atauro Island Meeting	Yackandandah
21-Mar		Preparation Rural Summit	Rutherglen
22-Mar	10am	Upper Murray Regional Library Meeting	Wodonga
	4pm	Council Briefing Meeting	Beechworth
23-Mar	All day	Rural Summit	Rutherglen
24-Mar	All day	Rural Summit	Rutherglen
25-Mar	12pm	Community Meal	Tangambalanga
28-Mar	10.30am	Upper Murray Regional Library Meeting	Yackandandah
	12pm	Chiltern Community Meal	Chiltern
	6.30pm	Yackandandah Creek Bridge Meeting - Vic Roads	Tangambalanga
29-Mar	2pm	Yackandandah Primary School	Yackandandah
	4pm	Council Briefing Meeting	Yackandandah
30-Mar	2pm	Rutherglen Primary School	Rutherglen

31-Mar	5.30pm	Beechworth Neighbourhood Centre Annual General Meeting	Beechworth
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16.0 GENERAL BUSINESS

COUNCILLOR	ITEM
Cr Gaffney	<p>Cr Gaffney requested an update from the CEO regarding the email request to close the Wahgunyah bridge for Anzac Day proceedings.</p> <p>The CEO advised that Council had discussions with Corowa Council who had already resolved not to close the bridge. Local Police have advised that they will manage traffic within the Indigo Shire on Anzac Day.</p> <p>The CEO to coordinate a meeting between local Mayors and CEO's to discuss Anzac Day arrangements for future.</p> <p>The CEO to contact VicRoads to discuss future Anzac Day activities.</p>
Cr Murdoch	<p>Cr Murdoch commented that the Youth Awards held in Rutherglen were a great success and commended the young people that received awards. Cr Murdoch thanked both Chris Westwood and Mark Florence for their contribution.</p>
Cr Murdoch	<p>Cr Murdoch formally thanked Jamie Heritage (Acting General Manager Major Projects & Programs) who has taken a position with Towong Shire Council. Cr Murdoch commented that Jamie has been an asset to the Indigo Shire Council.</p>

Cr Gaffney departed meeting at 4.54pm and returned at 4.58pm.

16.1 MAV STATE COUNCIL MEETING

**Moved: Cr Gaffney
Seconded: Cr Issell**

That;

Council put forward the following motion to the MAV State Council Annual Meeting to be held on 26 May 2011;-

That the MAV as a matter of urgency take strong action to facilitate the development of Local Law templates and content to support regional and rural Councils address consent mechanisms associated with activities governed by Roadside Conservation Management Plans.

Lost

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

**Moved: Cr Goldsworthy
Seconded: Cr Graham**

That;

Council put forward the following motion to the MAV State Council Annual Meeting to be held on 26 May 2011;-

That the MAV as a matter of urgency take strong action to facilitate the development of Local Law templates and content to support Councils address consent mechanisms associated with activities governed by Roadside Conservation Management Plans.

Carried

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

TAKE NOTICE that at a meeting of Council to be held on 12 April 2011 I intend to move the following motion:

That;

Council put forward the following motion to the MAV State Council Annual Meeting to be held on 26 May 2011;-

That the MAV as a matter of urgency take strong action to facilitate the development of Local Law templates and content to support Council’s address consent mechanisms associated with activities governed by Roadside Conservation Management Plans.

Explanatory comment (if required):

The existing consent mechanism associated with roadside activities, are provided through the Road Management Act 2004 or the Road Safety Act 1986. Both these Acts have a focus on the road asset and activities on that road asset, and not specifically to activities beyond the road asset.

Activities included in Council’s Roadside Conservation Management Plan such as weed and pest control, firewood collection and activities for fuel reduction will not generally impact on the road infrastructure or asset and are not appropriately addressed by the Road Management Act 2004 or Road Safety Act 1986.

The development of a Local Law, tailored to roadside activities outside the road asset, would provide clarity in the process for permitting works on roadsides, enable a tailored, specific consent mechanism for works, provide an opportunity to address risk management issues in permitting such activities, and would give effect to policy.

The role of the MAV in the development of appropriate Local law templates and content is critical in providing a sector wide consistency and application of process.

Cr Larry Goldsworthy Signature:

Date: Tuesday 12 April 2011

17.0 CONFIDENTIAL

**Moved: Cr Graham
Seconded: Cr Issell**

That the open session of Council be moved to confidential session.

Unanimously Carried

17.1 MAYDAY HILLS SITE - BEECHWORTH

File No.: Brendan McGrath - Chief Executive Officer

This matter was considered in Confidential session and the following resolution was passed in open session.

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

That Indigo Shire Council write to the Minister for Immigration Chris Bowen and Prime Minister Julia Gillard to ascertain if the Australian Government has any plans to purchase and/or take possession of the Mayday Hills site at Beechworth which is in the process of being disposed of by La Trobe University.

Lost

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

TAKE NOTICE that at a meeting of Council to be held on 12 April 2011 I intend to move the following motion:

That;

Indigo Shire Council write to the Minister for Immigration Chris Bowen and Prime Minister Julia Gillard to ascertain if the Australian Government has any plans to purchase and/or take possession of the Mayday Hills site at Beechworth which is in the process of being disposed of by La Trobe University.

Explanatory comment (if required):

This site can accommodate approximately 300 people, is of 106ha and has facilities to produce 800 meals at any one time. Most of the accommodation is either 3½ or 4 star.

The current owner, La Trobe University, has run the site as a conference centre with

accommodation and restaurant facilities. These operations are to cease on 23 May 2011 with most if not all staff to be terminated on 29 May 2011.

Several weeks ago I was approached by several residents and asked if I would support an approach to the Federal Minister for Immigration for the site to be considered for the placement of asylum seekers.

Rather than make representation on their behalf I met with community leaders in Beechworth and Indigo Shire. There was a very mixed reaction. The recent riots and arson on Christmas Island have made a lot of people nervous about the idea. Some said that Beechworth, being an iconic tourist town, would lose its identity. I have a completely open mind on the idea. Because of this I left the matter with them to take forward if they desired.

I have since become aware that a Refugee Support Group based outside Indigo Shire is lobbying the Australian Government to have Mayday Hills turned into transition accommodation for asylum seekers.

The current situation is that as from 1 April 2011 the site is offered to Government Departments for 60 days before expressions of interest are invited from the general community.

If the Australian Government has an interest in this site for asylum seekers and/or refugees the residents of Beechworth and Indigo Shire should be immediately consulted and their views sought: after all, we are a democracy. A referendum may be in order.

If the Australian Government has no interest in this site I would like to be informed so that this speculation can be put to rest.

Cr Bernard Gaffney

Signature:



Date: Monday 4 April 2011

Meeting Concluded: 6pm

Next Meeting: Tuesday 10 May 2011 at 2pm

Briefing / Council / Community Forum