

INDIGO SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE INDIGO SHIRE COUNCIL HELD IN THE SENIOR CITIZENS ROOMS, CONNESS STREET, CHILTERN ON TUESDAY 1 MAY 2007 COMMENCING AT 7.00 PM.

PRESENT

Councillors

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

Officers

Mr John Costello (Chief Executive Officer)
Mr Clive Walker (Acting Operations Manager)
Mr David Montgomery (Corporate Services Manager)
Ms Sally McCarron (Health & Wellbeing Manager)
Mr Nicholas Moore (Chief Finance Officer)
Mr Stephen Swart – (Senior Strategic Planner)
Mrs Naomi Cox (Executive Assistant/Chief Executive Officer)

1.0 WELCOME

Cr Graham welcomed those in attendance.

2.0 OPENING PRAYER

Cr Banks read the Opening Prayer.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Environment & Development Services Manager – Susan Cheetham
Assets Manager – Phil Prior

4.0 DECLARATION OF PECUNIARY INTEREST AND

CONFLICT OF INTEREST

- 4.1 Cr Murdoch declared a conflict of interest in Item 14.1 in that she is a Board member of the Chiltern Health Service.
- 4.2 Cr Murdoch declared a conflict of interest in Item 17.1 in that she is a Board member of North East Water.
- 4.3 Cr Issell declared a conflict of interest in Item 11.2 e) in that the development of this land is adjacent to property owned by his immediate family.

5.0 OPEN FORUM

Nil

6.0 CONDOLENCES

Nil

7.0 CONFIRMATION OF MINUTES

Moved Cr Dale
Seconded Cr Banks

That the Minutes of the Council meeting held 3 April 2007 be adopted subject to Item 15.1 page 71 paragraph 2.3 the words “interior” be added prior to the words “routine maintenance of the building”.

CARRIED

8.0 BUSINESS ARISING (PREVIOUS MINUTES)

Nil

9.0 DEPUTATIONS AND PETITIONS

Nil

10.0 ECONOMIC DEVELOPMENT AND TOURISM

10.1 COUNCIL SPONSORSHIP OF THE 2007 LEADERSHIP FORUM (FILE NO: D636 - EDO)

For Decision

RECOMMENDATION

That Council contribute \$1,000 towards the 2007 Leadership Forum to be held in Beechworth from 1 – 3 June 2007.

**Moved Cr Dale
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

SUMMARY

Indigo Shire Council has been invited to sponsor the 2007 Leadership Forum, an annual conference for graduates of the Alpine Valleys Community Leadership Program, the Australian Rural Leadership Foundation and other interested community members. The conference theme is 'doing leadership differently' and the event will be held at the La Trobe University Campus in Beechworth from 1 – 3 June 2007.

BACKGROUND

This conference builds on the success of the inaugural North East Leadership Forum held in Beechworth in 2006. It is an initiative of the Alpine Valleys Community Leadership Program (AVCLP) together with the Australian Rural Leadership Foundation (ARLF). The event will showcase examples of innovative leadership and will draw from national and internationally renowned speakers in this field.

The conference includes interactive workshops and fieldtrips, including a Heritage and Economic Development fieldtrip to the Beechworth Chinese Gardens, the Historic and Cultural Precinct and the Beechworth Churches Precinct. This site visit will be conducted by Council's Economic Development Officer and Heritage Advisor and concludes with a tour of the facilities at Bridge Road Brewers.

It is a credit to Beechworth and to the Indigo Shire that this town has been chosen as the venue for the 2007 Leadership Forum. Sponsorship of this conference presents an opportunity for Council to showcase itself and its many towns to the one hundred and fifty delegates attending from the region, intrastate and overseas.

CONSULTATION

Nil.

POLICY IMPLICATIONS

Nil

FINANCIAL & RESOURCE IMPLICATIONS

This project contribution has not been allocated in the 2006/2007 budget.

Attachment

10.2 PROGRESS REPORT – APRIL 2007 (EDTM)

For Information

Project	Actions
Indigo Tourism Board	The Board has discussed changes to its role and structure with Council needing to further research these issues.. The Draft Annual Plan and budget is under consideration.
Economic Development & Tourism Manager	Seane Pieper resigned from this position effective Friday 20 th April 2007. Advertisements have been placed calling for interest in a rebadged position "Tourism & Visitor Services Manager".
Town Brochures	This project is well over budget with anticipated income well below estimates. The Beechworth brochure has been approved for printing. Chiltern Tourism Association is developing a new pricing model. New town maps and regional maps have been developed as part of this project.
Burke Museum	An implementation action plan and costing of the strategic plan is underway. Additional improvements are continuing to be suggested.
MTMRT (Wahgunyah to Rutherglen)	\$250,000 Federal funding application is with Albury Wodonga ACC for consideration.
North East Valleys Food and Wine Group	EO position is currently being advertised.
High Country Touring Route	Brochures and information centre banners complete and distributed. Lobbying for signage underway.
Film Victoria Project	The website has been launched. A DVD of the program is also available.
2007 Golden Horseshoes Festival	The Easter weekend event was highly successful. A debrief meeting has been held and plans are underway for the 2008 event. The issue will be whether Council can gain equivalent funding for next year as it did this

	year as this enabled a high profile advertising campaign and event activity funding.
Ned Kelly Festival	Planning for 2007 Festival is well advanced. The festival will be a smaller scale, more intensive event this year and deliver a larger scale event every 2 nd year.

11.0 ENVIRONMENT AND DEVELOPMENT

11.1 PLANNING SCHEME AMENDMENT - PROCESS (FILE NO: E1240- SSP)

For Decision

RECOMMENDATION

1. That the impact of Planning Scheme amendments on council resources, initiated by private proponents, be minimised by proceeding with these planning scheme amendments as follows:
 - a) All aspects of Planning Scheme amendments initiated by private proponents will be the primary responsibility of such proponents, with support and assistance from Council, as required.
 - b) The preparation of all formal documentation and other required information/documentation will be the responsibility of the proponent in all cases.
 - c) All costs involved with such Planning Scheme amendments will be the responsibility of the proponent. Such costs include:
 - all statutory fees;
 - all cost associated with the preparation of required information/documentation, and;
 - all costs related to the amendment, including panel costs.
 - d) Council will assist a proponent through the amendment process by providing relevant information and assisting with the preparation of relevant documentation, where required. This role is one of assistance and the primary responsibility rests with the proponent.

Moved Cr Walsh
Seconded Cr Issell

That the Recommendation be adopted.

CARRIED

BACKGROUND

The Planning Scheme amendment process is set out in the Planning and Environment

Act. This process can be relatively long and expensive. Any person can request a planning authority to prepare an amendment to the Planning Scheme. Such a requested amendment can only proceed if Council supports it.

The purpose of this report is to clearly define the extent of Council involvement in Planning Scheme amendments initiated by private parties.

DISCUSSION

The Planning Scheme amendment process allows any person to request a planning authority to prepare an amendment to the Planning Scheme, including private landowners. All such requests require Council's support before proceeding to the next stage (authorisation).

The Planning Scheme Amendment process includes a number of stages and requires the preparation of formal documentation. This documentation should justify the amendment and meet the requirements of Council and the Department of Sustainability and Environment. Additional supporting documentation might also have to be prepared. The process and required information/documentation is summarised below:

Stage	Information/Documentation requirements
1. Requesting an amendment ↓	Sufficient justification to be provided for Council to consider whether it want to prepare such an amendment.
2. Authorisation ↓	Information submitted must contain sufficient justification and should satisfy all relevant directions and guidelines. Additional information could be requested.
3. Preparation ↓	Information about preliminary investigation, strategic assessment, consultation and amendment documentation
4. Exhibition ↓	All relevant documentation is exhibited
5. Panels & advisory committees (if required) ↓	Submissions are prepared including all relevant information above and any issues identified as part of the exhibition
6. Adoption	Report to Council with recommendation
7. Approval	Submission to the Minister for decision

As part of the Planning Scheme amendment process the responsible authority must obtain authorisation from the Minister for Planning to prepare an amendment. To obtain such an authorisation, documentation must be prepared to show that the proposal meets the relevant criteria. The preparation of such documentation requires resources. Part of the process could also require further information/studies/documentation to be prepared.

In cases where objections are received during exhibition of a proposed amendment, the matter may have to be heard by an Independent Panel, which will require further information to be prepared and will have a cost associated with it.

At present Council plays a supporting role in the preparation of necessary documentation

by providing relevant information available to Council. Council also supports proponents by compiling some exhibition documentation, a submission to any Independent Panel and supporting documentation for the Department of Sustainability and Environment following adoption of the amendment by Council. The majority of documentation however, is currently the responsibility of the proponent.

In cases where an independent panel was appointed, the proponent would also be required to carry the full cost of such a panel, the cost of any required expert witnesses, prepare a submission and provide any additional information required.

This approach places the onus on the proponent to adequately justify the proposed amendment and carry the costs involved with the amendment. The impact on Council's resources is therefore minimised.

A number of other Local Authorities in the region were contacted to ascertain what their approach would be under similar circumstances. All of the municipalities contacted (Wodonga, Moira, Benalla and Wangaratta) require the proponent to provide all required documentation to justify the amendment. Where required, the relevant Council provides support. In cases where the information submitted is found to be insufficient, further information is required from the proponent. Amendments do not progress if the required information is not provided to a satisfactory standard. Information required by an Independent Panel in support of an amendment would also be the responsibility of the proponent. In general, required documentation is provided by the proponent with the support of Council, as required. All costs related to an independent panel are also carried by the proponent.

Council's approach with regard to planning scheme amendments initiated by private parties, seems to conform to the approaches of other planning authorities in the region and it is suggested that Indigo Shire continues with this broadly accepted practice. This practise should further be formalised by adopting necessary policy as set out below.

POLICY

Having regard to the considerations raised above it is obvious that a clear policy is required to formalise Council's present approach with regard to Planning Scheme amendments initiated by private parties. This policy will specifically address the use of Council resources under these circumstances.

The foundation of such a policy is that all aspects of amendments initiated by private proponents will be the primary responsibility of such proponents, with support and assistance from Council, as required.

More specifically, the preparation of all formal documentation and other required information/documentation will be the responsibility of the proponent in all cases. All costs involved in such a Planning Scheme amendments will also be the responsibility of the proponent. Such costs include:

- all statutory fees;
- all cost associated with the preparation of required information/ documentation, and;
- all costs related to the amendment, including panel costs.

Council will assist a proponent through the amendment process by providing relevant information and assisting with the preparation of relevant documentation, where required. This role is one of assistance and the primary responsibility rests with the proponent.

CONCLUSION

Planning Scheme Amendments are complicated processes that could be requested by private landowners. These amendment applications are complex and require the availability of resources as documentation needs to be prepared in order to satisfactorily justify a proposed amendment. In many cases independent panels are required as part of the amendment process and such panels have a cost associated with them.

In order to restrict the impact on Council's limited resources, it is important for Council to require information/documentation and costs, associated with planning scheme amendments, to be the primary responsibility of the proponent with support from Council where required.

11.2 SECTION 173 AGREEMENTS - 06/244, 07/018, 07/067, 07/078 - (EDSM)

Note: Cr Issell declared a Conflict of Interest in Item 11.2 E) in that the development of this land is adjacent to property owned by his immediate family and took no part in voting on this item.

Cr Issell left the meeting at 7.15 pm and returned at 7.16 pm.

RECOMMENDATION

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

- A) Indian & Routledge**
- B) Somerville**
- C) Fuge**
- D) Chambers**
- E) Alacazam Developments and K & E McDowall Pty Ltd**

**Moved Cr Dale
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

INTRODUCTION

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

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

COMMENT

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

BACKGROUND

A) Planning Permit 06/244 relates to the restructure of 3 lots at Pioneer Road, Stanley. The land is zoned Farming Zone and currently consists of a lot of approximately 0.3ha developed by a dwelling, a lot of approximately 0.1ha and a lot of 4.8ha with approval for the construction of a dwelling. The proposed restructure will result in two lots of 3.2ha and 1.9ha. The Planning Permit was issued on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority to:

- Ensure that each lot created is not able to be further subdivided so as to increase the number of lots.

B) Planning Permit 07/018 relates to a dwelling at Kilborn Road, Wahgunyah. The land is zoned Farming Zone and currently consists of 9 Crown Allotments in a holding of approximately 71ha. The Planning Permit was issued on the basis that 6 of the allotments are consolidated into a single lot of over 40ha and that a Section 173 Agreement was to be entered into with the Responsible Authority to ensure that:

- (i) the consolidated lot created is not able to be further subdivided so as to increase the number of lots, and;
- (ii) Crown Allotments 6B, 6C and 1B Section 8 in the Parish of Carlyle can not be used for the purposes of a dwelling.

C) Planning Permit 07/067 relates to a dwelling at Fuge Road, Cornishtown. The land is zoned Farming Zone and currently consists of 4 Crown Allotments in a holding of approximately 31ha. The Planning Permit was issued on the basis that the allotments are consolidated into a single lot and that a Section 173 Agreement was to be entered into with the Responsible Authority to ensure that:

- (i) the lot created is not able to be further subdivided so as to increase the number of lots; and
- (ii) in the event of a dwelling house being erected on the consolidated lot that such

dwelling cannot be excised from the Lot under the provisions of the Indigo Planning Scheme.

D) Planning Permit 07/078 relates to the restructure of 3 lots at Three Chain Road, Rutherglen to create 3 lots that meet the Farming Zone default minimum lot size of 40ha. The Planning Permit was issued on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which:

- (i) ensures that the lots created are not able to be further subdivided so as to increase the number of lots;
- (ii) provides notification that any future application for the development of proposed lots 1, 2, or 3 for the purposes of a dwelling would depend on the ability to comply with the provisions of the Indigo Planning Scheme in effect at the time, and in particular:
 - (a) Clause 22.01-2 Rural Dwelling Siting and Design Guidelines;
 - (b) Clause 22.03-4 Effluent Disposal & Water Quality;
 - (c) Clause 22.03-2 Fire Hazard;
 - (d) Clause 43.03 Significant Landscape Overlay, and;
 - (e) The ability to avoid the removal or destruction of any native vegetation, and;
- (iii) provides notification that a Planning Permit is required to create or alter access to the Three Chain Road.

E) Planning Permit PP05-321 relates to the subdivision of residential land at Lot 2, Elgin Road, Beechworth and to a lot containing existing house and 12 new lots. The Planning Permit was issued on the basis of a Section 173 Agreement was to be entered into with the Authority which ensures:

- (i) that all dwellings are sited, designed and constructed using the principles of Water Sensitive urban Design and in particular that:
 - (a) All dwellings must incorporate a minimum 22,000 litre rain water tank on site. The water tank must be plumbed to the toilets and garden taps as a minimum. Only the overflow from the rainwater tank is to be directly discharged to each lot's stormwater point. All dwellings shall include water saving measures (AAA rated fixtures and a pressure reduction valve).
 - (b) Stormwater is detained on site where practical through use of permeable paving, pebble paving, infiltration trenches, soakwells, lawn, garden areas and swales. The total hard surface site coverage (including outbuildings, swimming pools, tennis courts, driveways and all impermeable surfaces), must not exceed 75%.

- (c) An Erosion and Sediment Control Plan must be submitted with all Building Permit applications that clearly outlines how the site is to be managed during and after construction.
- (ii) that where incorporated, rear or side of allotment infiltration trenches with overflows to the formal drainage system are maintained so as to ensure design stormwater flows do not impact on downslope properties.

Attachment A: Locality/Site Plan – PP06/244 Pioneer Road, Stanley
Attachment B: Locality/Site Plan – PP07/018 Kilborn Road, Wahgunyah
Attachment C: Locality/Site Plan – PP07/067 Fuge Road, Cornishtown
Attachment D: Locality/Site Plan – PP07/078 Three Chain Road, Rutherglen

11.3 INDIGO PLANNING SCHEME AMENDMENT C35 – FORMER BEECHWORTH HOSPITAL (E1240-35, SENIOR STRATEGIC PLANNER)

RECOMMENDATION

- 1. Council resolve to request authorisation to commence with the preparation of Indigo Planning Scheme Amendment C35 from the Minister of Planning, as required by the Planning and Environment Act of 1987.**
- 2. Pending the outcome of the request for authorisation to commence with the preparation of Amendment C35, Council resolve to commence with the preparation and exhibition of Indigo Planning Scheme Amendment C35 which proposes to rezone the former Beechworth Hospital site to Mixed Use Zone and Residential 1 Zone and introduce the Environmental Audit Overlay over part of the site.**

**Moved Cr Banks
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

SUMMARY

Following the opening of the new Beechworth Health Service Residential Aged Care Facility in Sydney Road (June 2005), the site of the former Ovens and Murray Hospital for the Aged ceased being used for health related purposes. This site, located in Warner Road, has now become surplus to Government operating requirements and is now managed by the Department of Treasury and Finance (DTF) who are undertaking a disposal process.

As part of this process, it has been identified that the land needs to be rezoned from Public Use to more appropriate non-public use zone or zones. An amendment to the Indigo Planning Scheme will be required for such as rezoning to take place. Planning Scheme amendment C35 proposes to change the zoning of the subject land from Public

Use Zone 3 – Health and Community (PUZ3), Public Use Zone 2 – Education (PUZ2) and Residential 1 Zone (R1Z) to Mixed Use Zone (MUZ) and R1Z. The amendment also proposes to introduce the Environmental Audit Overlay (EAO) to cover that part of the site primarily occupied by the Old Beechworth Hospital infrastructure.

The purpose of this report is to seek Council's support for proposed Planning Scheme amendment C35 and to initiate a request for authorisation from the Department of Sustainability and Environment to commence preparation of Planning Scheme Amendment C35. Once authorised, the amendment would be prepared and exhibited.

DISCUSSION

The Department of Treasury and Finance has commissioned consultants to prepare a request for a planning scheme amendment to rezone the site of the former Ovens and Murray Hospital for the Aged to an appropriate non-public use zone. The land was used for various Health Care purposes for a period of over 130 years but is currently disused.

In order to rationalise and modernise the provision of aged health service provision in Beechworth to meet the standards mandated through legislation, a new residential aged care and acute facility was developed in Sydney Road adjacent to the Beechworth hospital. The subject site was decommissioned in June 2005 after the opening of this new facility. At the current moment the old Beechworth Hospital is empty and is awaiting potential reuse options that may be facilitated by rezoning of the land and its transfer into private ownership through the DTF disposal process.

A Planning Report has been prepared by on behalf of DTF to facilitate the required planning scheme amendment. This report is attached as **Attachment A** and addresses relevant aspects including the Strategic Assessment Guidelines released by the Department of Sustainability and Environment.

Amendment C35 proposes to rezone the subject site from the exiting Public Use Zone 3 – Health and Community (PUZ3), Public Use Zone 2 – Education (PUZ2) and Residential 1 Zone (R1Z) to Mixed Use Zone (MUZ) and R1Z. The existing zoning of the subject site is shown in Figure 1 below, while the proposed new zoning is shown in Figure 2.

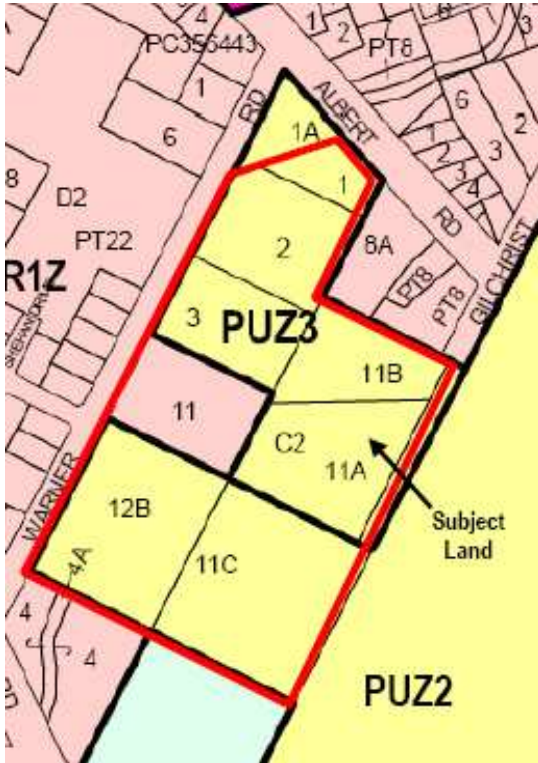


Figure 1: Existing Zoning

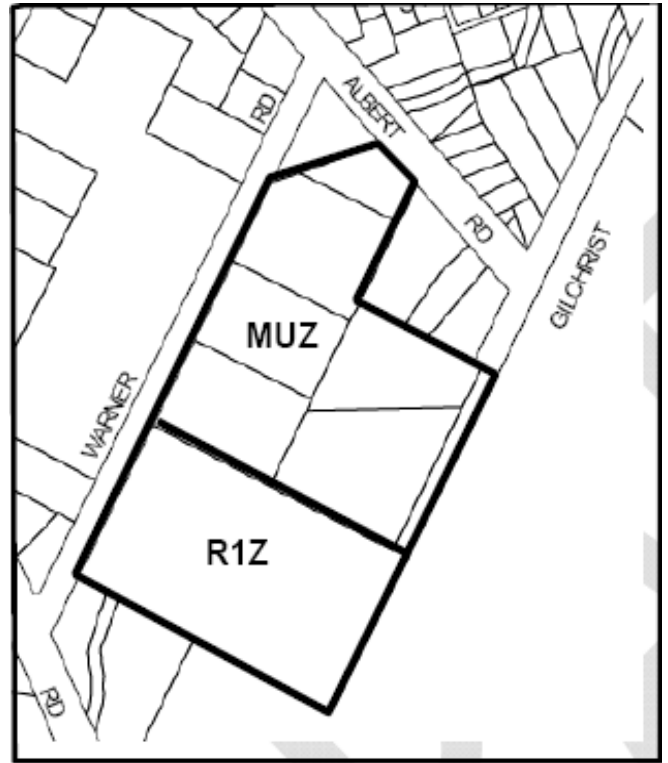


Figure 2: Proposed Zoning

The amendment further proposes to introduce the Environmental Audit Overlay (EAO) to cover that part of the site primarily occupied by the Old Beechworth Hospital infrastructure including the diesel underground storage tank and old boiler room and the maintenance services (including chemical stores) as identified within the Due Diligence Environmental Site Assessment. This proposed overlay is shown in Figure 3.



Figure 3: Proposed Environmental Audit Overlay

Apart from the attached planning report and Due Diligence Environmental Site Assessment mentioned above, there has also been a range of supplementary work undertaken to assist with planning in respect of the disposal of this significant site.

These include:

- Site Feature Survey (Office of Surveyor General), and;
- Conservation Management Plan (Bryce Raworth Pty Ltd).

CONCLUSION

The former Ovens and Murray Hospital for the Aged site in Beechworth has become surplus to Government operating requirements and the Department of Treasury and Finance (DTF) are undertaking a disposal process. As part of this process, it has been identified that the site needs to be rezoned to more appropriate non-public use zones. Planning Scheme amendment C35 proposes to change the zoning of the subject land to Mixed Use Zone and Residential 1 Zone. The amendment also proposes to introduce the Environmental Audit Overlay (EAO) to cover part of the hospital site.

Attachment A: EDM: Amendment C35 Planning Report

11.4 VICTORIAN LOCAL SUSTAINABILITY ACCORD (FILE NO: E350-08 – NRM OFFICER)

RECOMMENDATION

That Council commit Indigo Shire to the principles and actions set out the Victorian Sustainability Accord.

Moved Cr Issell

Seconded Cr Banks

That the Recommendation be adopted.

CARRIED

SUMMARY

The Victorian Local Sustainability Accord is a landmark partnership agreement between the Victorian State Government and local governments on environmental sustainability. By joining the accord, Council commits to an implementation process in conjunction with the Department of Sustainability and Environment (DSE) which includes:

1. Working with DSE “to develop a *Local Environmental Sustainability Priority Statement* for our local area”.

2. “Developing a strategy for adopting and implementing the *Local Environmental Sustainability Priority Statement* in conjunction with DSE”.
3. “Developing strategies for accessing the Sustainability Fund through the accord”.

Councils join and commit to the accord through:

1. Passing a resolution committing to the **principles and actions** set out in the Accord; and
2. Notifying the Department of Sustainability and Environment of Councils intent to join.

Undertaking this process would also provide a key precursor to the development of an environment strategy for the Council, which would act as an overarching plan to such agreements and our existing plans. In addition, implementation of this Accord has been specified strategically and is listed as an explicit project under 4.1 of Council’s Plan.

BACKGROUND

The Accord is a key initiative for cooperative delivery of local sustainability objectives and the state wide objectives of *Our Environment Our Future: Victoria’s Environmental Sustainability Framework*. In this document key strategies to move Victoria towards being a sustainable state include the need to maintain and restore our natural assets, use our resources more efficiently and to reduce our everyday environmental impacts.

The implementation of the Accord is built around **5 key principles**. Through their actions local governments and the Victoria Government will:

- build a shared understanding;
- establish shared local goals and priorities;
- develop long term strategic resource allocation and funding;
- pursue alignment and cooperation in service delivery; and
- improve procedures for regular, effective evaluation and review.

The Accord proposes a series of actions to give effect to the principles. These **actions** enhance support for strategic projects, strengthen inter-governmental dialogue and build the capacity of local governments, individually and through regional arrangements, to deliver local and regional environmental sustainability outcomes.

In summary, the Accord establishes:

- the development of a *Local Environmental Sustainability Priority Statement* for the municipality;
- the exploration of regional approaches to local sustainability priorities and issues;
- the development of an implementation strategy for the Priority Statement; and
- the development of a process for the strategic delivery of State and local resources to progress local implementation actions.

CONSULTATION

Discussions have been held with other councils in the region, specifically regarding the likelihood of each committing to the Accord in the near or distant future. To date, Wodonga, Wangaratta and Moira have signed up and all other councils within the North East region are looking at joining in the near future. See table below for all Victorian

councils who have committed to the Accord.

<u>Ararat Rural City Council</u>	<u>East Gippsland Shire Council</u>	<u>Melbourne City Council</u>	<u>Stonnington City Council</u>
<u>Ballarat City Council</u>	<u>Frankston City Council</u>	<u>Moorabool Shire Council</u>	<u>Surf Coast Shire Council</u>
<u>Banyule City Council</u>	<u>Greater Bendigo City Council</u>	<u>Moreland City Council</u>	<u>Wangaratta Rural City Council</u>
<u>Bayside City Council</u>	<u>Greater Dandenong City Council</u>	<u>Mount Alexander Shire Council</u>	<u>Warrnambool City Council</u>
<u>Boroondara City Council</u>	<u>Hindmarsh Shire Council</u>	<u>Moyne Shire Council</u>	<u>West Wimmera Shire Council</u>
<u>Brimbank City Council</u>	<u>Hobsons Bay City Council</u>	<u>Murrindindi Shire Council</u>	<u>Whitehorse City Council</u>
<u>Buloke Shire Council</u>	<u>Knox City Council</u>	<u>Nillumbik City Council</u>	<u>Wyndham City Council</u>
<u>Campaspe Shire Council</u>	<u>Loddon Shire Council</u>	<u>Port Phillip City Council</u>	<u>Yarra City Council</u>
<u>Darebin City Council</u>	<u>Manningham City Council</u>	<u>Southern Grampians Shire Council</u>	<u>Yarra Ranges Shire Council</u>

POLICY IMPLICATIONS

Commitment to the Accord would link the existing Council environment plans including:

- The developing *Cities for Climate Protection* Targets and Actions;
- Sustainable Water Use Plan;
- Domestic WasteWater Management Plan;
- Stormwater Management Plan; and
- Roadside Conservation Plan.

In turn, this will allow for a more coordinated program with linked and measurable sustainability indicators. It is envisaged that the final *Local Environmental Sustainability Statement* would provide a key component of an environment strategy for the Council, which would be overarching. In addition, implementation of this Accord has been specified strategically and is listed as an explicit project under 4.1 of Council's Plan.

FINANCIAL & RESOURCE IMPLICATIONS

The main resource implication for the Council will be staff time (NRM Officer), who would be required to set up the priority statement and follow through on actions. This process, however, will be assisted through support from a recently appointed officer with DSE, whose role is dedicated to the facilitation of the Accord. In addition, the Accord establishes *Local Environmental Sustainability Priority Statements* as a basis for funding local government's environmental sustainability capacity, allocated under the Sustainability Fund. This may provide funds for staff resources for the development of the Priority Statement.

In addition to this direct funding link, improved dialogue and the development of clear common goals and local priorities will also create a sound business case for seeking other State or Commonwealth funding assistance.

CONCLUSION

Membership to the Sustainability Accord will provide a timely opportunity to articulate a comprehensive statement that recognizes that existing and proposed environmental priorities. In addition, this process will also send a clear message to the State Government, local agencies, staff and community that Council is dedicated to sustainable management and is willing to provide leadership in its own policies and procedures.

11.5 NORTH EAST GREENHOUSE ALLIANCE – MAJOR EVENTS (FILE NO: E352-03 – NRM OFFICER)

For Information

SUMMARY

The North East Greenhouse Alliance, of which Indigo Shire Council is a key member, has a number of project areas. Over the past month two high-profile events have been held, attracting hundreds of people. This report aims to provide information on these two events, as well as highlight the approach of another, scheduled for the end of May.

DISCUSSION

There are currently six main project areas of the North East Greenhouse Alliance (NEGHA). These are summarised below.

1. Sustainable Schools – Planet Savers Program
2. North East Carbon Sinks
3. Sustainable Public Lighting
4. Kicking Goals for the Environment
5. Climate Change and Adaptation in the North East
6. Alternate Fuels for the North East

The latter two projects have been the focus of the recent forums in the region and will be discussed accordingly. The project area of *Climate Change and Adaptation in the North East* aims to scope the strategic directions on how sectors of the North East community can best be assisted to prepare and adapt to impacts of climate change. With funding from DSE the Alliance has commissioned consultants to undertake specific research into the risks, and benefits, which may occur in various sectors within the North East as a result of climate change. Integral in this research is identification of ways or means that such sectors could *adapt* to this changing climate.

The appointed consultants, *URS*, undertaking this research held a regional workshop on 21st March in Wodonga to consult with key people from all sectors of government, industry and community. This workshop aimed to seek feedback from this broad cross-section of people regarding the region and focused on four main areas:

- The implications of climate change by sector;
- The capacity to adapt to climate change by sector;
- Actions to adapt to climate change by sector; and
- The information and communication needs by sector.

There were over 100 people in attendance at the workshop, including two technical officers and one manager from Indigo Shire Council. Collectively, this high-level of consultation is expected to uniquely inform the researchers and result in quality results that can be readily applied. The final report for this project is scheduled for release at the end of this financial year.

The second major event, organized and facilitated by the Alternate Fuels sub-committee of NEGHA that is chaired by Indigo Shire Council, has been the *Biofuels- From Paddock to Pump*, information day. This was held on 19th April in Myrtleford and attracted over 120 people, including those interested from Melbourne. There were seven keynote speakers who covered a range of topics including: growing crops, processing, manufacturing, distribution and end use. These speakers also formed a panel at the end of the day and allowed delegates to ask further questions. A great deal of discussion in this session focused on possible replacement crops for tobacco. Some of the main points highlighted on the day were:

- there is a massive potential for the production and use of biofuels in Australia;
- such industries have been successfully established in Europe, America and Asia;
- the lack of an Australian government mandate for the production and use of biofuels could be viewed as a positive as the inverse could encourage importation and stifling of the domestic industry;
- a wide range of feedstocks can be used to produce biofuels, however, the energy balance needs to be considered (ie not economically viable if the production and distillation of a feedstock requires more energy than that which would be produced through the use of that biofuel);
- a cautious approach is needed for production due to major competition; and
- purchase of biofuel should be through reputable dealers.

Another major event hosted by the NEGHA is scheduled for the end of May. This will be an address by John Pettigrew. John is a local landholder who was one of a select few chosen by Al Gore to present his address as per the movie "The Inconvenient Truth". At this stage, three addresses throughout the region are planned, with one in Beechworth. It is suggested that all Shire Councillors attend this presentation. Specific invitations will be sent once the final date is confirmed.

CONCLUSION

The North East Greenhouse Alliance has many project areas, with the North East councils integral in delivery of these. The recent forums hosted by the Alliance demonstrate the success of this alliance in placing climate change at the forefront of our community's mind and in planning to overcome some of the major risks it poses to our region.

11.6 ENVIRONMENT AND DEVELOPMENT SERVICES PROJECTS – MAY 2007

For Information

Projects underway are show in the following table.

Project	Current actions
Amendment C10 – Heritage Overlay	On 6/2/2007 Council resolved to request the Minister for Planning to appoint an Independent Panel. Hearing set for 15 – 18 May 2007.
Amendment C21 - Kiewa-Tangambalanga	<ul style="list-style-type: none"> ○ Structure Plan adopted by Council in May 2006. ○ Request for authorisation to prepare the amendment made to DSE. Conditional authorisation received. After protracted negotiations DSE has now agreed to the form of proposed amendment. Documentation being prepared for exhibition.
Amendment C27 – Low Density Residential rezoning. Nashes Road, Rutherglen	Independent Panel hearing 15 and 16 March 2007 at Rutherglen. Panel made a direction for additional information from the proponent – this information has been provided. Awaiting panel report.
Municipal Strategic Statement and Indigo Planning Scheme – major review	<ul style="list-style-type: none"> ○ First round of public consultation meetings held August - September 2006. Second round held March 2007. ○ Consultation with government agencies and neighbouring municipalities undertaken. ○ Rural planning issues workshops held November 2006 and March 2007. ○ Draft issues paper now to be reviewed. ○ Final draft document to be released to Focus Group towards the end of May and released for public comment thereafter.
Indigo Planning Scheme - environmental overlay	<p>Ecology Partners P/L appointed to undertake a project to identify biodiversity priority areas within the municipality for further investigation and possible furthers controls in the planning scheme.</p> <p>Draft report to be circulated to committee during April, with comments on report to be feed back to consultants at next meeting scheduled mid May.</p> <p>NECMA has advised that second and third stage funding will be approved for this project over the next two years. This has been awarded through the Regional Catchment Investment Process.</p>

<p>VCAT Appeals</p>	<ul style="list-style-type: none"> ○ PP05-321 Appeal by Barden Consulting against refusal of Council to amend the Development Plan and against refusal by Council to amend conditions of the planning permit for subdivision, Elgin Road, Beechworth. Date yet to be set. ○ PP06-063 appeal by George Fendyk against conditions of a planning permit for a 2 lot subdivision. Issue is around the loss of car parking area behind Tanswell's hotel in Beechworth. Date yet to be set. ○ PP06-242 Appeal by AR Bennett against refusal by Council to approve a balcony addition to a shop, Ford Street, Beechworth. Notice of appeal being given (March 2007). ○ PP06-280 Appeal by C Brown against refusal by Council to approve an extension to a dwelling, Pioneer Road, Stanley. Date yet to be set.
<p>Community Water Grants – round 1</p>	<p>Projects to demonstrate water efficiency, water recycling or improvements in ground or surface water health. Both proposals approved.</p> <ul style="list-style-type: none"> ○ Replacement of old-style cisterns with dual flush cisterns in public amenity blocks throughout the shire – project completed – media release to be done; and ○ Removal of willows and revegetation of areas in Isaacs Park, Yackandandah – Isaacs Park Gully Rehabilitation Plan adopted. Willow removal completed, material mulched and rock-drop structures installed. <p>Hydro-mulching has occurred on banks and wetland plantings to be completed by end of April. Tree plantings to occur when rains received.</p>
<p>Community Water Grants – round 2</p>	<p>Application successful for \$20,000 grant to retrofit Community Centres / Senior Citizens facilities with water saving devices and rainwater tanks. Investigation to be carried out on most appropriate centres.</p>
<p>Greenhouse Action Plan</p>	<p>Data collection underway. On schedule.</p>
<p>North East Greenhouse Alliance</p>	<ul style="list-style-type: none"> ○ New co-ordinator on board – Michelle Wilkinson. ○ Key Council staff investigating feasibility of trialling biodiesel. ○ Regional climate change workshop held 21st March 2007 – see report. ○ Alternate fuels workshop Thursday April 19th – see report.

	<ul style="list-style-type: none"> ○ Public lighting audit due underway. ○ Sustainable schools project – pilot schools engaged. St Mary’s, Rutherglen participating. Second school to be confirmed.
Yackandandah Green Corp project	<p>Project commenced 15 November with 9 participants. Progress to date is:</p> <ul style="list-style-type: none"> ○ Woody weed control and preparation of gully floor for planting at Isaacs Park; ○ Woody weed control at former Yackandandah landfill site; ○ Fence construction at Lake Sambell; ○ Water quality monitoring – Yackandandah Creek; ○ Landscape plan for Hopetoun Road, Rutherglen playground finalised and works completed; ○ Construction of holding bay at Yackandandah depot for wetland plants; ○ Assisted with setup for Yackandandah Folk Festival; and ○ Planting of wetland plants in Isaac Park gully. ○ Team to graduate May 14th.
Work for the Dole Team	<p>Increase from one day to two days per week as from February. Works will focus on extending maintenance and extension of walking track at Lake Sambell. The previous Green Corp team commenced this.</p>
Indigenous Resource Area at Lake Sambell	<ul style="list-style-type: none"> ○ Earthworks finished; ○ Seeding of area with an appropriate grass species to be undertaken; ○ Further intensive weed control needed; ○ Compaction of track.
Regional Stormwater Education Officer	<ul style="list-style-type: none"> ○ Media for Indigo’s Community Water Grants projects finalised; ○ Development of a litter grant application; ○ Organising workshops for builders. These workshops will promote stormwater best practice on building sites; ○ Further development of Local Law for stormwater.
Community woodlot program	<p>Update sent to all reception staff regarding operations for this season. Update on what’s in the woodlots:</p> <ul style="list-style-type: none"> ○ Stanley –timber moved into this woodlot from Stanley Recreation Reserve ○ Yackandandah – significant amounts of timber still remain from salvage operations; ○ Beechworth – currently none but still accepting <i>Expressions of Interests</i> and

	<ul style="list-style-type: none"> ○ Chiltern – no useful timber in this woodlot. <p>Please note this is separate to DSE's <i>Firewood Collection Areas</i>.</p>
Roadside Management Plan	<p>Council has considered an update of achievements under the existing plan. Council to consider review of the plan, Code of Practice – Works, and Conservation Values Map in the next financial year.</p> <p>Bridal Creeper, a Weed of National Significance, to be organised for spraying in the limited areas occurring on Indigo's roadsides (as occurred past 2 years).</p>
Weeds on private land initiative	<ul style="list-style-type: none"> ○ Distribution of revised weeds brochure has commenced. Weeds brochure sent out to residents with May rates notice. ○ Mapping of weeds on Council rural properties and Council managed Crown Land reserves completed. This mapping will be used to prioritise future spraying programs in terms of both priority weeds and priority sites. This document is dynamic – it will be updated regularly and will be provided as a layer on the GIS system. ○ Environmark to be installed for Serrated Tussock mid-April. ○ NRM Officer to present to regional forum regarding outcomes of this project in early May.
Roadside weed initiative	Assessments of results to be carried out first half of 2007.
Ecobuy	Action plan adopted by Council in February 2007. Immediate actions focusing on purchasing policy, green cost codes and their use by staff, and generally increasing staff awareness.
Community awareness	<ul style="list-style-type: none"> ○ Preparation underway for National Tree Day (31 July); and ○ Joint application with NECMA for a joint project during arbour week (May). Project location is Rutherglen – application unsuccessful. Discussions to be held with NECMA regarding feasibility of still holding event but on smaller scale.
Upper Sandy Creek School revegetation project	Project is fencing of waterway. Separate funding applications for labour and material both successful. Received fencing quote and need to peg out with Committee of Management representative.
Sustainable water use plan	A number of priority projects identified and key funding sources have been investigated.

11.7 BUILDING STATISTICS –MARCH 2007 (EDSM)

For Information

hiltern	ew Building	\$260,80	
ahgunyah	ew Building	\$957,71	
ewa	wimming Pool	\$35,30	01/03/07
hiltern	ew Building	\$8,50	01/03/07
ackandandah	ew Building	\$1,50	01/03/07
hiltern	ew Building	\$6,00	02/03/07
ahgunyah	ew Building	\$9,30	06/03/07
utherglen	xtension	\$5,60	07/03/07
ewa	wimming Pool	\$31,10	07/03/07
ackandandah	ew Building	\$11,60	08/03/07
ewa	xtension	\$68,10	13/03/07
ahgunyah	ew Building	\$187,30	14/03/07

ackandandah	ew Building	\$180,00	16/03/07
ahgunyah	ew Building	\$285,74	20/03/07
ackandandah	ew Building	\$10,90	21/03/07
owns Plains	imming Pool	\$20,80	21/03/07
ahgunyah	xtension	\$87,84	21/03/07
sbornes Flat	ew Building	\$8,90	22/03/07
echworth	xtension	\$11,50	27/03/07
echworth	teration	\$85,00	27/03/07
echworth	xtension	\$74,00	27/03/07
utherglen	xtension	\$6,60	27/03/07
ooragee	ew Building	\$255,50	28/03/07
ackandandah	ew Building	\$15,00	29/03/07
arnawartha	ew Building	\$9,60	29/03/07
total		\$2,638,60	

11.8 PLANNING STATISTICS – FEBRUARY 2007 (EDSM)

For Information

File No	Locality	Purpose	Cost	Decision
06188	Wetherglen	Keep 3 Horses		Approved
06224	Wetherglen	Lot subdivision and 2 townhouses	\$240,000	Approved
06229	Beechworth	Extraction Research	\$150,000	Approved
06240	Bergunyah	Boundary adjustment & placement dwelling	\$200,000	Withdraw
06247	Broong	Remove Native vegetation	\$200,000	Refused
06250	Millern	Extend Supermarket	\$560,000	Approved
06253	Beechworth	Lot Subdivision		Issued
06274	Wetherglen	Add 3 car park spaces	\$12,000	Approved
06298	Wandawring	Dwelling	\$200,000	Approved
06303	Beechworth	Extend existing residence	\$95,000	Approved
07007	Blackandandah	Change of Use - Dwelling & Art Gallery	\$20,000	Approved
07010	Wetherglen	Change of Use - dwelling & beauty salon business		Approved
07011	Beechworth	Removal of two (2) native	\$2,000	Approved

07013	utherglen	aining wall to eastern boundary (adj railway land)	\$24,0	pproved
07027	arnawartha	xtension	150,0	pproved
07028	eechworth	teration/Extension	\$94,2	pproved
07032	eechworth	emolish & re-build Shed	\$7,5	pproved
07038	utherglen	elocate Fire Station - SHELL SEPTIC		pproved
07041	ewa	xtension to dwelling	100,0	pproved
07043	arnawartha	Carports	\$9,2	pproved
07044	eechworth	welling	170,0	pproved
07045	anley	welling		pproved
07047	eechworth	onvert First Floor to commodation	\$90,0	pproved
07048	utherglen	emolish Building		pproved
07065	ackandandal	arage		pproved
07053	undowring	ertification	\$1	ertified

External Private Works	
Works- General Gundowring Road Dairy Road Funding	Construction of improvements to Gundowring Road under the Dairy Road Funding Program. (\$375,000) Works are nearing 50% completion with costs running to budget.
Buller Gas	LPGas prices have been relatively stable but there is an upward trend. Snow forecast is for average to in excess of average for the 07 season. Construction work is continuing, excavation has to cease early May.

Waste Management	
	The contractor for the rehabilitation of the Yackandandah Landfill commenced works on 14 th March. With the good weather conditions being experienced at the moment he was able to complete his contractual requirements on Friday 13 th April. This included preliminary earthworks, placement of the Geosynthetic Clay Liner (GCL), placing of a 300mm layer of clay above the GCL and another 300mm layer of topsoil/mulch mix over the clay liner. The final step in this project is the planting of native grasses and shrubs in the topsoil layer, which is not part of the contract. It is hoped that this can be undertaken late April early May.
Animal Control & Local Laws	Works (in hours and out of hours) The Unit has sent out footpath trading renewals to businesses that place tables and chairs, signage and display goods on Council land. We are preparing for the 2007/08 dog and cat registration renewals. This year the State Government has made some changes to the Act. Animals that are being registered with Council for the first time must be micro-chipped prior to Council staff processing the Council registration.
Fire Prevention	Fire restrictions were lifted on Monday 16 th April. Permits are no longer required to be obtained for burning off in rural areas. Residents wishing to burn off in urban areas are, however, required to obtain a Local Law Permit issued by the local laws officer and comply with the permit conditions.
<u>Pools</u>	
Indigo	Pools have closed for the season.
Summer	Wodonga Pool has closed for the season.
Emergency Management	An upgrade of the Beechworth Senior Citizens centre, which is one of the nominated Municipal Emergency Coordination Centres (MECC), has been undertaken. This upgrade included the installation of an additional 6 emergency telephone lines bringing the number to 10 which will be available in times of an emergency. An ADSL service has also been provided to allow for internet connection.

	At the recent Municipal Emergency Management Planning Committee meeting it was resolved, as a result of this upgrade, that the Beechworth Senior Citizens would now be nominated as the primary MECC for the municipality with the Chiltern, Rutherglen and Yackandandah Senior Citizens rooms nominated as alternate MECC's.
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13.0 ASSETS AND INFRASTRUCTURE

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

For Information

Project	Actions
Subdivisional works by developers	<ul style="list-style-type: none"> • Alluvial St Rutherglen 14 lots- complete. • Mossgrove Way Beechworth 13 lots- 95% complete. • Lawranna Estate Stage 1 (off Fighting Gully Rd) 5 Rural Res lots- 50% complete. Tender for balance of 30 lots let, works to commence May • Nickless St Chiltern 3 lots- 90% complete. • Bowling Green Lane Rutherglen 2 lots- complete • Bells Flat Rd wetlands- commenced but no further action. • Hunter St Rutherglen 3 residential lots complete • Sheehan Dve Fletcher Hill Stage 2 Beechworth 10 residential lots- tenders let • Sydney Rd Beechworth 18 lot retirement village- works commenced.
Rural Road Development Contributions	<ul style="list-style-type: none"> • Upgrade works underway on Malakoff Rd, Beechworth. • Guide post installations complete on link roads, noticeable improvements.
Plant	<ul style="list-style-type: none"> • National Plant Hire plant maintenance agreement being closely monitored. Option for extension due in June • A ten year forward plant replacement program has been completed. 2007/2008 program funded from Reserve. Major replacement items are a body drive truck and trailer, small excavator and patching truck. We still have a number of items considerably older than desirable to be replaced over the next 4 years.

	• New Cat grader ordered - to be delivered May. •
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Rutherglen Heavy Vehicle Deviation	Final meeting held 15 March concluding with the adoption of a draft report. Final draft with focus Group members for final comments prior to presentation to Council. The Focus Group members have provided invaluable local knowledge and input to the process.
Rutherglen Hall	Builders (Smith Alltimber Constructions) are progressing well, but with significant problems with supper room sub-floor and other unforeseen problems. Costs will exceed the available budget by in the order of \$50,000. Discussions are occurring with State and Federal funding bodies re additional funding. Works due to be completed by 13 June.
Wooragee Hall	All Grant funding approved. Quotations accepted. Works well underway by builders M & B Gotz and various local contractors and subcontractors.
Chiltern Floodplain Study	Application for Natural Disaster Relief Funding submitted. Final report and recommendations to be presented to Council.
Havelock Road area stormwater re-use	Draft detail designs complete. Land purchase being negotiated. Discussions finalised with Baarmutha Park Committee. Permits from DSE & GMW & NECMA underway.
Wahgunyah Hall	Works 95 % complete. Works coming in under budget, additional works being scoped with Committee. Works to be complete for grand opening.
Ready/Soles Street drainage	Tomkinson Engineers has completed draft designs. A report will be presented to Council. Costs of construction to be incorporated in 07/08 Capital Budget for consideration.
Playgrounds upgrade	Rutherglen Hopetoun Rd equipment landscaping being carried out by Green Corps.
Steel Rd Yackandandah Industrial Area	Designs complete. Works can commence when interest in land purchase occurs.
Chiltern Commercial Area Parking	Consultants Eslers have completed surveys. John Piper Traffic has completed Traffic Impact Assessment jointly for supermarket proprietors and Council.
Local Infrastructure Works Program (Drought Funding)	\$300,000 received from State Government. Stanley Reserve trees clearance complete. Chiltern Hall Landscaping near complete. Other works being scoped.

14.0 HEALTH AND WELLBEING

14.1 INDIGO HEALTH CONSORTIUM MEMORANDUM OF UNDERSTANDING (FILE NO: C569 – HWBM)

Note: Cr Murdoch declared a Conflict of Interest in Item 14.1 in that she is a Board Member of Chiltern Health Service and took no part in voting on this item.

Cr Murdoch left the meeting at 7.45 pm and returned at 7.46 pm.

RECOMMENDATION

That:

Council endorse and sign the Memorandum of Understanding for the Indigo Health Consortium between Indigo Shire Council, Beechworth Health Service, Glenview Community Care, Chiltern and District Health Service, Yackandandah Bush Nursing Hospital and the Department of Human Services.

**Moved Cr Dale
Seconded Cr Hotson**

That the Recommendation be adopted.

CARRIED

BACKGROUND

Council received a report at a briefing meeting on 19 February 2007 which presented the Indigo Health Consortium Memorandum of Understanding (MOU). At that meeting Council gave in principle support to the MOU.

The Indigo Health Consortium has been formed in response a Department of Human Services (DHS) initiative to support the Chiltern District Health Service in its redevelopment and focuses on collaborative work through which to identify new opportunities for improved health outcomes for the residents across the Shire of Indigo. The Consortium works together to find better ways to deliver health and community services including improved usage of existing resources, enhancement of current services as well as joint and/or single agency funding applications, joint and/or single agency service provision.

The Indigo Health Consortium has being developed between Indigo Shire Council, Beechworth Health Service, Glenview Community Care, Chiltern & District Health Service, Yackandandah Bush Nursing Hospital and the Department of Human Services.

DISCUSSION

The Memorandum of Understanding has been developed to ensure a common understanding between all parties upon entering this unique opportunity to enhance health outcomes for the Indigo Shire community. It has been developed in a spirit of co-

operation and good will with all partners committed to achieving positive outcomes.

The purpose of the MOU is to:-

- Establish a commitment between Beechworth Health Service, Chiltern & District Health Service, Glenview Community Care, Indigo Shire Council and Yackandandah Bush Nursing Hospital
- Facilitate working in partnership to provide high quality health and community services and/or access to services, advice and reporting, which is accurate, reliable and available in a timely manner.
- Establishment of a framework for the employee to undertake their duties for the Consortium
- Establish a system for input and partnering with other organisations as agreed by the Consortium from time to time

The Consortium is a voluntary structure for joint health planning across the Shire of Indigo that explores the existing needs and services as well as future health requirements of the communities within Indigo.

CONSULTATION

All member agencies of the Consortium have endorsed the MOU. A final document is currently in circulation for each member agency to sign. Once signed by all parties a copy will be provided to each agency.

POLICY IMPLICATIONS

The development of the Indigo Health Consortium is consistent with the Council Plan objective to “*strategically plan for the provision of services and facilities for the community.*”

FINANCIAL & RESOURCE IMPLICATIONS

The Department of Human Services has provided the funding for the employment of the Health Services Co-ordinator - Planning and Development. The Health and Wellbeing Manager is Council’s representative on the Consortium. There are no other financial implications at this stage.

Attachment

14.2 VICTORIAN DISABILITY ACT 2006 (FILE NO: C506-06 - HWBM)

For Information

SUMMARY

This report provides Council with information regarding the new Disability Act 2006 and highlights some areas that have a direct impact on Council.

BACKGROUND

The Victorian Government passed the Disability Act 2006 into legislation in May 2006. Section 1 and 2 of the Act have already been enacted. The remainder of the Act comes into effect on 1 July 2007.

The purpose of the Act is to enact new legislation for people with a disability that reaffirms and strengthens rights and responsibilities and recognises that this requires support across the government and community.

This new legislation replaces two previous Acts, the Intellectually Disabled Persons Services Act 1986 and the Disability Services Act 1991.

The new legislation underpins the Victorian State Disability Plan 2002-2012 which emphasises the importance of people with a disability being included and participating in their local communities.

ISSUES

The main points of the Act include:

- It prescribes the leadership role of government in making services accessible to all members of the community
- It strengthens the commitment by councils to the development of Disability Action plans and is a key strategy to make public services accessible to people with a disability
- It prescribes the establishment of the Victorian Disability Advisory Council, its functions and membership thus formalising its role
- It provides a streamlined process for people to access support, with an emphasis on priority for services rather than assessment of disability
- It better protects the rights of people in all forms of residential services funded by State Disability Services and sets out the requirements and duties of service providers and residents.
- It establishes an independent Disability Services commissioner who will have the powers to investigate and conciliate complaints about disability services.
- It establishes the Office of Senior Practitioner, which is responsible for ensuring that the rights of people who are subject to restrictive interventions and compulsory treatment are protected.

The key issue for local government is the requirement to produce a Disability Action

Plan by 1 July 2007. Council's are also required under the new Act to report on the implementation of their Disability Action Plan in their annual report. These requirements are contained in Part 4, section 38 of the Act.

Council officers, in conjunction with the Indigo Disability Advisory Committee, have been working on reviewing and updating the Disability Action Plan. It is anticipated that this will be presented to the July Council meeting.

This is the first time that the development of Disability Action Plans and the need to report on their implementation have been a legislated requirement.

POLICY IMPLICATIONS

Council is required to develop and implement the Disability Action Plan and to comply with all relevant aspects of the Disability Act 2006. These requirements are consistent with the Council plan in strategically planning for the provision of services and facilities for the community.

FINANCIAL & RESOURCE IMPLICATIONS

There are no specific financial implications arising from the Disability Act 2006. The development of the Disability Action Plan and its implementation will be undertaken within existing officer time. There may be budgetary implications associated with any particular works and responses emanating out of the Disability Action Plan. These would be considered as part of relevant budget processes.

14.3 HEALTH & WELL BEING PROJECTS – PROGRESS REPORT – MAY 2007 (HWBM)

PROJECT ACTION/ PROGRESS

<p>Country Football & Netball Grants Program</p>	<p>Projects to upgrade football and netball facilities in the Shire through the 2006/2007 Country Football & Netball Program are progressing well:</p> <ul style="list-style-type: none"> • Wahgunyah, Rutherglen and Chiltern netball courts have been reconstructed with the final plexipave surface due for application in late April. Some delays in the civil works have resulted in the later completion date for these projects. • Chiltern Recreation Reserve oval has had its irrigation system successfully installed. • Pavilion upgrades at Butson Park in Yackandandah will commence in April with a completion date in June 2007. • The installation of lighting for the Rutherglen netball court will commence upon the completion of the netball court reconstruction project. It is anticipated that the lights will be operational by May/June 2007.
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<p>Yackandandah Sports Park Masterplan</p>	<p>It is anticipated that the first Draft of the Yackandandah Sports Park Masterplan will be available for public comment in mid May 2007. Completion of the final document is expected by June 2007. The Plan will include a review of water management issues at the facility including a:</p> <ul style="list-style-type: none"> • review of existing sources of supply • review of current water management and use systems on site • recommendations on any opportunities for future efficiencies and/or water reuse/recycling • recommendations on possible locations for water harvesting systems/tanks, if deemed appropriate.
<p>Indigo Shire Municipal Recreation Plan</p>	<p>Some delays in the consultation process have led to delays in the compilation of the Recreation Plan Issues Paper and the summary of the Residents Survey. These documents will be used in a series of public meetings to provide the consultants with feedback to develop the first Draft of the Plan. It is now anticipated that this Draft will be completed by late May with an aim of having a final document completed by June 2007.</p>
<p>Staffing</p>	<p>Tammy McDonnell commenced employment as the Youth Development Officer on 10 April 2007. She will be working on a three days per week basis until the end of June 2007 whilst she completes her employment commitments with Towong Shire Council. Tammy will commence on a full time basis from July 2007.</p>
<p>Business & Community Support Initiatives</p>	<p>The Business Breakfasts and Business/Community Revitalisation BBQs have been progressing well. All Breakfasts have been conducted with very positive feedback being received. Three of the four Revitalisation BBQs have been conducted. Again positive feedback has been received. The final Business/Community Revitalisation BBQ will be held on Wednesday 2 May 2007. This will be held in conjunction with the official re opening of the Wahgunyah Hall.</p>

15.0 CORPORATE SERVICES

15.1 INSTRUMENT OF DELEGATION – MALCOLM JAMES MILES FOREST CODE OF PRACTICE OFFICER (FILE NO: M250 - CSM)

RECOMMENDATION

That:

- 1. Council appoint Malcolm James Miles as an authorised officer pursuant to Section 224 of the Local Government Act 1989.**
- 2. The instrument of Appointment and Certificate of Appointment be signed by the Chief Executive Officer under delegated power.**
- 3. The Instrument of Delegation be signed and sealed by Council.**

**Moved Cr Dale
Seconded Cr Issell**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends that Council authorise Malcolm Miles as an Authorised Officer of Council under Section 224 of the Local Government Act 1989.

BACKGROUND

It is necessary to authorise Malcolm Miles pursuant to Section 224 of the Local Government Act so that he may enforce matters in various Acts, Regulations and Local Laws in his role as Forest Code of Practice Officer.

INDIGO SHIRE COUNCIL

INSTRUMENT OF APPOINTMENT

This Instrument certifies that pursuant to Section 224 of the Local Government Act 1989, **Malcolm James Miles** is appointed to be an Authorised Officer of Council for the purposes of administration and enforcement of the following acts, regulations or local laws and all subordinate legislation or regulations thereunder; and without limiting the generality of the foregoing to sign and serve all notices, to institute and defend proceedings and to perform and exercise all powers, functions, discretions, and authorities which may be exercised by or capable of performance by an Authorised Officer, or the Council; and that a Certificate of Appointment be signed by the CEO.

SCHEDULE:

The power to undertake the responsibilities of Authorised Officer under the following legislation:

- Planning and Environment Act 1987
- Forests Act, 1958
- Flora and Fauna Guarantee Act 1988

Any other Act, Regulation or Local Law, which relates to the functions and powers of the Council.

This Instrument of Appointment is authorised by a resolution of Council passed 1 May 2007.

Signed for and on behalf of the Indigo Shire Council pursuant to the Instrument of Delegation issued to John P Costello on 4 November 1998, in accordance with Section 98 of the Local Government Act 1989.

This 1st Day of May 2007.

.....**Chief Executive Officer**

Indigo Shire Council

CERTIFICATE OF APPOINTMENT

(Pursuant to Section 242(2) Local Government Act 1989)

This Certificate certifies that pursuant to Section 224(1) of the Local Government Act 1989, the person named in Item 1 is an Authorised Officer of Council from the date in Item 2 for the purposes of the administration and enforcement of the Acts, Regulations and Local Laws detailed in Item 3 and all subordinate legislation or regulations thereunder and without limiting the generality of the foregoing is authorised to sign and serve all notices, to institute and defend proceedings, and to perform and exercise all the powers, functions, discretions and authorities which may be exercised by or capable of performance by an Authorised Officer, or the council.

ITEM 1: Malcolm James Miles

ITEM 2: 1 May 2007

ITEM 3: Schedule:

- Planning and Environment Act 1987
- Forests Act, 1958
- Flora and Fauna Guarantee Act 1988

Any other Act, Regulation or Local Law, which relates to the functions and powers of the Council.

Signed for and on behalf of the Indigo Shire Council pursuant to the Instrument of Delegation issued to John P Costello on 4 November 1998, in accordance with Section 98 of the Local Government Act 1989.

This 1st Day of May 2007

.....
Chief Executive Officer

15.2 CHANGES TO THE DOMESTIC (FERAL AND NUISANCE ANIMALS) ACT 1994. INTRODUCTION OF COMPULSORY MICROCHIPPING OF PETS (FILE NO: E200) CSM/OPERATIONS

RECOMMENDATION

That:

- 1. Council not exercise the power given to it to require compulsory microchipping of all cats and dogs in the municipality immediately, but to phase in the process over a two year period.**
- 2. In accordance with the amendments to the Domestic (Feral and Nuisance) Animal Act, Council require compulsory microchipping of all animals being registered for the first time.**
- 3. Council not subsidise microchipping of cats and dogs in Indigo Shire.**

**Moved Cr Hotson
Seconded Cr Walsh**

That the Recommendation be adopted.

SUMMARY

From May 1st 2007, all animals being registered for the first time with a local council must be microchipped in accordance with State Government Legislation. In addition, councils will have the power to require compulsory microchipping of all cats and dogs housed in their municipality. To encourage microchipping of existing and new animals, many councils are holding 'microchipping days' in conjunction with local vets and subsidising the cost of the procedure.

BACKGROUND

The benefit to council from compulsory microchipping is that once an animal is chipped it is identifiable for life and this should reduce costs associated with destroying unclaimed animals. This should also lead to an increase in fines issued as the owners will be identifiable. For example, we currently euthanize about 60 cats a year and we have one cat claimed every 2 years. Compulsory microchipping would force owners to be more accountable for their pets.

The Enforcement Services Coordinator has spoken to several neighbouring shires who are 'phasing in' compulsory microchipping of all dogs and cats. Consideration has been given to subsidising the procedure, however the cost to council would make this prohibitive and the value of such an exercise is questionable. Wodonga City Council recently held a 'microchipping day' with enticements such as a barbecue and pet care displays. They had approximately 3,000 people attend and only implanted 77 animals. The Beechworth Veterinarian currently charges \$60.00 per microchip implant and further discussion would need to be entered into prior to any agreement being made with them.

FINANCIAL RESOURCE IMPLICATIONS

There is a possibility of a reduction in revenue with the introduction of the new legislation. The full registration fee for an unsterilised/non-microchipped animal is \$54.00 per annum. Once an animal is microchipped, the owner would be eligible for a reduced fee of \$18.00 per annum which represents one-third of the full fee. This decrease in revenue will become more evident in the long term and consideration may need to be given to raising the full fee and as a consequence the reduced fee dependant on any increase in revenue brought about by an increase in fines.

15.3 FEES AND CHARGES 2007/08 (FILE NO: M067 – CSM)

RECOMMENDATION

That the proposed Fees and Charges for 2007/08 be adopted.

**Moved Cr Walsh
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

Attached are the proposed fees and charges for 2007/08 for Council approval.

BACKGROUND

The suggested fees and charges have been prepared by the respective departments. There has been an attempt to achieve cost recovery in light of the Strategic Financial Plan and in the main, the fees and charges have been increased in the order of 5% to reflect rising cost levels.

Statutory fees such as Planning, Building, Land Information Certificates, Freedom of Information applications and the like are set by the State Government and are unchanged.

The Cemetery fees for the Carlyle Cemetery are unchanged as they are subject to review by the State Government. It is anticipated that a separate report will be presented to the June Council meeting.

The Tourism Fees & Charges have not been included with this schedule at this stage. Because of the changes in the department, the respective fees and charges have not been completed.

The Beechworth Memorial Hall Committee has met and has decided not to increase their fees. The respective fees for the Rutherglen Memorial Hall have not yet been determined, a working group is currently reviewing the fees in light of the refurbished facility.

Attachment

15.4 CORPORATE SERVICES PROJECTS – PROGRESS REPORT – MAY 2007 (CSM)

For Information

Project

Actions

CMP Audit	<p>CMP (Civic Mutual Plus) is the mutual insurance fund which has been established by the MAV and Jardine Lloyd Thompson to manage Public Liability and Professional Indemnity Insurance for Local Government in Victoria.</p> <p>To ensure all Councils have adequate policies and procedures to obviate risk, a searching audit is carried out across the organisation.</p> <p>The audit took place on 14 February, 2007 and the initial rating score is pleasing. We have come from 66% last year to 80% this year.</p> <p>This is a tribute to staff who have worked hard over the past 12 months to improve the score including Carolyn Davis, Phil Prior, John Pleming and Sally McCarron.</p>
Enterprise Agreement	<p>Negotiations are currently underway for a new agreement commencing 1 July 2007.</p>
JMAPP Audit	<p>JMAPP is the mutual insurance fund, which has been established by the MAV and Jardine Lloyd Thompson to manage Asset & Fidelity Insurance for Local Government in Victoria.</p> <p>Council's building assets and contents as well as community facilities are insured through the fund. To ensure all Councils have adequate risk and OH & S mechanisms in place, an external audit is carried out across the organisations and the respective community assets.</p> <p>The audit this financial year took place on 22 February, 2007.</p> <p>The audit response has not yet been received.</p>
Local Law No 1 Local Law No 5	<p>Legal opinion on the drafts of the Local Laws No 1 and 5 has been obtained from Maddocks. The Environment & Development Services Unit is currently working through the documents with a view to presenting a report to a future meeting of Council.</p>

16.0 FINANCE

16.1 AUDIT COMMITTEE MEETING 3 APRIL 2007 (FILE NO:

M034-CFO)

For Information

Attached are the Minutes from the Audit Committee meeting held on 3 April 2007.

Attachments

16.2 MARCH 2007 FINANCE REPORT – (FILE NO: M064 – CFO)

For Information

BACKGROUND

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

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

SUMMARY

Profit and Loss Statement (A.1)

YTD Actual v YTD Budget

Council is reporting a YTD surplus of \$2.07 million against a YTD budgeted surplus of \$969,000. This represents a favourable variance of \$1.1 million. The favourable variance relates primarily to the timing of the annual resealing and resheeting contracts. Major variances are detailed on page 2.

Forecast to 30 June 2007

Council is forecasting a profit of \$1.25 million after capital grants as compared to a budgeted profit of \$599,000. This is due to an additional \$700K of capital grants expected this year including new grants of \$300,000 under the Local Works Infrastructure Project, and \$139,000 under the Country Football & Netball program. Council will also receive capital grants for projects carried forward from 2005/06 including the Rutherglen Hall project.

The underlying deficit, which is the important measure, is a deterioration of \$192K resulting primarily from expected over expenditure and income shortfall projections in the Tourism and Economic Development department.

Departmental Profit & Loss Statement (A.2)

YTD Actual v YTD Budget

The operating revenue and expenditure report by department shows a favourable variance of \$675,497. Again this relates primarily to the timing of the annual resealing and resheeting contracts which were budgeted to be completed by March.

All departments are reporting favourable variances against budget with the exception of the Tourism and Economic Development Department where there have been significant unbudgeted expenditure. Details in relation to departmental variances are shown on pages 4 to 11 of the attachments.

Issues

- The Tourism and Economic Development Department is reporting an unfavourable variance of \$159,493 or 27% to the end of March 2007 (\$87K at end of Feb 07). The Burke Museum and Historic Precinct in total are \$95,000 overbudget due to combination of over expenditure and overly optimistic income projections. Income to be invoiced in April for destination marketing expenses will be \$42,000 which will offset the YTD variance of \$159,493, however will be approximately \$70,000 less than anticipated at the last meeting.
- Restoration works in relation to the November 2005 floods have completed with \$37K overspent on the project which has totalled \$910,000. Council has written to Treasury seeking additional funding for this natural disaster. (Council will recall that approximately \$200,000 was requested and approved over and above the original allocation for the Dec 05 storm which totalled \$1.1mill)

Forecast to 30 June 2007

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

Department	Annual Budget	Forecast	Forecast Variance	Forecast Variance
			(fav)/unf	(fav)/-unf
Grand Total	2,364,0	2,589,1	-225,1	-10

Civil Operations	1,936,8	1,968,5	(31,70	-2
Corporate Support	1,645,6	1,627,2	18,4	1
Environment & Development	578,3	701,6	(123,25	-21
Finance	(7,781,32	,953,94	172,6	2
Governance	682,7	671,3	11,3	2
Health & Well Being	733,1	776,3	(43,11	-6
Tourism & Economic Development	680,2	861,2	(181,00	-27

As shown above it is expected that Council's departmental operating budget will be \$225,120 or 10% worse than budgeted. Council was budgeting for a \$2.36 million deficit on departmental operations as opposed to the forecast deficit of \$2.58 million

The unfavourable forecast variances shown in the Health and Well Being and Environment and Development departments are due primarily to under expenditure on projects that received grant funding in the 2005/06 year thus requiring expenditure this year to finalise projects. The unfavourable variance shown in the Assets and Infrastructure department is due to a new gravel crushing contract which requires a cash outlay this financial year, but will actually return profit in the 07/08 year.

The unfavourable variance shown in the Tourism and Economic development unit is purely unbudgeted over expenditure and less income than budget to be received. Income expected to be recouped for destination marketing expenditure this financial will be significantly less than budgeted.

Explanations for departmental variances between the annual budget and the forecast to 30 June are detailed on pages 12 – 15.

Balance Sheet (B)

YTD Actual v Last year YTD Actual

Council balance sheet reflects a strong position of cash and investments on hand of \$3.7 million. This compares favourably to March 06 when Council held \$2.7 million of cash. This is due to a large amount of capital works outstanding (including supplementary roads to recovery funding received in June 06 \$731,000) yet to be completed.

Property plant and equipment, borrowings and provisions are at higher levels than the original budget due to the revaluation of Councils infrastructure assets at 30 June 06, recognition of finance leases, and recognition of a provision for the Yackandandah landfill rehabilitation.

Cash Flow Statement (C)

Council has collected 78% (\$6.1m) of its total rate income of \$7.85 million to the end of March 2007.

The forecast cash position at 30 June 07 is a reduction in cash from \$2.2 million to \$1.35 million primarily due to the utilisation of Councils reserve cash for the completion of the capital works program.

Capital Works Report (D)

Due to uncompleted projects from 2005/06 and additional projects announced this financial year the program has increased from \$4.6 million to \$7.1 million. Expenditure to date is \$3.21 million or 45% of forecast expenditure. It is unlikely that all projects highlighted in the capital works program will be completed by 30 June 07. Any uncompleted projects at 30 June will be carried forward into the 2007/08 program. Details in relation to variances between annual budget and forecast are detailed on pages 19 and 20.

Attachments

17.0 GOVERNANCE

17.1 OLD WATER TOWER AT RUTHERGLEN (FILE NO: E535 – CEO)

Note: Cr Murdoch declared a Conflict of Interest in this matter in that she is a Board Member of North East Water and took no part in voting on this item.

Cr Murdoch left the meeting at 8.40 pm and returned at 8.41 pm.

RECOMMENDATION

- 1. That Council hold further discussions with North East Water regarding its offer to sell the redundant Water Tower and site in Rutherglen to Council for a nominal cost of \$1.**
- 2. That Council continue to negotiate conditions of sale and including North East**

Water's commitment to removing the steel tank section and "Bottle super-structure" at its expense.

- 3. That Council undertake a feasibility study in relation to replacing the Water Tank and "Bottle super-structure" with a similar visual structure to retain the tourism icon that the Water Tower now represents.**

**Moved Cr Hotson
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

BACKGROUND

For the past decade the Rotary Club of Rutherglen and Council have been discussing a project to acquire the redundant Water Tower in Rutherglen and utilise it as a tourism feature.

In 2001 North East Water offered to sell the asset to Council for a nominal cost of \$1. A current condition assessment was to be carried out by North East Water and details forwarded to Council.

Concern was expressed as to the structural adequacy of the steel tank section. North East Water offered to remove this section of the structure as part of the conditions of sale.

Since that time Council has been meeting and negotiating with the Rotary Club of Rutherglen as to what form the tourism feature would take. The Rotary Club envisaged a stairway accessing a viewing platform in place of where the current Water Tank is located on top of the brick structure with the current "Bottle super-structure" being repeated above that viewing platform.

ISSUES

North East Water has again contacted Council with regard to Council's in principle acceptance of purchasing the former Water Tower.

Council wrote to the Rotary Club of Rutherglen in January seeking the views of the Club and whether it was still interested in taking on the Tower as a project. It was understood that the original plans for observation platform and public access would be very difficult to achieve.

The Rotary Club of Rutherglen has now written advising that it does not wish to continue with the idea of constructing viewing platforms or proceeding with the Tower project.

The main issue for Council to discuss is that the Water Tower with its "Bottle super-structure" has been a Rutherglen icon for many years. It would be a pity to see that tourism icon disappear from the skyline of Rutherglen.

In this day and age with public liability issues it would be very difficult to achieve the development of a viewing platform and proper public access. The initial Rotary Club estimates of providing this facility were in the vicinity of \$200,000 - \$300,000. This

would obviously not be full public access as it would require a difficult stairway access.

From a public safety / liability point of view, it is recommended that this type of viewing platform not be constructed.

This leaves Council with the issue of whether a new “Bottle super-structure” could be erected on the old brick structure once the tank and current “Super Structure” is removed. Engineering wise this could be done with a simple steel frame and fibre glass with steel cladding so that the Water Tower would continue to look like a wine bottle. Council could also consider whether appropriate signage depicting “Rutherglen Red / Fortified Wine” or similar, could be utilised. This might have to gain town planning approval, although it is envisaged that it would not be advertising any particular winery.

Obviously if Council is prepared to look at this type of tourist icon it would have to undertake a feasibility study as to the construction and maintenance of an appropriate “super-structure”. Costing of that feasibility study has not been obtained as yet.

Council’s discussion is required on whether an in principle agreement should continue with the purchase of the Tower and if a feasibility study is required. Alternatively, Council would decide not to proceed and advise North East Water that it does not wish to proceed with the purchase of the Tower and site.

CONSULTATION

The only consultation to date has been lengthy consultations with the Rutherglen Rotary Club as mentioned above. It is suggested that the matter be further discussed with the Rutherglen Wine Experience Board, Winemakers of Rutherglen and Rutherglen and District Tourist Association.

Discussion should also be undertaken with appropriate funding bodies including Regional Development Victoria and Tourism Victoria.

FINANCIAL IMPLICATIONS

Firstly, Council would need to provide appropriate funding to undertake a feasibility study. Whilst this cost has not been ascertained it is envisaged it would cost \$3,000-\$5,000. Part of the works may have already been completed by North East Water but this needs to be ascertained.

A feasibility study would need to look at the structural integrity of the Tower, North East Water’s commitment to removing the current tank and “super-structure” and the costs involved in manufacturing and installing a new “super-structure”. Ongoing maintenance costs would also need to be ascertained.

17.2 BEECHWORTH TENNIS CLUB PROPOSAL FOR WALLACE PARK (FILE NO: C921-02 – CEO)

RECOMMENDATION

That Council advise the Beechworth Lawn Tennis Club that it supports the further detailed investigation for the development of ten tennis courts on Crown Land at

Wallace Park, Beechworth noting that this would include ratification of the proposal by the Club's general membership, further discussion with DSE and applying for a Planning Permit as part of a public consultation process and further research.

**Moved Cr Issell
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

BACKGROUND

The attached proposal has been received from the Beechworth Tennis Club regarding development of tennis courts at Wallace Park. Councillors may recall that this is the preferred location of the Tennis Club if it is to move from its current location.

As part of the Pride of Place study and Lake Sambell Master Plan development in 1998-2000 it was proposed that the Tennis Club relocate from its current site to a new Council or Crown Land site. The objectives of this were to free up commercial land and gain the necessary funds by selling that land to enable the Tennis Club to redevelop new courts and facilities to required standards.

Numerous sites were investigated but most proved to not be appropriate. The final three options considered in recent times have been:

1. to remain where the Club currently is (knowing that there is limited finance to redevelop at this site)
2. combine with other sporting facilities at Baarmutha Park as a central sporting focus for the Beechworth community
3. develop a new facility at Wallace Park

The Tennis Club Committee has indicated that its preference is to develop at Wallace Park and seeks Council support to sell the current Tanswell Street site and use the proceeds to develop a section of Wallace Park. If Council is generally supportive of the proposal the Committee will go to its general membership to ratify this choice.

ISSUES

Wallace Park would seem to be an ideal area as it already contains other active sporting facilities such as the Beechworth Bowls Club and the Beechworth Swimming Pool. It also has a small playground and is part of a passive walking track and park area. Tennis courts would seem to fit in with these activities and there is the possibility of limited sharing of facilities such as car parking.

There appears to be a number of environmental and amenity issues with the ten-court proposal. These include the possible overdevelopment of the site with the current layout and number of courts, possible intrusion into the creek area and land levels as well as the visual impact for residents in the area.

The current layout also includes a large amount of individual court fencing which is more expensive than grouping courts. However, it may be possible to further redesign the layout to overcome this issue and any other environmental issues.

Wallace Park is Crown Land under the control of Council, but we will still have to go through a public planning process and approvals process with DSE for the use of the park as envisaged by the Tennis Club. We therefore need to immediately have discussions with DSE and with their and the Tennis Club's approval, proceed with a Planning Permit Application.

This application process will discover any issues that there might be with the site from referral authorities such as DSE and the CMA as well as undertaking a community consultation process.

The first step is for Council to agree in principle to this proposal. We would then discuss the proposal in general terms with DSE as well as Sport and Recreation Victoria from whom a major grant would be sought. This project is not included in Council's Capital Works priorities for the coming financial year. This would be an appropriate timeframe in that it would probably take twelve months to get approvals etc for the project at Wallace Park.

Council is also aware that I had written to the Tennis Club on behalf of Baarmutha Park Management Committee requesting the Tennis Club's indication of whether it would still be involved in the development of a Master Plan for Baarmutha Park which would allow its inclusion up there. I requested a meeting with the Tennis Club to discuss both proposals. As yet I have heard nothing from the Tennis Club in relation to that request but presume that they have ruled out Baarmutha Park.

If the project at Wallace Park did not come to fruition, the Tennis Club would be left with its current site and no local funds to develop new tennis courts, if it shuts the door on the Baarmutha Park location.

I do not resolve from my personal contentions that the Tennis Club and other sports are all better off locating to Baarmutha Park with the Golf Club etc revamping their layout to accommodate a number of sports. There is ample room at Baarmutha Park and I believe it would be more economically viable and greater support for the broader Beechworth recreation community if more sports were located in the one area. It is very difficult to achieve that but in the long term I still believe it is the correct answer to achieving better sporting facilities in Beechworth.

Given the current information from the Tennis club I believe that the Baarmutha Park Committee needs to get on with its Master Planning and if the Tennis Club is not supportive then it needs to be excluded from that process.

Therefore, Council officers in conjunction with the Tennis Club, need to take up their project with DSE and Sport and Recreation and undertake any other allied research that needs to bring forward the proposal for Wallace Park.

The Council is also currently undertaking a Recreation Study for the Shire. This project and the research required will fit in with that study.

CONSULTATION

Recommended consultation is basically in line with that explained above. This will allow adequate research and gauging both Club general membership and community support as well as support of State Government authorities and Departments who have an interest in the project.

FINANCIAL IMPLICATIONS

If the current Tennis Club property sells for a realistic commercial value and a Sport & Recreation Grant can be obtained there should be no impact on Council finances as the project would be self-funding.

The Council has provided very limited financial support to the Club in the past and if that is to continue the Club needs to be fully aware of their future costs. They have indicated previously to Council that they would wish to retain some of the funds realised from the sale to enable them to cover future maintenance and development costs. Given this intention again there would be limited call on Council support in the short to medium term.

Attachment: Plan

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

For Information

Project	Actions
Councillors Training	The MAV's 2007 training calendar has been issued. Councillors should register their interest with Diane Thomas.
The Council Plan	The revision of the Plan has been completed with very minor changes to update projects completed or envisaged for the next two years.
The Council Budget	Budget preparation is on schedule with Council to hold a special council meeting on 12 th June to adopt the draft budget prior to public advertising.
Community Forums	A Forum was held at Chiltern on 24 th of April. The next forum is at the sandy Creek Hall on 22/05/2007.
Media & Communications Officer	Excellent media coverage continues with numerous stories covering activities across the Shire. Coverage of the Golden Horse-shoes Festival was excellent.
Operations	As previously advised we have had trouble attracting a civil engineering applicant to the Assistant Operations

Manager	Managers position. A highly qualified person but with alternative engineering qualifications is being interviewed and may well be a good candidate for the position.
Municipal Offices Project	This project is proceeding well with a further briefing to be made to Councillors on Tuesday 8 May on various options and other issues.
Web Site Redevelopment	The updated Web site has now gone live with very few problems. The challenge to Council staff is to keep it updated.
Murray to the Mountains Rail Trail	Design and costing of the project continues. The application to Regional Partnerships for a \$250,000 grant for the interconnecting tracks has been submitted.
Baarmutha Park Master planning	A concept plan was presented to the Committee to aid further discussions in regard to the BLTC relocating to BP. An invitation was issued to the Tennis Club to discuss these ideas and to be involved in the master-planning processes. The Tennis Club has since submitted a proposal to go develop at Wallace Park.
Rural Councils Victoria	The Rural Councils Victoria Forum met on 13 th April with attendance by the Mayor and CEO. There were no real outcomes from this meeting bar endorsement of the progress of the Steering Ctee actions.

17.4 MELBOURNE BRISBANE INLAND RAIL ALLIANCE (MBIRA) (FILE NO: D001-10 - CEO)

For Decision

RECOMMENDATION

That Council advise the Greater City of Shepparton that whilst Indigo Shire Council supports an overall fast freight rail link Council believes the existing Hume corridor from Melbourne to at least southern New South Wales is the preferred route in Council's opinion.

**Moved Cr Hotson
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

BACKGROUND

The Greater City of Shepparton has written to Council seeking support for the Melbourne Brisbane Inland Rail Alliance (MBIRA). A meeting was recently held in Shepparton which outlined a proposed project to advocate for a new fast freight rail link between

Melbourne and Brisbane. There is a large of support for this from the City of Shepparton and from Councils throughout New South Wales and Queensland.

It appears that Shepparton was trying to have “two bob each way” in supporting either a route through Shepparton or an alternative link through Wodonga.

They were seeking other Council support for this proposal and for Councils to be involved in the MBIRA with both physical and financial support.

ISSUES

The correspondence from Shepparton indicated that Wodonga City supported the Alliance. I was unsure of that so I wrote to Wodonga seeking its advice as to whether it supported the Alliance, the project in general or variations to it.

Wodonga City advised that it had written to Greater City of Shepparton requesting that the MBIRA remove all references to Wodonga as being a member of the Alliance. It further advised that in common with many other regional centres, Wodonga is a strong supporter of a fast freight rail link between Melbourne and Brisbane. In this respect Wodonga City acknowledges the valuable contribution that the MBIRA is making towards the establishment of this important segment of infrastructure.

However, Wodonga favours a route that passes through Wodonga for a number of economic, strategic and practical reasons. This therefore puts them at odds with the official position adopted by the MBIRA as expressed at the Shepparton meeting which is a route through Shepparton.

I believe that Indigo should support Wodonga’s stance both from a parochial and a practical point of view. The parochial view is very easy to see as an inland freight route through the Hume corridor would add to the development of the Logic project at north Barnawartha.

From a practical point of view, the Hume corridor is already developed and will be further enhanced as a main rail corridor accessing Melbourne and linking into New South Wales.

I would certainly support the bypassing of Sydney and therefore once the rail line leaves Albury or further north it would bypass Sydney and go directly to Brisbane.

This therefore puts Indigo at odds with the MBIRA and supports Wodonga. If Council accepts this proposal then we would advise the MBIRA accordingly.

17.5 CHIEF EXECUTIVE OFFICER – CONTRACT OF EMPLOYMENT (CEO)

RECOMMENDATION

That Council:

- 1. Notes that the current contract with the Chief Executive Officer expires on 6 December 2007.**

2. **Acknowledges advice from the Chief Executive Officer that he will retire effective 6 December 2007 and not seek a new contract with Council.**
3. **Instigate a process to recruit a new Chief Executive Officer effective from or around December 2007.**

**Moved Cr Walsh
Seconded Cr Issell**

That the Recommendation be adopted and that the Chief Executive Officer be recognised for his efforts in this position since 1998.

CARRIED

BACKGROUND

Council's current Chief Executive Officer, Mr John Costello commenced employment with the Council on 7 December 1998 under an initial three year contract with an option of up to two years. Council exercised that option with the initial contract expiring on 6 December 2003.

Under the Local Government Act the Council has the option of entering into a totally new fixed term contract with the current Chief Executive Officer without calling for applications by public advertisement. However, it needs to advertise that it is undertaking that action.

In December 2003 Council entered into a further three year contract with maximum of a two year option.

In 2006 Council advised the Chief Executive Officer that it would take up a one year option on the current contract which then expires on 6 December 2007.

Further, as part of the contract the Council needs to advise the Chief Executive Officer of its anticipated actions by either entering into a new contract or advertising for the position six months before the expiry of the contract.

ISSUES

The Council has discussed the continuation of the contract with the Chief Executive Officer over the past twelve months. Mr Costello has now advised that he intends to retire effective at the conclusion of the contract on 6 December 2007 and would not seek a new contract with Council.

Council is therefore in a position of advertising for the Chief Executive Officer's position in the new financial year with the changeover to a new Chief Executive Officer around December 2007.

CONSULTATION

The Chief Executive Officer and Council have discussed this situation. The appointment of a Chief Executive Officer is covered under the Local Government Act and the existing

contract with the Chief Executive Officer.

FINANCIAL IMPLICATIONS

Council needs to budget approximately \$25,000 in the 2007/08 budget for the recruitment costs of a new Chief Executive Officer. This would include consultants assisting Council with developing a position description and monitoring program as well as the selection process and advertising.

18.0 NOTICE OF MOTION

Nil

19.0 COMMITTEE AND DELEGATES REPORTS

19.1 APRIL DIARY - CR P GRAHAM

Date	Time	Function
2 April	9.00 am	Meeting / inspection Wodonga Tafe
	11.00 am	Wooragee Hall funding announcement, Wooragee
	2.00 pm	Official opening "Tinkers Hill" Vineyard, Beechworth
3	11.30 am	Weekly meeting with CEO and admin, Beechworth
	3.30 pm	Councillors meeting, Chiltern
	4.30 pm	Council Briefing meeting, Chiltern
	7.00 pm	Ordinary meeting of Council, Chiltern
4	3.00 pm	NevRWaste, Wangaratta
7	12.15 pm	Viewing of Golden Horseshoes Grand Parade, Beechworth
9	10.30 am	Wooragee Markets
10	9.00 am	NevRWaste. Wangaratta
	11.30 am	Weekly Meeting with CEO and admin, Beechworth
	1.30 pm	Meeting with Home Care staff, Rutherglen
11	7.30 am	Business Breakfast at Yackandandah
	5.30 pm	Planning Focus group meeting, Yackandandah
12	6.00 pm	Business barbecue, Chiltern
13	10.00 am	Timber Towns AGM, Melbourne
	1.30 pm	Rural Councils Forum, Melbourne
14	6.30 pm	Browns Plains Community dinner, Morris' Rutherglen
15	10.00 am	Cancer Cruise, Chiltern
16	9.00 am	Rutherglen Wine Experience meeting, Rutherglen
	1.30 pm	Disability Advisory Committee meeting, Beechworth
17	9.00 am	NevRWaste, Wangaratta
	11.30 am	Weekly Meeting with CEO and admin, Beechworth
	1.30 pm	Meeting with Home Care Staff, Yackandandah
	4.00 pm	Council Briefing meeting, Yackandandah
18	7.30 am	Business Breakfast, Beechworth
	5.00 pm	Councillors meeting, Chiltern
19	12.30 pm	North East Road Safe committee meeting, Wangaratta
20	9.00 am	Victorian Regional Waste Management meeting, Geelong
	6.00 pm	Heritage Awards presentation, RWE Rutherglen
24	11.30 am	Weekly meeting with CEO and admin, Beechworth
	4.00 pm	Council Briefing meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
25	5.50 am onwards	Anzac Day Beechworth - Dawn Service, Gunfire Breakfast, Memorial Service
26	7.30 am	Business Breakfast, Rutherglen
	3.00 pm	Victoria Police Strategic review, Wodonga
	5.15 pm	Business barbecue, La Trobe, Beechworth
27	3.00 pm	Official re-opening new kitchen facilities, Stanley Hall

Cr Peter Graham OAM
1 May 2007

19.2 REPORT AGM TIMBER TOWNS VICTORIA 2007 (FILE NO: D380-07 - CR P GRAHAM)

For Information

The CEO and I attended the AGM of this organisation held in Parliament House, Melbourne at 10am Friday 13th April 2007.

Chair Cr Malcolm Hole introduced the Leader of the Nationals, The Hon Peter Ryan to welcome everyone.

The President's report indicated a busy and successful year and the Treasurer's report showed a financially sound organisation. Membership- fees for 2007/08 remained at the current level.

The Guest Speaker, The Hon Eric Abetz, Federal Minister for Fisheries, Forestry and Conservation spoke regarding the root cause of the horrendous bush fires of 2002/03 and 2007 and indicated, quite firmly, that the attitude of State Governments and their departments of "..locking up National Assets, closing fire trails and forgetting maintenance actions.." was not the Commonwealth Government's idea of effective control.

He also questioned the lack of accountability of the amount of CO² gasses caused, but not accounted for, as a result of bush fires on the grand scale that has taken place in the past and suggested (in my view) that if that gas generation had been taken into account then the allocation of further resources to bush fire prevention could provide a very good return on investment.

An interesting and to me, a refreshing statement on the effectiveness of the current State system of control of native forests.

Bruce Esplin, Emergency Services Commissioner then spoke and pointed out that the capacity to burn off was effected by prevailing weather conditions, manpower and equipment and that a further enquiry was to be undertaken to determine future policies and actions.

Malcolm Tonkin, Manager, Hancock Victorian Plantations gave an overview of their problems in fighting the 2007 fires and their integration with the CFA - and identified a problem regarding insurance cover for Hancock staff when compared with Volunteer staff provisions.

The AGM, for the first time, had sufficient nominees to fill all positions on the Executive and Committee therefore no vote took place and the Chair remained with Cr Hole.

A copy of each of the Annual Report 2006/07, the agenda and the Strategic Plan 2007/08 is tabled.

19.3 GENERAL MEETING RURAL COUNCILS VICTORIA

(RCV) (FILE NO: M257 - CR P GRAHAM)

For Information

The CEO and I attended this meeting held in Grand Ballroom, Hotel Windsor, Melbourne at 1.30pm on Friday 13th April 2007.

This was the second meeting of this newly formed group although a number of Working Party meetings have been held and the CEO, a representative to that working party, has previously reported back from those meetings.

This meeting was aimed at providing more detail internally to allow executive actions to be conducted with feedback from the membership as General Meetings are anticipated to be held two or three times annually.

Minister Brumby welcomed and then spoke about the sound financial position Victoria is in with regard to job creation and rural growth. He indicated that it is anticipated the GDP is likely to drop by 2% points this year due to the drought and bush fires - however the jobs growth and building approvals for Victoria are at the upper limits of all States and Territories.

A proposal for a summit meeting, sometime in August 2007, was put forward and a criteria established for the support needed for such a summit to be successful, La Trobe Beechworth campus fills all the criteria and a submission was presented, along with others, for consideration to hold that proposed summit there. Confirmation of the successful location will be advised in the near future.

The minutes of this meeting are to be circulated and further discussions regarding internal organisation will take place at the next Summit.

19.4 MAY DIARY - CR J DALE

Date	Time	Function
3 April	1.00 pm	La Trobe Advisory Board, Wodonga
	4.00 pm	Council Briefing meeting, Chiltern
	7.00 pm	Ordinary meeting of Council, Chiltern
4	6.00 pm	Chair public meeting re parking issues, Yackandandah
5	4.30 pm	Meeting with Yackandandah RSL re ANZAC Day
7	12.15 pm	Golden Horseshoes Festival Parade, Beechworth
11	7.30 am	Business Breakfast, Yackandandah
	5.30 pm	Planning Focus group meeting, Yackandandah
13	12.30 pm	Meeting with Minister Allen's advisors, Office of Women's Policy, Melbourne
	3.00 pm	MAV Board meeting, Melbourne
	7.00 pm	MAV Board dinner, Melbourne
17	4.00 pm	Council Briefing meeting, Yackandandah
18	7.30 am	Business Breakfast, Beechworth
19-21		ALGWA State Conference and AGM, Bendigo
24	4.00 pm	Council Briefing meeting, Chiltern

	7.00 pm	Community Forum, Chiltern
25	Full morning	ANZAC Day services Yackandandah and Beechworth
27	3.00 pm	New kitchen opening, Stanley Hall
	4.30 pm	Attend send off to Tourism Manager

Cr Jenny Dale

1 May 2007

19.5 APRIL DIARY - CR V ISSELL

Date	Time	Function
1- 12 April		Annual leave and business commitments
13	10.00 am	Councillor Duty, Beechworth
17	4.00 pm	Council Briefing meeting, Yackandandah
18	7.30 am	Business Breakfast, Beechworth
18	5.00 pm	Councillors meeting, Chiltern
19	7.00 pm	Public Meeting re Beechworth Gaol, Beechworth
20	10.00 am	Councillor Duty, Beechworth
24	4.00 pm	Council Briefing meeting
24	7.00 pm	Community Forum, Chiltern
25	6.00 am	Anzac Day ceremonies, Kiewa/Tangambalanga and Beechworth
26	5.15 pm	Business Barbecue, La Trobe, Beechworth
27	10.00 am	Councillor Duty, Beechworth
30	7.30 pm	Meeting with Beechworth Tennis Club, Beechworth

Cr Vic Issell

1 May 2007

19.6 APRIL DIARY - CR B MURDOCH

Date	Time	Function
3 April	10.30 am	Audit Committee meeting, Yackandandah
	3.30 pm	Meeting of Councillors, Chiltern
	4.30 pm	Council Briefing meeting, Chiltern
	7.00 pm	Council meeting, Chiltern
7	12.15 pm	Golden Horseshoes Parade, Beechworth
12	6.00 pm	Business barbecue, Chiltern
13		La Trobe University Graduation Ceremony - Wodonga
17	4.00 pm	Council Briefing meeting, Yackandandah
18	5.00 pm	Meeting of Councillors, Chiltern
20	7.30 am	Business breakfast, Chiltern
	6.00 pm	Heritage Awards, Rutherglen
24	4.00 pm	Council Briefing meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
		Anzac Day Services at Barnawartha and Chiltern
30	10.30 am	MAV Water Taskforce meeting, Melbourne

Cr Barbara Murdoch

1 May 2007

19.7 MAY DIARY - CR F WALSH

Date	Time	Function
2 April	10.00 am	Indigo Tourism Board meeting, Chiltern
3	4.00 pm	Council Briefing meeting, Chiltern
	7.00 pm	Council meeting, Chiltern
11	7.00 pm	MSS meeting, Yackandandah
13	Full day	Heritage Awards bus tour
14	7.00 pm	RSL Ball Committee meeting, Rutherglen
16	5.30 pm	Community Advisory Committee meeting, Rutherglen
17	4.00 pm	Council briefing meeting, Yackandandah
18	5.00 pm	Meeting of Councillors, Chiltern
20-21	Full days	ALWGA Conference and AGM, Bendigo
23	7.00 pm	RSL Ball Committee meeting, Rutherglen
24		UMRL Board meeting, Wodonga
		Indigo Leadership Group meeting, Yackandandah
	4.00 pm	Council briefing meeting, Chiltern
	7.00 pm	Community Forum, Chiltern
25	Full morning	Anzac Day services at Rutherglen and Wahgunyah
26	7.30 am	Business breakfast, Rutherglen
		AGM St Stephens Uniting Church, Wodonga
27	3.00 pm	Opening of new kitchen, Stanley Memorial Hall

Cr Frances Walsh
1 May 2007

19.8 MAY DIARY - CR W HOTSON

Date	Time	Function
2 April	9.00 am	Indigo Tourism Board meeting, Chiltern
3	4.00 pm	Council Briefing meeting, Chiltern
	7.00 pm	Ordinary meeting of Council, Chiltern
7	10.30 am	Golden Horseshoes Festival, Beechworth
12	6.00 pm	Business barbecue, Chiltern
13	9.00 am	Heritage Awards, Shire bus tour
16	7.30 pm	Chiltern Tourism Association meeting
18	5.00 pm	Councillors meeting, Chiltern
20	7.30 am	Business breakfast, Chiltern
21	2.00 pm	Arts display, Courthouse, Chiltern
24	4.00 pm	Council Briefing meeting, Chiltern
	7.;00 pm	Community Forum, Chiltern
25	10.00 am	Anzac Day service, Barnawartha
	11.00 am	Anzac Day service, Chiltern
26	11.00 am	ISC drought strategy meeting, Yackandandah
	5.15 pm	Business barbecue, Beechworth

Cr Bill Hotson

1 May 2007

19.9 APRIL DIARY - CR BANKS

Date	Time	Function
3	12.00 noon	Audit Committee, Yackandandah
	3.30 pm	Meeting with Councillors, Chiltern
	4.30 pm	Briefing Meeting, Chiltern
	7.00 pm	Council meeting, Chiltern
7	1.00 pm	Golden Horseshoes Festival Parade
10-29	Leave	Personal and compassionate leave

Cr Andrew Banks
1 May 2007

20.0 GENERAL BUSINESS

Nil

21.0 CONFIDENTIAL

Nil

There being no further business the meeting was declared closed at 9.53 pm.

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Cr Peter Graham, OAM – Mayor
05/06/07