

INDIGO SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE INDIGO SHIRE COUNCIL HELD IN THE SENIOR CITIZENS ROOMS, CONNESS STREET, CHILTERN ON TUESDAY 30 OCTOBER, 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 Clive Walker (Acting Operations Manager)
Mr David Montgomery (Acting Chief Executive Officer)
Ms Sally McCarron (Health & Wellbeing Manager)
Mr Nicholas Moore (Chief Finance Officer)
Ms Susan Cheetham (Environment & Development Services Manager – 9.15 pm)
Mr Phil Prior (Assets Manager)
Mrs Naomi Cox (Executive Assistant/Chief Executive Officer)

1.0 WELCOME

Cr Graham welcomed those in attendance.

2.0 OPENING PRAYER

Cr Dale read the Opening Prayer.

3.0 APOLOGIES AND LEAVE OF ABSENCE

John Costello – Chief Executive Officer (annual leave)

4.0 DECLARATION OF PECUNIARY INTEREST AND

CONFLICT OF INTEREST

Cr Dale declared a conflict of interest in Item 18.4 in that she is the State President of ALGWA.

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 2 October 2007 be adopted.

CARRIED

**Moved Cr Walsh
Seconded Cr Murdoch**

That the Minutes of the Special meeting of Council held 23 October 2007 be adopted.

CARRIED

8.0 BUSINESS ARISING (PREVIOUS MINUTES)

Nil

8.0 (a) PERSONAL STATEMENT – MAYOR

The Mayor advised he had inadvertently referred to the Harvest Celebration recently in a press release when responding to a report by the Border Mail. This was patently incorrect and should have been the Golden Horseshoes Festival. He said he had apologised to the Beechworth Chamber of Commerce and the Harvest Celebration Committee.

9.0 DEPUTATIONS AND PETITIONS

Nil

10.0 ENVIRONMENT AND DEVELOPMENT

10.1 SECTION 173 AGREEMENTS - (06/138, 07/102, 07/4046, 07/4048, 07/4063) (EDSM)

For Decision

RECOMMENDATION

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

- A) J Bell**
- B) K James**
- C) Mad Barry Investments Pty Ltd**
- D) T Iaria**
- E) J Martin & G Cooper**

**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 06/138 relates to a proposed re-subdivision of 6 lots into 4 lots at Dingle Road, Beechworth. The land is covered by the provisions of the Low Density**

Residential Zone and is currently developed by a single dwelling, proposed to be retained on lot 2. Lot 4 was previously the site of a motor racetrack. The application was approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which:

- (i) Ensures that all development is in accordance with the approved Development Plan.
- (ii) Ensures that an Erosion and Sediment Control Plan be submitted with all Building Permit applications that clearly outlines how the site is to be managed during and after construction.
- (iii) Ensures that the primary and secondary effluent disposal areas are managed and maintained in accordance with the approved wastewater disposal management plan.
- (iv) Provides notification to future landowners and occupiers of Lot 4 regarding the soil contamination detected at the site of the former motor racetrack, and:
 - (i) A Certificate or Statement of Environmental Audit must be issued before a sensitive use (residential use, child care centre, pre-school centre or primary school) or buildings and works associated with sensitive uses can commence.
 - (ii) Any conditions included in the Certificate or Statement of Environmental Audit must be complied with by the landowner or future occupier of the land to the satisfaction of the Responsible Authority.
 - (iii) The landowner or future occupier of proposed Lot 4 must demonstrate to satisfaction of the Responsible Authority that the conditions included in the Certificate or Statement of Environmental Audit have been complied with prior to sensitive use or buildings and works associated with sensitive uses can commence.
 - (iv) The landowner or future occupier must use the site and manage any contamination in a manner consistent with any relevant Certificate or Statement of Environmental Audit.

B) Planning Permit 07/102 relates to a proposed animal keeping business and dwelling on land located at Old Stanley Road, Silver Creek. The land is an existing small rural allotment of approximately 2.5ha and is covered by the provisions of the Farming Zone. The application was approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority which:

- provides for the permanent protection of native vegetation located outside the fire management zones, as indicated on the endorsed plans.

C) Planning Permit 07/4046 relates to a proposed 3 lot subdivision of land with dual frontage to Spring and Bridge Streets, Beechworth. The land is covered by the provisions of the Residential 1 Zone and is currently comprised of 2 lots and developed by a single dwelling on each lot. The application was approved on the basis that a Section 173

Agreement was to be entered into with the Responsible Authority to:

- provide notification to future landowners of Lot 3 by way of an endorsement on the title, of the need to make a cash contribution to any future Special Charge Scheme prepared by Council to improve specific road infrastructure in Spring Street.

D) Planning Permit 07/4048 relates to a proposal to remove native vegetation as part of an orchard operation on land located at Mt Stanley Road, Stanley. The application was approved on the basis that a Section 173 Agreement was to be entered into with the Responsible Authority to:

- ensure that the area and vegetation as identified in the Vegetation Off-set Management Plan is managed and protected in perpetuity.

E) Planning Permit 07/4063 relates to a proposed replacement dwelling on land located at McConnells Lane, Gooramadda. The land is approximately 26ha and covered by the provisions of the Farming Zone, Floodway Overlay and Land Subject to Inundation Overlay. The permit allows the continuation of the use of the land for the purposes of a dwelling subject to conditions, including that a Section 173 Agreement was to be entered into with the Responsible Authority which:

- (i) provides notification that the land is subject to inundation;
- (ii) acknowledges that the Responsible Authority will not be held responsible in any way whatsoever for any loss or damage of any kind whatsoever arising out of flooding to the dwelling;
- (iii) limits the total combined floor area of habitable building/s on the subject land to a maximum of 122.32m²;
- (iv) ensures that an emergency evacuation plan is implemented to the satisfaction of the Responsible Authority and the North East Catchment Management Authority.

Attachment A: Locality/Site Plan – PP06/138 Dingle Road, Beechworth.

Attachment B: Locality/Site Plan – PP07/102 Old Stanley Road, Silver Creek.

Attachment C: Locality/Site Plan – PP07/4046 Spring and Bridge Streets, Beechworth.

Attachment D: Locality/Site Plan – PP07/4048 Mt Stanley Road, Stanley.

Attachment E: Locality/Site Plan – PP07/4063 McConnells Lane, Gooramadda.

10.2 ENVIRONMENT AND DEVELOPMENT SERVICES PROJECTS – NOVEMBER 2007

For Information

Projects underway are show in the following table.

Project	Current actions
Amendment C10 – Heritage Overlay	Amendment with DPCD for review, approval and gazettal.
Amendment C21 - Kiewa-Tangambalanga	<ul style="list-style-type: none"> ○ Structure Plan adopted by Council in May 2006. ○ Authorisation received was conditional and a protracted negotiation took place before DSE allowed exhibition to commence. ○ Exhibition period for the amendment closed 2 July 2007. Issues raised include Aboriginal heritage. This matter is still under investigation by the proponents of the amendment.
Municipal Strategic Statement and Indigo Planning Scheme – major review	<ul style="list-style-type: none"> ○ Review report with Minister for Planning. ○ Planning Scheme amendment to implement initial matters under preparation.
Indigo Planning Scheme - environmental overlay	<p>Ecology Partners P/L appointed to undertake a project to identify biodiversity priority areas within the municipality for further investigation and possible furthers controls in the planning scheme.</p> <p>Draft report being revised by consultant to incorporate steering committee responses. Report was due to be presented to Council during July, but is still awaiting finalisation by consultants.</p> <p>NECMA has advised that second and third stage funding will be approved for this project over the next two years. This has been awarded through the Regional Catchment Investment Process.</p>
VCAT Appeals	<ul style="list-style-type: none"> ○ PP06-242 Appeal by AR Bennett against refusal by Council to approve a balcony addition to a shop, Ford Street, Beechworth. Hearing adjourned at request of appelland. Hearing now 30 October in Melbourne. ○ PP06-247 Appeal by C Rebbechi against refusal

	<ul style="list-style-type: none"> ○ by Council to approve a dwelling, Lake Moodemere Road, Norong. Hearing date was 20 September. The solicitor acting for owners was not ready to proceed on that date – hearing adjourned until 1 November in Yackandandah. ○ PP06-294 Appeal by I and L Berryman against Council’s Notice of Decision to Grant a Planning Permit for demolition of four buildings, removal of five trees, construction of a car park and construction of access laneways, Greens Lane, Chiltern. Negotiations underway with appellant and DSE. Hearing set down for 20 September and was adjourned while negotiations proceed. ○ PP07-072 Appeal by R Beaver against Council’s Failure to grant a permit for a 21 lot subdivision of the Old Beechworth Gaol. Hearing set down for 7 December in Melbourne.
Statutory planning services	<ul style="list-style-type: none"> ○ Francois Theron, Senior (Statutory) Town Planner has commenced. ○ Advertising underway for a Planning Intern to work during semester breaks while undertaking a relevant degree course in planning. ○ An application lodged for assistance with funding for this position through the Provincial Victoria Local Government Internships program. ○ Application lodged for with the Provincial Victoria Local Government Planning Assistant Training Program.
Building Services	<ul style="list-style-type: none"> ○ One vacancy has been unfilled for some months – placing an additional burden on staff. This position has now been filled and an additional Building Inspector appointed. Commencement has been delayed.

10.3 BUILDING STATISTICS – SEPTEMBER 2007 (EDSM)

For Information

Property Locality	Description	Project Value	Approval Date
ackandandah	ew Building	\$277,70	19/07/0
arnawartha	ew Building	\$235,84	29/08/0
ahgunyah	ew Building	\$199,00	30/08/0
ahgunyah	ew Building	\$199,00	30/08/0
hiltern	her	\$2,00	04/09/0
imin	xtension	\$66,21	05/09/0
anley	xtension	\$18,00	05/09/0
ewa	ew Building	\$11,80	06/09/0
ooragee	imming Pool	\$42,00	06/09/0
hiltern	xtension	\$6,30	06/09/0
ackandandah	welling	\$172,41	06/09/0

Shorne Flat	New Building	\$175,00	07/09/0
Manley	Water Septic	\$4,00	11/09/0
Bechworth	Wellington	\$258,21	12/09/0
Bechworth	Tree-stump	\$5,00	12/09/0
Bechworth	Wellington	\$325,8	12/09/0
Ingambalanga	New Building	\$5,4	12/09/0
Blackandandah	Wellington	\$163,00	13/09/0
Whangunyah	Swimming Pool	\$9,60	17/09/0
Whiltern	Tree-stump	\$3,00	18/09/0
Whitherglen	Water	\$3,78	21/09/0
Bechworth	Water	\$4,00	24/09/0
Whion	New Building	\$53,48	24/09/0
Manley	New Building	\$14,00	24/09/0
Wharnawartha	New Building	\$3,00	24/09/0

Philtern	Site Works	\$500,00	26/09/07
Lewerhampton	Swimming Pool	\$3,000	26/09/07
Northglen	Extension	\$3,000	26/09/07
Mooragee	New Building	\$11,900	26/09/07
Mercuryah	Extension	\$100,000	28/09/07
Total		\$2,992,180	

10.4 PLANNING STATISTICS – SEPTEMBER 2007 (EDSM)

For Information

File No.	Locality	Proposed Use	Cost	Decision
7074007	Arnawartha	lot subdivision		Approve
7074011	Leichworth	extension to dwelling and construct detached garage	\$100,000	Approve
7074031	Deep Creek	dwelling	\$250,000	Approve
7074072	Leichworth	lot subdivision, being Residential Subdivision	\$698,000	Refuse

092	echworth	ngle Dwelling		Approv
124	lans Flat	welling		Approv
073993	ergunyah	Lot Subdivision		Approv
073994	anley	emolish shed and nstruct garage	\$10,0	Approv
073995	atherglen	Lot subdivision and 3 vellings	\$350,0	Approv
083.1	echworth	ial Occupancy	\$150,0	Approv
074023	echworth	bdivide into 2 lots		Approv
074024	rnawartha	lot subdivision		Withdraw
074030	echworth	Lot subdivision		Approv
074036	echworth	Lot subdivision		Approv
074045	hiltern	welling		Approv
074046	echworth	lot subdivision - retain o dwellings		Approv
074059	ackandand	oundary Re-alignment		Approv

074075	liput	cking shed and storage ed	\$240,0	Approv
074079	ton	rm Shed	\$53,4	Approv
074082	iltern	rm Shed	\$7,1	Approv
074084	ooragee	placement dwelling	\$168,0	Approv
074089	echworth	ral and Trade Supplies		Approv
074097	echworth	rport	\$4,3	Approv
102.1	anley	onstruct Dwelling/Dog eeding Business	\$160,0	Approv
DTAL			,212,0	

11.0 CIVIL OPERATIONS

11.1 SPRING ST - MULHOLLAND DRIVE, BEECHWORTH – SPECIAL CHARGE CONSTRUCTION, SCHEME 2007 (FILE NO: T480.08-02 - AOM)

For Decision

RECOMMENDATION

That Council:

- 1. Adopt the Spring Street and Mulholland Drive, Beechworth Street Construction Special Charge Scheme as presented.**
- 2. Advise contributing owners of the proposed scheme and details of the works and costs associated with the project.**
- 3. Co-ordinate a contributing owners meeting to address issues of concern.**
- 4. Formally notify contributing owners of the scheme and have a Committee of Council consider written and verbal submissions for a report and recommendation to Council on the future progress of the Spring Street and Mulholland Drive construction scheme.**

**Moved Cr Issell
Seconded Cr Hotson**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report recommends the commencement of statutory and consultative procedures in relation to the declaration of a Special Charge in accordance with Section 163 of the Local Government Act 1989, to construct a sealed road, kerb & channel, drainage and associated works fronting premises in Spring Street (generally between Smith Street and Malakoff Road) together with kerb & channel road widening and associated works in Mulholland Drive from Bridge road to Spring Street.

The construction of Spring Street and Mulholland Street with the cost (or part thereof) to be recovered from abutting property owners is now being considered for the third time. This is as a result of various reasons, but the main one being the directions given to Councils by the State Government as to the methodology of apportionment of the cost of the works to those contributing owners. This resulted in Council developing a new policy for consideration of schemes and the processes needed to be taken by Council and staff to implement a scheme.

BACKGROUND

Council will recall that it considered a report to its 6th February 2007 meeting that summarised the Stage 1 public consultation process undertaken by David Runnalls and the works recommended by that consultative committee, together with officer's comments. Council adopted the recommendation to prepare the scheme including the provision of kerb and channel.

Over the years Council has received a variety of representation from residents in the area to seal the road to reduce the dust problem in Spring Street, and complaints of scouring and drainage problems at the junction of the two streets and the Mulholland Drive table drains.

The works will enhance amenity and safety in both Spring Street and Mulholland Drive, widen the narrow seal previously provided in Mulholland Drive and reduce dust and drainage complaints raised by residents over the years. The scheme has been prepared on the basis that Spring Street will remain a no through road as recommended by the Resident committee, but each property to be apportioned will have access to the proposed works.

The scheme, as presented, has been apportioned on the basis:

1. That as the main spine drain serves other areas than those considered in the scheme, it has not been included in the cost to be apportioned but be fully funded by Council. Ancillary drainage as required for the proper drainage of the roads has been included in the scheme and apportioned to contributing owners.
2. The 30 metre abuttal with Mulholland Drive along the northern boundary of Spring Street where Council will contribute on a frontage basis.
3. There are 5 properties that front or abut Spring Street, but do not necessarily have a full frontage road past the full length of their property in this proposal. Because of the considered benefit of not having through traffic past their properties, they have been apportioned using their property full dimensional frontage.
The exceptions are the Motel, which has a rearage to Spring Street and it has been apportioned 50% of its rearage dimension, the other is 5 Malakoff Rd, which has a sideage to Spring Street and has been apportioned 1/3 of the property's sideage length.
4. Mulholland Drive – 4 properties have sideage to the section of Mulholland drive between Bridge Road and Spring Street. Normally the policy is to adopt 1/3rd of the sideage length as the Apportionable length. However in this instance the works are only for the installation of kerb and channel and part road width. A normal Apportionable rate is considered inappropriate. To compensate for this, the kerb works as a percentage of the full construction works were calculated, giving a percentage of 36.46%. In the apportionment formulae this was rounded down to 35% of the cost per Apportionable metre. Thus the sideage properties to Mulholland Street pay 35% of 1/3rd of the sideage length.

Sections 163 – 166 of the Local Government Act 1989, allow Council to declare a

Special Charge for any purpose where there is, or will be a special benefit to persons required to pay the special charge.

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

A special charge may be declared for the purpose of:

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

STATUTORY AND CONSULTATIVE PROCEDURES

Step 1 – Preparation of Scheme

Step 2 – Public Consultation

Step 3 – Council considers Proposed Scheme by Resolution

Step 4 – Public Notice

Step 5 – Review of Submissions

Step 6 – Council Review of Proposed Scheme

Step 7 - Special Charge – First Notice

Step 8 – Administrative Appeals Tribunal Review

Step 9 - County Court Appeal

Step 10 – Special Charge – Second Notice

Step 11 – Tenders for Works

Step 12 – Construction

Step 13 – Scheme Review on Completion.

Council is currently at Step 3 in accordance with actions taken to date.

CONSULTATION

Council will recall that it considered a report to its 6th February 2007 meeting that summarised the Stage 1 public consultation process undertaken by David Runnalls and the works recommended by the consultative committee, together with officer's comments. Council adopted the recommendation to prepare the scheme including the provision of kerb and channel.

It is proposed in line with details provided earlier in the report, and subject to Council's agreement, to notify benefiting owners by mail, call a contributors meeting to explain the scheme and answer contributors questions, then proceed along the formal lines of notification as required by the Local Government Act. On receipt of any formal submission as a response to the formal notification, convene a committee of Council to consider written and hear verbal submissions of contributing owners.

POLICY IMPLICATIONS

This scheme process conforms to Councils policies for consultation and apportionment for cost recovery schemes.

FINANCIAL & RESOURCE IMPLICATIONS

The estimated cost of the works is \$222,643, with \$99,996.50 (plus scheme costs of 17.5%) apportioned to contributing owners, being 50% of the estimated amount that could be recovered from contributing owners (Council contribution is \$122,646.50).

Council's contribution will need to be provided in a future budget if the scheme proceeds.

In accordance with the Local Government Act, it is recommended that Council proceeds with the construction of the Spring Street and Mulholland Drive, Street Construction Scheme, commence consultative and statutory procedures, and that the scheme be specified as follows:

1. The purpose of the Special Charge and how levied

- a) the purpose of the special charge is to defray the cost associated with the design, administration, supervision and construction of a bituminous sealed pavement with kerb & channel both sides in Spring Street and the construction of kerb and channel in Mulholland Drive, both with associated drainage and other works in accordance with the supporting plans, specification and apportionment.
- b) The charge will be levied and will remain in force for a period of five years from the date of the Council resolution and can be paid in either lump sum or twenty (20) quarterly instalments.

2. Cost to be borne by benefiting owners

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

1. safe all weather access for both motor vehicles and pedestrians
2. improved property amenity
3. reduced maintenance requirements

Cost to be borne by benefiting owners as detailed in the schedule, (\$99,996.50 plus scheme costs) is an amount based on an apportionment rate of \$280.70 plus 17.5% scheme costs per chargeable lineal metre of their abuttal.

3. Method of apportionment of benefit

The benefit has been apportioned on the basis of:

- a) Each property having equal opportunity to access the proposed road;

Each property being charged an apportionable amount of \$280.70 plus 17.5% scheme costs per lineal metre of chargeable frontage to the proposed scheme.

4. Total estimated cost and apportionment

The estimated cost of the project is \$222,634 plus on costs, consisting of earthworks, concrete works, drainage works, contingency amount and design, supervision contract and other administrative costs. A detailed estimate and apportionment is provided in the Scheme documents.

11.2 HORSESHOE QUARRY ROCK CRUSHING CONTRACT 2006 (FILE NO: Q06/01 - AOM)

For Decision

RECOMMENDATION

That Council approve additions to contract Q06/01, Horseshoe Quarry Rock Crushing Contract 2006, as reported, with the original contract value being \$182,000, plus approved additional works of \$161,550 for a current contract value of \$343,550.

**Moved Cr Dale
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

Council let a contract in December 2006 to TS Carson & Sons to blast, win, crush and stockpile 10,000 cubic metres of 25mm Crushed rock and 10,000 cubic metres of 40mm crushed rock for a contract value of \$182,000.

Due to sales and Council projects it has been necessary to extend the contract to crush an additional 15,000 cubic metres of 25mm crushed rock and 500 cubic metres of Rip Rap for drainage erosion control, to meet need and demand. This additional work has been carried out at the original tender rate. The additional works are valued at \$161,550.

POLICY IMPLICATIONS

As the works now being carried out exceed the original contacted volumes, Council needs to be informed and approve the extension of the contract for the additional works.

FINANCIAL & RESOURCE IMPLICATIONS

The cost of the additional work will be covered by private sales and Council approved projects. A surplus of approximately \$104,000 is currently predicted based on the sale and use of 35,000m³ of material.

**11.3 OPERATIONS DEPARTMENT – PROGRESS REPORT –
OCTOBER 2007 (AOM)**

For information

Project	Description of Works
GENERAL MAINTENANCE	
Road Maintenance & Parks and Gardens	<p>Maintenance crews have been busy undertaking edge and shoulder repair and cleaning drains.</p> <p>Parks and Gardens staff has been kept busy with mowing and weed control.</p> <p>Superintendent Clint McWilliam is developing a maintenance schedule of various work types to enable information of routine maintenance times to be communicated to our residents.</p> <p>Mulching of significant trees and gardens beds have commenced in an endeavour to retain moisture in the soil before summer commences. As earlier indicated to Council these works have not been budgeted as an individual project, but will be costed against Parks and gardens, and other maintenance activities. Council agreed that we should take every step possible to maintain trees and shrubs in our parks and garden areas.</p>
COUNCIL PROJECTS	
Cleaning Contract	<p>The contract to clean the Shire's offices and buildings has been awarded to Wayne Cleaning Systems, and will commence on 1 November, 2007. Wayne Cleaning Systems will take over work currently undertaken by D&K Cleaning who have had the contract for some years. Ali Pockley of the Assets and Operations Dept will be the point of contact for this.</p>
Restoring Community War Memorials	<p>Tangambalanga; Yackandandah; Rutherglen works are now ordered and progressing slowly.</p>
EXTERNAL PRIVATE WORKS	
Works- General Gundowring Road Dairy Road Funding	<p>Construction of improvements to Gundowring Road under the Dairy Road Funding Program. (\$375,000) Works, with the exception of a final bituminous seal are complete.</p>

Deep Creek Road Bridge	The bridge is now open to traffic. Approach safety guard rail is to be installed (by Council). Final payment has been made to the bridge contractor.
Murray to Mountains Rail Trail	Design plans have been completed. Subject to the agreement between Council and VicTrack being signed, works are programmed to commence mid November.
Annual Bituminous Resealing Contract	The 2008 works program has been developed and a joint tender with Alpine Shire has been called.
Buller Gas	Frank Burfitt retired as of Friday 5/10/07. Customer Advisory Meeting arranged for Thursday 18/10/07 at Mt Buller. Winter season up on last year.
Waste Management	Falls Creek Waste Summer season has commenced 1 st October. East Gippsland Waste Contract progressing well. <i>DrumMUSTER – held Tuesday 16/10/07</i>
Animal Control & Local Laws	Works (in hours and out of hours) The Enforcement Services Coordinator has been visiting businesses in Shire personally to explain the changes in the Trading Places document, and to inform owners that all items on the pavement are to be moved away from against building façades. We have completed the Beechworth, Yackandandah and Tangambalanga.
	The unit has introduced a safety system to ensure all lone workers return from after hours callouts. This is to ensure we adhere to Worksafe requirements. Upon receiving a job the on-call staff member will log the job and nominate a time to return home, if this time elapses we have a process to either make other contact with the staff member or start a search. The service has been provided at a minimal cost to Council.

<u>POOLS</u>	
Indigo	The Indigo Pools will open on the 24 th of November (a day earlier than last year) we have installed watering systems at the Yackandandah and Rutherglen pools, these monies were part of a grant. I do not expect that we will be able to use the systems this year but they will make for more pleasant pool surrounds during a better season. Filtration sand replacement at Tangambalanga pool is scheduled for late October. All Indigo Pools are on a water conservation plan as per Indigo Councils "Sustainable Water use Plan".
Summer	Wodonga Pool opened on the 1 st October. The season has started well with a few game early morning swimmers attending to swim in the 17 degree water. As per the Indigo Pools we are on a water conservation plan as per Council's "Sustainable Water use Plan".
Emergency Management	A Draft Flood Plan for the municipality has been forwarded to various organisations for their comment. The Municipal Emergency Management Planning Committee has recommended that this Plan should also be advertised for public comment which will commence during October. A report will then be circulated to Council around November.
<u>ENVIRONMENT</u>	
Community Water Grants – round 2	Appropriate community centres to be fitted with rainwater tanks still being investigated – Rutherglen Senior Citizens Centre, Osborne's Flat Hall and Chiltern Memorial Hall being closely looked at.
Community Water Grants – round 3	Still awaiting funding announcement on two project proposals submitted.
Greenhouse Action Plan	Discussions with ICLEI regarding hosting of Milestone 3 workshop, which will aim to determine actions to achieve emissions reduction targets. Tentatively set end of November date.
North East Greenhouse Alliance	Alternate Fuels <ul style="list-style-type: none"> ○ Draft report on alternate fuels and vehicle information finalised by student ○ Indigo placed order for purchase of o/head fuel tank for biodiesel trial – subsidy claimed from NEGHA

	<p>Kicking Goals for the Environment</p> <ul style="list-style-type: none"> ○ Water & energy audits have been carried out at each of participating clubs – new technologies being installed <p>Adaptation</p> <ul style="list-style-type: none"> ○ Phase 2 project brief being developed – involves working with Alpine Agribusiness Forum to deliver project within their network regarding adaptation and communication of impacts of climate change – proposal to be discussed at next meeting <p>Plant Savers</p> <ul style="list-style-type: none"> ○ Sustainable schools project – focus is on getting Semester 1 schools to apply for their \$2000 funding for retrofits and Semester 2 schools are getting started on their energy audits <p>Sustainable Lighting</p> <ul style="list-style-type: none"> ○ NEGHA representatives recently visited Melbourne to look at residential energy use reduction programs and new t5 streetlights that will soon be added to the load table <p>Membership</p> <ul style="list-style-type: none"> ○ Alliance structure & membership review tender awarded to Regional Development Corporation – workshop 19/10/07 regarding timelines, project plan & objectives
Chiltern Green Corp project	Team started on October 10 th . Team leader is Joanne Dugan, 11 participants successfully recruited. Service Provider (CVGT) yet to confirm date of project launch (dependent on availability of Federal member).
Work for the Dole Team	A new team has started & will continue with maintenance works at Lake Sambell.
Lake Sambell	<ul style="list-style-type: none"> ○ Committee's Deed of Delegation still under review – two points to be confirmed by Council ○ Rabbit burrow hunt activity carried out with adjacent residents & DPI – 6 burrows identified for fumigation ○ Onsite meeting held early October – maintenance works being undertaken by Council + spraying & fumigation to be undertaken by contractor
Indigenous Resource Area at Lake Sambell	Spraying & maintenance works to be carried out by contractor.
Isaac Park	<ul style="list-style-type: none"> ○ Weed spraying organised – to be carried out by contractors ○ Looking at improving sections of track with

	○ small amount funds from LWIP	○
--	--------------------------------	---

Regional Stormwater Education Officer	<ul style="list-style-type: none"> ○ Council not allocated funding for this position this financial year so will not have access to this resource – position has taken on wider role of “Regional Environmental Education Officer”
Community woodlot program	May have access to Landmates gang from Beechworth Correctional Centre to remove further timber from Chiltern roadsides later in the season
Roadside Management Plan	<ul style="list-style-type: none"> ○ “Roadside Partnership Project” well underway – 23 landholders participating in first stage. Ecologist to undertake one site visit to each over next two months ○ Funding available for roadside weed spraying from DPI – submitted list of roads & priority weeds
Roadside weed initiative	<ul style="list-style-type: none"> ○ Chemical allocated to 20 participants
Eco-Awareness Group	<ul style="list-style-type: none"> ○ Eco-buy report due October ○ Next meeting should occur early November
Community awareness	Whole natural resource section of website updated.
Upper Sandy Creek School revegetation project	<ul style="list-style-type: none"> ○ Follow up spraying of site needed
Sustainable water use plan	<ul style="list-style-type: none"> ○ Priority actions identified in plan are the basis of a Community Water Grants proposal; ○ Water consumption data for 2006-07 to be collected and analysed
Code of Forest Practice	Code of Forest Practice Officer to attend “Review of Planning Scheme Requirements for Plantation Developments” and provide input.

12.0 ASSETS AND INFRASTRUCTURE

12.1 PROGRESSION OF EASEMENT OVER COUNCIL PROPERTY, HIGH STREET, YACKANDANDAH (FILE NO: S290-063 - AM)

For Decision

RECOMMENDATION

That Council:

- 1. Approve of the creation of easement over Council property being Lot 2, on LP 208084Y High Street, Yackandandah and;**
- 2. Sign and seal creation of easement documentation.**

**Moved Cr Dale
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

BACKGROUND

See attached plan. The easement over Council property is required for sewerage and telecommunications access to a property immediately to the north of Council property. The Council property is currently used for livestock holding purposes. It is considered that the easement will have no detriment to the Council property.

EXTENDING POLICY IMPLICATIONS

Council approval is required to endorse the easement documents with Council's seal.

Attachments

12.2 TRANSFER OF ROAD SPLAY, SOLE AND READY STREETS, RUTHERGLEN (FILE NO: S230-056 - AM)

For Decision

RECOMMENDATION

That Council sign and seal formal land transfer documentation for the transfer of a road splay on the corner of Sole and Ready Streets, Rutherglen to Council.

**Moved Cr Walsh
Seconded Cr Issell**

That the Recommendation be adopted.

CARRIED

BACKGROUND

The Department of Treasury and Finance is currently cleaning up old records and transferring a number of sub-divisional road splays to the appropriate councils. One such road splay is at the corner of Sole and Ready Streets, Rutherglen, the area of land to be transferred will be a 3m x 3m splay.

POLICY IMPLICATIONS

The transfer will formally place the ownership of this small splay with Council as part of their road network.

FINANCIAL IMPLICATIONS

There is no cost to Council for this transfer.

12.3 YACKANDANDAH MUSEUM REBUILDING (FILE NO: – Q07/08 - AM)

For Decision

RECOMMENDATION

That Council endorse the Assets Manager's actions in recalling tenders for contract number Q07/08 Yackandandah Museum Rebuilding.

**Moved Cr Hotson
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

Tenders were called for the reconstruction of the Yackandandah Museum, which suffered severe fire damage. Two tenders were received, however it is the recommendation of the tender assessment panel that neither tender be accepted at this time due to concerns about completing the works to the required standard within the available budget.

BACKGROUND

The Yackandandah Museum suffered severe fire damage as a consequence of the destruction of an adjoining building in December 2006. Council's insurers have assessed the damage and authorised expenditure on building works to the value of \$296,000. Council and the Committee of Management have prepared a specification for works and called for tenders. Some fourteen sets of tender documents were distributed, however at the time of closing, only two tenders were submitted.

Tenders were received from:

1. Palhares Constructions
2. Barton Street Developments P/L

The tender assessment panel recommendation is attached.

In summary, the Tender Assessment Panel was looking for a tender within the available budget and with the tenderer able to demonstrate the necessary specialist skills and knowledge to undertake heritage restoration works.

CONSULTATION

Discussions with representatives of the Yackandandah Museum Committee of Management have confirmed its support for the recommended action.

POLICY IMPLICATIONS

The recalling of tenders will be undertaken in accordance with Council policy. All tenders that were previously submitted would be further considered with the final tender assessment.

FINANCIAL AND RESOURCE IMPLICATIONS

When the insurance company determined the pay-out value on the building works, it obtained two quotations from suitably qualified builders. It is the view of the Tender Assessment Panel that if it recalls tenders, then there is an opportunity to obtain a suitably qualified builder and to obtain a tender within the available funding.

12.4 RUTHERGLEN HEAVY VEHICLE DEVIATION ROUTE (FILE NO: T360.1-02 - AM)

RECOMMENDATION

That Council:

1. Form a Community Reference Group (CRG) to further consider alternatives for the Rutherglen Heavy Vehicle Deviation Route project.
2. Appoints Mr Tony Plowman as an independent chair of the CRG.
3. Refer the completed Focus Group report and public submissions on that report to the CRG for consideration and review.
4. Acknowledge the work undertaken by community members to date on this project, including members of the Focus Group.

**Moved Cr Murdoch
Seconded Cr Issell**

That Council:

- 1. Form a Community Reference Group (CRG) to further consider alternatives for the Rutherglen Heavy Vehicle Deviation Route project.**
- 2. Appoints Mr Tony Plowman as an independent chair of the CRG.**
- 3. Refer the completed Focus Group report and public submissions on that report to the CRG for consideration and review.**
- 4. Acknowledge the work undertaken by community members to date on this project, including members of the Focus Group.**
- 5. Acknowledge that this is a two stage process as per the draft Charter.**

CARRIED

Note: Cr Banks voted in the negative

**Moved Cr Murdoch
Seconded Cr Issell**

That Councillors Dale and Hotson be appointed as Council's representatives on the Community Reference Group.

CARRIED

SUMMARY

The Council-appointed Rutherglen Heavy Vehicle Bypass Focus Group presented its report to Council in July 2007. The report has been on public display since that period and a considerable number of submissions and comments have been received. This report outlines the submissions and further actions to progress this project.

BACKGROUND

The Rutherglen Heavy Vehicle Bypass Focus Group first met in December 2006 and there was a series of four meetings to investigate the alternatives for deviating heavy vehicles away from Main Street, Rutherglen. The Focus Group brought to the table a range of views on this issue; however, it did not directly canvass or engage in a community consultation process. This process was sanctioned by Council. Council subsequently received the Focus Group report at its July 2007 meeting, and the report has been on public display since that time. The report has created considerable community discussion on this issue.

A summary of submissions and comments received up to the 18 October 2007 is attached. All written submissions received to date are attached in the confidential section, as privacy issues are involved.

In summary, there have not been any submissions that do not support taking positive action to improve safety in Main Street, Rutherglen by providing an alternative heavy vehicle route. A significant number of submissions strongly support taking the heavy vehicle deviation well out of the township growth area. A number of submissions are critical of the process undertaken by Council to date, and are particularly critical of one of the three routes shortlisted by the focus group. Many of the submissions received have provided positive suggestions on alternatives for heavy vehicular traffic, and also on future processes to find a solution to this problem that will meet community needs as well as the necessary technical requirements.

It is clear that to progress this project, there is a need for greater technical resource than that which was available to the focus group. To this end, Council officers have been working with VicRoads regional officers to apply for funding in the 2008/09 financial year to undertake the necessary detailed assessment of potential heavy vehicle deviation routes. The funding application has been well canvassed with senior VicRoads officers who have indicated support for the project, however the project will be assessed on a state-wide basis along with many other projects. Consequently, funding in the 2008/09 financial year cannot be guaranteed. Council officers are also holding discussions with the City of Wodonga to provide an updated traffic impact assessment report on the LOGIC freight centre that will provide some base data for the Rutherglen study.

In order to progress this project, the following steps need to be taken:

1. Form a community reference group to undertake duties as outlined in the attached draft charter. The CRG would firstly consider the draft charter and advise Council on any required modifications. It is envisaged that the CRG would see the project through to the completion of the necessary detailed route assessment.
2. Appoint an Independent Chair to the CRG. The Independent Chair will also oversee the final drafting of the CRG charter and the formation of the CRG.
3. Provide support to the CRG to review the completed Focus Group report and public submissions, and to further investigate possible alternative routes. The CRG will have limited technical support until such time as funding is available for the detailed route assessment and consequently they will be unable to arrive at definitive conclusions on viable routes.
4. Provide funding in Council's 2008/09 budget for Council's contribution to the necessary detailed study.
5. In conjunction with the CRG, continue to facilitate public discussion, debate and submissions on this issue to ensure that when the detailed assessment is completed a thorough understanding of community issues has been taken in to consideration.
6. Continue discussions with political representatives to ensure that when a suitable route is selected, there is political support to progress the necessary funding requirements for the project.

COMMUNITY CONSULTATION

Community consultation will be on-going until such time as the selected viable route is constructed.

POLICY IMPLICATIONS

The selection of an alternative heavy vehicle route for Rutherglen is a project listed in Council's current Council Plan. Since the completion of the Focus Group report, there have been two development applications lodged along routes shortlisted by that group. This highlights the need to progress this project and ensure that the selected deviation route is protected within the planning scheme to ensure that when funding becomes available, the route is viable.

FINANCIAL AND RESOURCE IMPLICATIONS

The major initial cost to Council will be the financing of the detailed study that is estimated to be in the region of \$50,000. There will be costs associated with undertaking the CRG work up until 30th July 2008. These costs will be allocated from existing Council budgets. The cost of construction of the selected deviation route is unknown but clearly will be in the many millions.

Attachments

13.0 HEALTH AND WELLBEING

13.1 INSTRUMENT OF DELEGATION – ART AND CULTURAL ADVISORY COMMITTEE (FILE NO: C967.3 - HWBM)

For Decision

RECOMMENDATION

That the revised Instrument of Delegation for the Art and Cultural Advisory Committee be adopted.

**Moved Cr Dale
Seconded Cr Banks**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report requests that Council adopt the revised Instrument of Delegation for the Arts and Cultural Advisory Committee.

BACKGROUND

The Arts and Cultural Advisory Committee is a s86 committee appointed by Council to provide advice to Council on matters pertaining to arts and culture within the Indigo Shire. Membership of the Committee is governed by the Instrument of Delegation with appointments made annually at Council's Statutory meeting.

The Committee has been discussing changes to its Instrument of Delegation at meetings over the last twelve months. These discussions have resulted in a number of changes being recommended. Council, at its Briefing Meetings on 3 July and 25 September 2007, considered the following recommended changes:

1. That the name of the Committee be changed to Indigo Shire Arts Advisory Committee.
2. That the composition of the Committee be changed from 9 members to 12 members.
3. That a member can resign from the Committee by written notice to the Committee or, on non attendance for three meetings without an apology the appointment of the member will lapse.
4. That members be appointed for a two year period with the term of office expiring on the day of the Council's statutory meeting each year. Six (6) members of the Committee will initially be appointed for 12 months and 6 members for 2 years and thereafter appointments will be for a two year term, with a maximum of 2 consecutive terms.
5. That meetings of the Committee be held at a time and place determined by the

Committee, with a minimum of 4 meetings per year.

ISSUES

In considering the above Council determined:

1. That the name of the Committee not be changed
2. That the composition of the Committee be changed from 9 members to 12 members
3. Not to support the lapsing of membership through non attendance. Members are however still able to resign by providing written notice
4. That members be appointed at Council's Statutory Meeting each year and the term be for one year.
5. That meetings of the Committee be held at a time and place determined by the Committee, with a minimum of 4 meetings per year

A revised Instrument of Delegation reflecting these decisions is attached.

POLICY IMPLICATIONS

The work of the existing Arts and Culture Advisory Committee is consistent with Council's Strategic objective to "enhance cultural awareness and participation in Arts activities."

CONSULTATION

The Committee has been discussing this matter internally for the last twelve months.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the revision of the Instrument of Delegation.

Attachment

13.2 SPORT AND RECREATION VICTORIA'S 2008/2009 COMMUNITY FACILITY FUNDING PROGRAM (CFFP) (FILE NO: C901.13 - RCDC)

For Decision

RECOMMENDATION

That Council submits the following applications to the Department of Planning and Community Development for consideration under the 2008/2009 Community Facilities Funding Program.

- | | |
|--|------------------------------------|
| 1. Corowa Rutherglen Motor Sport Inc. | \$27,200.00 grant requested |
| 2. Indigo Shire Council | \$57,000.00 grant requested |

3. Rutherglen Tennis Club Inc.

\$31,800.00 grant requested

**Moved Cr Murdoch
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report is to inform Council of the process undertaken for the consideration and submission of applications for the above funding program, and to recommend the applications to be forwarded to the Department of Planning and Community Development (DPCD).

BACKGROUND

The Indigo Shire Community Advisory Committee (ISCAC) was delegated by Council in 1997 to consider all applications submitted for these grants.

An advertisement calling for applications was publicised in all newspapers within the Indigo Shire and information was also sent directly to all community organisations and clubs. These applications closed to Council on 5 October 2007.

Council received six (6) applications for the 2008/2009 CFFP which were considered at the ISCAC meeting on 9 October 2007.

Council is permitted to lodge three applications for the minor facilities category with the following scope:

- Funding ratio for Indigo **SRV \$2 : \$1 Local**
- Maximum of two applications that seek up to \$60,000 each towards a total project cost of \$200,000 or less
- If applying for three projects, Council must submit at least one application for a project with a total project cost of \$60,000 or less

CONSULTATION

Information was sent to all community groups and clubs informing them of the process for this year's CFFP. All potential applicants were advised to contact Council to discuss their proposal prior to making any submission.

As recommended by ISCAC, consultation and advice was also undertaken with representatives from the Wangaratta office of DPCD to assist in the determination of the three most appropriate projects under the Program.

Follow up will occur with all applicants regarding further information or planning necessary for the lodgement of these applications to DPCD or any future applications.

DISCUSSION/ISSUES

Applications were submitted by:

No	Applicant	Project	Total Project Cost	Club Contribution	Council Contribution	Grant Requested
1	Edingo Shiraz Council	to construct concrete skate park at Chiltern	85,500	\$12,000	\$16,500	57,000
2	Arnawartha Tennis Club	to reconstruct tennis and netball courts into one multi-use area	102,300	\$26,300	\$16,000	60,000
3	Chiltern Bowls Club	complete renovation of kitchen area	51,450	\$12,853	\$4,300	34,305
4	Brookrowa Atherglen Motor Sports Club	to build a concrete barrier around the existing Wahgunyah Speedway Track to provide a safe environment for drivers and spectators	40,800	\$12,900	\$700	27,200
5	Wahgunyah Motor Sports Club	construction of equipment shed and shade area	30,000	\$10,000	\$0	20,000
6	Atherglen Tennis Club	to install lighting on the existing four tennis courts	47,800	\$15,936	\$0	31,872
			57,800	\$89,989	\$37,500	230,378

All proposed projects meet the eligibility criteria with the exception of the Chiltern Bowls Club proposal. The guidelines to the CFFP indicate that kitchen upgrades will not be funded under this Program in 2008/2009. Feedback from DPCD has indicated that the

Kergunyah Pony Club proposal, although technically meeting the guidelines, would receive a low priority under the Program.

The other four applications were high quality submissions for very good projects which would have benefits to the broader community. However, in determining the final three applications to be submitted to CFFP, the following comments, feedback from DPCD and discussion points were taken into consideration:

Indigo Shire Council – Chiltern Skate Park project

- Council has allocated funding in its 2008/2009 Capital Works budget for this project.
- There is very strong support from the broader Chiltern community for the project.
- Skate park projects have been very successful in providing recreational opportunities for young people.
- The Chiltern Youth for Youth Skate Park committee have been meeting and consulting with the community for over 18 months and have raised significant funds to contribute to the project.
- Skate parks and youth related projects are specifically listed as a strong priority under the Program's guidelines.

Corowa Rutherglen Motor Sport Inc project

- This project was one of the final three applications submitted by Council under last year's Program. Although it was unsuccessful last year, feedback from DPCD indicated that the proposal was very good but would benefit from a Master Plan being prepared for the facility. This Master Plan has now been completed.
- The majority of applications to CFFP are for 'main stream' sports. Motor racing has a lower profile in the community than other sports and may 'stand out' from the other applications.
- The project addresses some major safety concerns for users and spectators.
- The project will result in the club having greater potential to attract higher quality events and raise the profile of the sport in Indigo Shire.

Barnawartha Tennis Club project

- The project addresses some major safety issues with the quality of the netball and tennis courts.
- The project will create a multi-use playing surface which will increase the number of tennis and netball courts available to the community.
- The project does not fit in with the Master Plan for the Barnawartha Recreation Reserve which was completed in 2005. This Master Plan recommended that the netball and tennis facilities be relocated in conjunction with the proposed new pavilion on the western side of the main oval.
- There does not appear to be complete agreement within the Barnawartha community with all the recommendations from the Master Plan.

Rutherglen Tennis Club project

- The project was submitted to Council last year under the CFFP, however did not make the final three applications due to lack of financial information. This has now been addressed with a very good and complete application.
- The current tennis courts are safe for play and are well used. However, the project will enable the introduction of night tennis for the Rutherglen district, which has proved to be very popular in most other areas.

- The project will increase participation in tennis and allow the club to grow.

Taking into consideration the above discussion, ISCAC considered it appropriate to recommend the Corowa Rutherglen Motor Sports, the Rutherglen Tennis Club and the Indigo Shire Council projects for submission to the 2008/2009 CFFP.

POLICY IMPLICATIONS

This process is in line with the process adopted by Council and ISCAC in previous years and within the delegated authority to ISCAC. It also reflects Council's strategic objective to "the provision of a range of services to meet the needs of the community".

FINANCIAL & RESOURCE IMPLICATIONS

Council's policy requires that the community group contributes at least 50% of the local component of any grant application. Both the Rutherglen Tennis Club and Corowa Rutherglen Motor Sport meet this requirement. The third project is a Council Project but the Chiltern community have raised significant funds towards the project.

This project is currently in Council's 2008/2009 capital works list for consideration. An amount of \$15,000 is currently included. It should be noted that an additional \$1,500 has been allocated to the project in the funding submission for project management.

Council will also have a role in the administration and project management of any other successful projects in the Indigo Shire. This will be reflected in the final funding submissions to DPCD.

13.3 HEALTH & WELL BEING PROJECTS – PROGRESS REPORT – October 2007

PROJECT

ACTION/ PROGRESS

Youth Consultation Forum	As part of the Community Cabinet visit the Minister for Sport and Recreation, who also has responsibility for Youth Affairs, has requested that a Youth Consultation Forum with approximately 20 young people be conducted. Council Officers are currently working on this to ensure that issues of importance to young people are raised. This Forum is scheduled for Wednesday 14 November at 8:45am. Council's I86 Advisory Committee will be fully involved in this opportunity.
Senior Citizens Festival	The 2007 Senior Citizens' Festival Official Luncheon was held on Wednesday 10 October at the Tangambalanga Community Centre and attended and enjoyed by approximately 150 senior residents from across the Shire. Entertainment was provided by the Beechworth Theatre Company, presenting their play "The Dancers", and by Lazy Harry. Following these a "Fashion Parade Through the Ages" was conducted with the garments provided by Marg Wilson from Bright who gave a

	<p>brief history of each garment. The garments were modelled by the students from Tallangatta Secondary College. The Kiewa Sandy Creek Netball Club did an excellent job of catering for this event with a delicious 2 course meal.</p> <p>A range of activities were conducted across the Shire during the week.</p>
Committee of Management Forum	<p>A forum for the committees of management and community organisations was conducted on Wednesday 17 October 2007. Approximately 45 people attended. The Forum covered issues such as insurance, risk management, maintenance responsibilities and funding for capital improvements. Representatives from Council's insurers (Jardine Lloyd Thompson and Civic Mutual Plus) were in attendance together with a representative from the Department of Planning and Community Development.</p> <p>It is anticipated that similar forums will be conducted on an annual basis.</p>
Climate Change and Human Health Conference 2007	<p>The Health & Well Being Manager and one of Council's Environmental Health Officers attended this conference on 16 and 17 October 2007. Approximately 200 delegates attended. Several expert speakers including Dr Diarmid Campbell-Lendrum from the World Health Organisation, Professor Tony McMichael from the IPCC and Kevin Hennessy from the CSIRO presented thought provoking papers. This was a valuable conference and provided an excellent opportunity to learn more about the potential impacts of climate change. A further report will be prepared for Councillors.</p>

13.4 BEECHWORTH AFTER SCHOOL CARE PROGRAM – PROGRESS REPORT (FILE NO: C707-12 HWBM)

For Information

SUMMARY

At its meeting in January 2007 Council requested that a further report be prepared in October 2007 summarising the progress of the Beechworth After School Care Program (BASCP). Council was particularly interested in attendance figures and whether the Program could continue operating at no expense to Council.

BACKGROUND

As part of the 2006/2007 budget process Council made a decision to discontinue the Beechworth After School Care Program (BASCP) at the end of the 2006 school year. The decision was based on the very limited success Council had in increasing the participation rates (and therefore reducing the net cost) of the Program over a number of years.

Following community feedback on the decision and a subsequent report to Council in December 2006, Council resolved following:

1. *That a survey/booking form be distributed to families within the catchment area of the Beechworth After School Program to elicit the level of real commitment to using the Beechworth After School Program in 2007.*
2. *That a further report be presented at a Briefing meeting on 16 January 2007 outlining the results of the survey and advising of the future viability of the program based on the evidence collected.*
3. *That a Beechworth After School Care Advisory Committee be formed to assist Council in further supporting and analysing this program.*
4. *That if Council has an indication of an average booking of six children per session then Council will proceed with the program for 2007, but with a further review by October 2007 as to further continuance of the program beyond 2007.*

DISCUSSION

To assist with the promotion and development of the Program, Council facilitated the formation of the Beechworth After School Care Advisory Committee, which had its first meeting in January 2007. The Committee is primarily made up of the parents of children using the Program. The main aims of the Committee are to:

- Assist in the finalisation of the accreditation of the Program
- Promote the Program through schools and other outlets
- Investigate the activities to be made available to the users
- Provide advice to Council on improving the Program and the service it provides to the community

The Committee has been meeting on a monthly basis and although attendance at meetings has reduced throughout the year, a core of about 5 members attend and have made valuable contributions to resolving any issues with the Program. Good progress has been made on the accreditation process with a validation visit occurring in September.

Attendances at the Program have substantially increased from 2006. The average daily attendance in 2006 was about 5.0. The first three terms of 2007 have seen average daily attendances of 7.8, 8.9 and 7.2 respectively, or an average of 8.0 for the 2007 year to date. These figures are above the estimated 7.5 needed for the Program to 'break even'. It should be noted however that in 6 of the ten weeks of third term attendances averaged less than the 7.5 children per day, with averages less than 6 children per day on two occasions. Average attendance in the first week of the current term was 6.4 children per day and 5.4 for the second week. Actual daily attendance numbers range from a high of 15 (twice) to a low of 0. For third term the average attendance on Mondays was 5.6, Tuesdays 12, Wednesdays 5.8, Thursdays 8.8 and Fridays 4.3. It would appear therefore that it is imperative to retain higher participation rates on Tuesdays and Thursdays to ensure sustainability. If the numbers on these days reduce significantly then it is possible that the program will not be viable on an ongoing basis.

A second staff member has been employed on those occasions where the number of children booked in is 10 or more

Currently the YTD budget is tracking well. This is in part, however, due to the grant payment (\$2246) in advance and the non receipt, to date, of a rental invoice from the school (\$1000)

Outstanding debts for the Program, as at 19 October, are \$2433. The breakdown for these debts is as follows:

30 days or less	\$492
31 to 60 days	\$797
61 days or more	\$1144

Accounts are sent out on a monthly basis. The largest single debt is \$523 which is being pursued through Council's debt collection processes. If the debt cannot be realised, the Program will be required to absorb the cost of the bad debt. The current fee is \$12 per session.

POLICY IMPLICATIONS

This report is consistent with Council's resolution regarding the After School Program and is in keeping with the corporate objective of facilitating the provision of a range of services to meet the needs of the community.

FINANCIAL IMPLICATIONS

The level of outstanding fees is of concern, particularly as a significant proportion has been outstanding for two months or more. New measures to be considered may include exclusion of children if fees are not paid within seven days of receipt of the invoice.

Whilst this program is currently tracking within acceptable limits there are clearly some concerns regarding its continued viability. Any significant decreases in attendances and/or the inability to recover unpaid fees are both critical factors in the ongoing viability of the program.

14.0 CORPORATE AND VISITOR SERVICES

14.1 CORPORATE SERVICES PROJECTS – PROGRESS REPORT – OCTOBER 2007 (GMCVS)

Project

Actions

Enterprise Agreement	On 2 October, following a telephone conversation with the ASU Organiser on the previous day, Council improved its wage offer over the three year duration of the new Enterprise Agreement from 10% to 11%, the first increase to be effective from the date upon which this offer was accepted.
-----------------------------	---

	<p>On 9 October the ASU Organiser held a meeting with the Union's members during the course of which Council was advised that, while the membership was prepared to accept the wage offer, it wanted the initial increase to be backdated to 1 July 2007 and for Long Service Leave to be available to staff after 7 years' service, on a <i>pro rata</i> basis, rather than after 10 years as currently applies.</p> <p>Council responded by saying that, while it was prepared, reluctantly, to backdate the increase to 1 July, it was not prepared to change the existing Long Service Leave provisions until the Local Government (Long Service Leave) Regulations were amended. This compromise was accepted and Council agreed to implement the provisions of the new Agreement, save for the enhanced wage rates, with immediate effect. At the same time, the ASU agreed to call off the ballot that it had organised, seeking a mandate for industrial action.</p> <p>The Agreement was submitted to the Workplace Authority for an initial 'prohibited content check' on 20 August. When the outcomes of that check are known, the Agreement will almost certainly have to be lodged a second time with the new wage rates and whatever other changes the Authority has requested being included. Once this process is satisfactorily completed, the Agreement will need to be signed on behalf of the various parties and will then be the subject of a secret ballot of all staff. Assuming the outcome of the ballot is a favourable one, Council will have ten days in which to lodge the Agreement, at which point it becomes effective.</p>
<p>Local Government Elections 2008</p>	<p>The Victorian Electoral Commission (VEC) has advised that it has begun preparations for the conduct of Local Government Elections in 2008. The concurrent conduct of 79 Council elections for the first time in 2008 will present challenges for the VEC and Council. The VEC has considered the implications of conducting 79 concurrent elections and has developed a draft plan including critical dates.</p> <p>An information session for Council staff will be held in Benalla on 30 October 2007 which I will attend.</p>

14.2 TOURISM & MARKETING - PROGRESS REPORT – OCTOBER 2007 (TMM)

Project Actions

<p>Burke Museum</p>	<p>The updated Burke Museum strategic plan is now being implemented. At present, changes include reorganisation of the Museum's physical layout to improve working spaces and to highlight merchandise for sale. There has also been a review of accounting and ordering procedures, staff rostering and a review of staff position descriptions. Also underway is a focus on increasing tour bookings, recruiting more volunteers, development of a</p>
----------------------------	--

	marketing plan and planning for reaccreditation.
Herald Sun Tour	<p>The Tour had a stage finish and start in Beechworth on October 17 and 18. Approximately 800 people (including 300 school children) attended the Stage Finish celebrations with activities including a community ice sculpture of a cyclist, free bike engraving service, Beechworth Health Service sausage sizzle, children's games and a cycle display at the Burke Museum. There was also a Rail Trail Challenge with local up and coming cyclist Matt Clark.</p> <p>Indigo Shire also had a presence at the Melbourne Cycling Festival in Melbourne on the weekend of October 20-21. Our stand promoted the Shire generally, and highlighted our cycling assets. Together with Alpine and Wangaratta Shires we conducted a competition to collect names for a cycling tourism database for future promotions. Several cycling holiday packages to be booked through the Beechworth Visitor Information Centre were also promoted.</p>
Cycling Tourism Officer	Clayton Neil commenced as the Cycle Tourism Officer for Indigo, Alpine and Wangaratta shires on October 15. His first week included attending the Cycling Tourism Conference in Sydney and Melbourne Cycling Festival. Clayton will be meeting with key cycling contacts throughout Indigo Shire over the coming weeks to feed into the development of a strategic plan.
Snowy Valleys Way	Snowy Valleys Way gave a presentation to Council on 21 August. Council heard the financial commitment expected from Indigo Shire this financial year is \$15,000 to support the ongoing marketing program. There is currently an allowance of \$2,000 in Council's budget for 07/08 for this activity. The Snowy Valleys Way Committee will meet in November to finalise the second stage of the project and firmly set financial requirements.
Conference marketing group	A group has been formed to increase marketing of the High Country's MICE product (meetings, incentives, conferences and exhibits). Led by North East Victoria Tourism a committee including Indigo Shire's tourism department and La Trobe at Beechworth will be involved in taking this forward. Initiatives include a website highlighting the conference facilities available in the High Country.
Chiltern website	Work is progressing on the new Chiltern town website. The Chiltern Tourism Association, Indigo Shire tourism

	<p>department and web designer wwwart meeting recently to decide on the structure. The tourism department and Chiltern Tourism Association are now finalising the content.</p>
--	--

15.0 FINANCE

15.1 INSTRUMENT OF DELEGATION AND CHARTER - INDIGO SHIRE AUDIT COMMITTEE (FILE NO: M034-01 – CFO)

RECOMMENDATION

That the revised Instrument of Delegation and Charter for the Indigo Shire Council Audit Committee be adopted and that Council seek an additional independent community member for the Committee.

**Moved Cr Banks
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

Note: Cr Issell voted in the negative

SUMMARY

This report details a number of amendments to the instrument of delegation and charter of the Audit Committee recognising that the Committee is an advisory committee of Council under s139 of the Local Government Act and not a Special Committee of Management under s86, as currently contained in the schedule of delegation previously adopted by Council on 13 December 2005.

ISSUES

The Audit Committee is an advisory committee of Council under the Local Government Act and not a s86 special committee as currently contained in the delegation.

Therefore, a number of conditions imposed under s86 including the requirement that meetings are open to the public do not apply to an audit committee established under s139 of the Local Government Act.

Because the audit committee is currently open to the public it has been increasingly difficult to discuss items considered confidential that deal with internal processes, staffing matters, and other confidential reports not normally discussed in the public domain. It has meant that members of the public have had to be removed from the meetings in order to discuss the business and matters appropriate to an audit committee which is inconvenient to the public and the Committee.

The majority, if not all, audit committee meetings of other Councils and government authorities are closed to the public for the very reason discussed above. I believe this inclusion was an oversight previously as it was thought that the committee was constituted under s86.

The requirement for meetings to be open to the public has therefore been removed and a new clause inserted so that meetings are no longer open to the public.

Other changes include the increase from 2 to 3 community members due to the unavailability at times for all members to be present. The current membership of 5 (2 Councillors and 2 community members, and one advisor has proven difficult due to unavailability of members at various times.) Our most recent meeting was rescheduled due to unavailability of 3 members which meant that the majority of members were not present and a quorum was not met. Further, the requirement for all independent members of the Committee to sign a confidentiality agreement has been added as the Committee members are not subject to confidentiality clauses under s 77 of the Local Government Act 1989 which relate to special s86 committees.

A further change is the requirement for the minutes of the committee to be signed by the Chairperson prior to presentation to Council as a true and accurate record. As the Committee currently meets 3 times a year, it is impracticable not to present the minutes to the next available Council meeting after the Committee next meets which can be several months. Because the minutes are presented at the next available Council meeting, effectively not approved by the Committee, it has been recommended that the Chair sign the minutes prior to presentation to Council.

A further change has been the addition of a sitting fee of \$150 per meeting for community members and the re-imbusement of out of pocket expenses.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil, the expense re-imbusement and sitting fee will fit within the available budget.

Attachment

15.2 EXTERNAL AUDIT MANAGEMENT LETTER 2006/07 **(FILE NO: M030-07 – CFO)**

For Information

BACKGROUND

At the end of each financial year the external auditors prepare a management letter on

issues or recommendations for improvements in internal controls arising from the financial audit. The points are ranked high, medium and low in terms of financial risk to the Council. The external auditor has raised 6 points, 3 given a low risk rating, 3 given a medium risk rating. Management comments are also supplied which detail any action that may be required, if any, based on the recommendations.

ISSUES

The Council is responsible for a number of disused landfill sites including the Chiltern and Beechworth sites as well as the Rutherglen transfer station. Council officers have recognised that rehabilitation of these sites will be required in the future. Council has been setting aside reserve funds of approximately \$50,000 a year for the last 3 years in order to provide a fund that will assist with the rehabilitation. Council will recall that it completed the rehabilitation of the Yackandandah site last financial year at an approximate cost of \$235,000. Council was fortunate to attract grant funding for this project, however it is highly unlikely that grant funds will be available in the future for these projects. Council was legally required by EPA to rehabilitate this site.

An amount for rehabilitation was not recognised in Council's 2006/07 accounts for the reason that we are unable to reliably estimate the amount that may be required and that Council currently has no legal obligation to remediate these sites. However, the accounting standards state that a constructive obligation may exist despite the absence of a legal obligation which requires a liability and corresponding expense to be recognised in Council's accounts.

Council's Waste Officer will shortly be preparing a detailed costing estimate for the rehabilitation of all 3 sites as part of a 10 year plan. It is envisaged that Council will have a better indication of the future costs that will be required for these sites prior to 30 June 2008 and the likely timing of future remediation. This will mean that a liability would remain in Council's books until the remediation works are completed. It should also be pointed out that a number of council's throughout Victoria have been subject to the same issues, however these have primarily related to rehabilitation of existing landfills.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is likely that Council may have to raise a liability and expense in its 30 June 2008 accounts for the rehabilitation of the Beechworth and Chiltern sites despite no legal obligation to remediate these sites.

Attachment

15.3 AUDIT COMMITTEE MINUTES – 26 SEPTEMBER 2007
(FILE NO: M034 – CFO)

For Information

Attached for information of Council are the Minutes of the Audit Committee meeting of 26 September 2007.

Attachment

15.4 LOCAL AUTHORITIES SUPERANNUATION FUND –
DEFINED BENEFIT PLAN STATUS REPORT 30 JUNE 2007
(FILE NO: M820-03 – CFO)

For Information

BACKGROUND

Every 3 years an actuarial review is carried out on the LASF Defined Benefit Plan to assess whether the assets of the fund are sufficient to meet the current and future liabilities of the fund or the estimated future payments to its members.

The 30 June 2007 is the halfway mark between the last actuarial review conducted in December 2005 and the next review that will be conducted in December 2008.

In the case of a shortfall each Council in Victoria is required to contribute cash or top up the fund in accordance with the number of its members. The fund ceased in 1993, however as at 30 June the fund comprised of some 12,964 members of whom 6,979 were still active and the remainder on being paid in the form of pensions.

Council may recall that the last shortfall in 2003/04 saw Council borrow \$448,000 to pay out its share of the cash shortfall. These borrowings are outside the control of council as the performance of the fund is largely determined by market conditions such as investment performance, salary growth, inflation and claims experience. Council also borrowed \$845,000 in the 1999/2000 year after another shortfall. This loan will be repaid in the 2008/09 year.

The next actuarial review will be performed in December 2008.

ISSUES

Nil currently as the fund is in a sound financial position. However the performance to December 2008 will be contingent upon factors outside the control of the fund.

Actual investment performance of the fund is currently 11.35% p.a. which exceeds the key investment objectives of outperforming salary growth and CPI of 2.5% p.a. and 5.5% p.a. respectively.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil, however Council needs to keep in mind that a future calls on the fund are possible and that this may require borrowings outside its annual allocation.

Attachment

15.5 SEPTEMBER 2007 FINANCE REPORT – (FILE NO: M064 – CFO)

For Information

BACKGROUND

Attached are the financial reports to September 2007 and shows a comparison between the YTD actual position and the YTD budgeted position for the period.

SUMMARY

Profit and Loss Statement (A.1)

YTD Actual v YTD Budget

Council is reporting a YTD surplus of \$6.45 million against a YTD budgeted surplus of \$5.73 million. This represents a favourable variance of \$718,000 or 12%.

The underlying surplus which excludes capital income and focuses on operating expenditure and operating income shows a surplus of \$6.44 million against a budgeted surplus of \$5.73 million or a favourable variance of 12% or \$639,000. The main contributing factors are savings to date of 11% in wages and on costs and an additional 23% in gas sales income from the operations at Mt Buller.

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

YTD Actual v YTD Budget

The operating revenue and expenditure report by department shows a favourable variance of \$625,000 or 11.6%. All departments are showing favourable variances against budget. Further information in relation to variances is detailed in the report.

Balance Sheet (B) pg 4

YTD Actual v Last year YTD Actual

Council balance sheet reflects a strong position with cash and investments on hand of

\$3.4 million. This compares favourably to September 06 when Council held \$2.7 million of cash and investments. Council's net current asset (working capital position) at the end of September is \$8.34 million which compares favourably to the same period last financial year of \$7.34 million.

Cash Flow Statement (C) pg 5

Council has collected 22% (\$1.86 million) of its total rates to be collected in the 2007/08 year income of \$8.45 million to the end of September 07. This compares to 27% of total rates and charges collected for the same time last financial year. Council's closing cash position at the end of September is \$133,000 better than budgeted.

Capital Works

Expenditure for the month of September was \$197,000 compared to budgeted expenditure of \$85,000. Expenditure for the 3 months to September is \$827,000 compared to budgeted expenditure of \$162,000. Council's capital works program for the 07/08 year is budgeted at \$7.7 million.

The majority of expenditure incurred in the current year relates to the finalisation of a number of uncompleted projects from the 2006/07 year, including the Rutherglen Memorial Hall (\$274,000), the Wooragee Hall (\$63,177), and other projects not completed at 30 June 2007. The capital works program has been programmed with little work commencing in relation to the 2007/08 budget. As in prior years, a number of projects from the 2006/07 year that were not completed will be incorporated into the revised capital works budget.

Attachments

16.0 GOVERNANCE

16.1 MURRAY TO MOUNTAINS RAIL TRAIL MANAGEMENT COMMITTEE – AGREEMENT (FILE NO: T250 – 06 – CEO)

Recommendation

That the revised Instrument of Delegation between the Rural City of Wangaratta, Indigo and Alpine Shires establishing the Murray to Mountains Rail Trail Management Committee be signed and sealed.

**Moved Cr Banks
Seconded Cr Dale**

That the Recommendation be adopted.

CARRIED

BACKGROUND

The Murray to Mountains Rail Trail Management Committee, which manages the public Rail Trail reserve which follows the alignment of the old railway line from Wangaratta to Bright and spur line to Beechworth, was formed by an agreement signed and sealed in

December 1999.

This was established by the three Councils of Wangaratta, Alpine and Indigo as the Management Committee with appropriate representation comprising Councillors, Council officers and members of the community.

A lot of work has been done over the past twelve months in revising the structure of the Rail Trail Management Committee, the employment of the former Project Officer being changed into a Cycling Tourism Officer with administrative assistance provided by Wangaratta Rural City.

Changes have also been made to the numbers of people on each of the sub committees and the new Agreement more clearly spells out their roles and responsibilities.

The new Agreement also spells out the specific powers and responsibilities of the overall Committee, the Committee's proceedings and meetings and any specific exclusions.

The Agreement is being presented to each of the Councils for signing and sealing and will become operative once all Councils have signed which is anticipated to be by the end of November.

CONSULTATION

The Management Committee and its advisory groups have all been involved in revising the Agreement.

FINANCIAL IMPLICATIONS

Council has committed \$30,000 in the 2007/08 Council budget towards the operations of the Rail Trail Management Committee and employment of the Cycling Tourism Officer.

In addition, Council provides approximately \$20,000 for maintenance and minor upgrading of the Rail Trail.

Obviously the construction of the Rutherglen / Wahgunyah trail is also proceeding in the current financial year at a cost of some \$750,000.

16.2 MUNICIPAL OFFICES AND COUNCIL CHAMBERS FEASIBILITY STUDY (FILE NO: E971 – CEO)

For Decision

RECOMMENDATION

That in relation to the progression of the Municipal Offices and Council Chambers feasibility study;

- 1. That Council hold a public meeting of the 121 people who expressed an interest in participating on the Community Reference Group with that independently chaired meeting serving the purpose of further discussing the project and calling on those present to elect the Community Reference Group.**

2. The Community Reference Group would consist of the following members:-

- **Members of the Shire community selected at this meeting**
- **Representative of Indigo staff**
- **Member of external/business government groups who deal with the Shire**
- **All Councillors**
- **Members of the project control group**
- **Facilitator**

3. The Community Reference Group would organise to discuss the criteria for rating of various sites, list and then inspect various sites and then meet and rate the sites against the criteria.

4. That Council meet in early December to receive a report on the survey results and the analysis of that survey.

5. That Council meet with the Community Reference Group in February 2008 to select the final site or sites and authorise further feasibility work to be undertaken.

**Moved Cr Dale
Seconded Cr Walsh**

That the Recommendation be adopted.

CARRIED

BACKGROUND

No. 42 Architects have provided the attached report as an update of the Municipal Offices and Council Chambers feasibility study project.

We have completed the survey sent out to every ratepayer in the Shire with some 1,151 surveys returned by the due date. 56 late surveys have also been received and included. 57 staff surveys were returned.

121 people have indicated that they would like to be involved in the Community Reference Group (CRG).

We have previously apologised for the timing problems with the mailout and return of the survey. Our printers / mailing contractors did not perform to our expectations in this part of the process. We extended the return date but this may have affected a number of people in not returning surveys.

There was also a query regarding residents as opposed to ratepayers receiving surveys. Whilst we mailed the surveys to every ratepayer we did not mail them to every resident. However, they were also available to be completed through our customer service centres

and via our website.

ISSUES

We did not expect the volume of people indicating that they wished to be involved in a Community Reference Group.

We have therefore suggested that we have an initial community meeting of those who expressed an interest in being on the CRG and have them select a smaller group that would go forward and also assist us in fine tuning the role of that Reference Group.

No. 42 Architects report outlines the continuing program that we are proposing with the involvement of the CRG.

The main role of the CRG will be to look at the sites proposed, set criteria for assessment of those sites and then rate the sites against the criteria. The CRG will also look at the survey results at the same time as Council.

It is anticipated that in February 2008 the Council would meet to select a final site or sites based on input from the CRG and the survey results. All Councillors, a staff representative and a management representative are also invited to participate in the CRG process.

Ms Susan Benedyka of the Regional Development Company has been requested to act as the facilitator for the CRG. She has indicated that she would be happy to be involved in the project.

FINANCIAL IMPLICATIONS

The continuing work of the CRG and the project is contained within Council's capital works budget. A further phase of the project is the financial feasibility of the project. Initial costings can be undertaken to show how this project would be afforded over the 25 – 30 year life of the project. This would be done on a theoretical basis having not yet identified the appropriate site and therefore more detailed costing.

The second aspect of the financial feasibility is once having identified the site or sites, to undertake a more indepth financial analysis.

Attachments

16.3 GOVERNANCE – WORK IN PROGRESS – NOVEMBER 2007 (CEO)

For Information

Project	Actions
Councillors Training	None attended in the past month.
MAV Annual Conference	Crs Graham & Dale are booked to attend this conference on 1 st & 2nd November. The Mayor & CEO will also attend the Rural Council's Network breakfast meeting on 2 nd .

The Council Plan	Departmental Plans being revised in line with the adopted budget and in preparation for 2008 strategic review of the Council Plan.
The Council Budget	Chief Finance Officer has completed budget establishment, brought forward items, Forecasts and reporting systems. SMG now reviewing budget v actuals on a monthly basis and revising Forecasts.
Community Forums	A Forum was held at Beechworth on 23 rd October. The next Community Forums will be at Chiltern on 27 th November.
Media & Communications	Excellent media coverage continues with numerous stories covering activities across the Shire. We have also featured heavily in the promotion of the Herald Sun Tour and on other TV programs over the last month promoting Regional Victoria and live-style issues.
CEO Recruitment Process	FM Consulting has been appointed. Applications have closed and second round screening interviews have just been completed. Council will interview selected applicants in the next two weeks.
General Manager – Operations & Assets	I have completed the interview process and am very pleased to advise that I have appointed Phil Prior to the position effective from 3 rd November. We will now proceed to appoint a replacement Assets Manager and also advertise for a replacement for Clive Walker who will be retiring in January 2008.
Operations Manager	Current Acting Operations Manager, Clive Walker has announced that he will retire in January 2008. Clive has filled this position since January 2007 pending restructure of the Operations & Assets Department. I will therefore be advertising for an Operations Manager over the next 3 weeks.
Finance Manager	Nicholas Moore has advised the he is resigning to take up a similar position with North East Water effective from 9 November. This position has already been advertised as a direct replacement position.
Municipal Offices Project	This project is progressing with a report to this meeting on the establishment of a Community Reference Group and further investigations.
Drought Issues	It is thought that the State Government will make several announcements regarding further drought assistance initiatives in the near future. I have indicated that a worthwhile initiative for Indigo either independently or in partnership with a neighbouring municipality would be to appoint a drought recovery/community development officer.
Murray to the Mountains Rail Trail	All funding agreements have been completed and VicTrack are preparing the final version of the lease.

16.4 YACKANDANDAH CARAVAN PARK ROAD CLOSURE **(FILE NO: D464-04 - EDO)**

For Decision

RECOMMENDATION

That Council approve the closure of the section of Government Road occupied by Yackandandah Caravan Park as indicated on the attached plan prepared by the Office of the Surveyor General and pursuant to Section 349 of the Land Act 1958.

**Moved Cr Dale
Seconded Cr Issell**

That the Recommendation be adopted.

CARRIED

SUMMARY

This report seeks Council approval to close the western section of the unformed Government Road adjacent to Windham Street in Yackandandah. This is an administrative matter and as Councillors will appreciate by viewing the plan, this road does not exist and the Yackandandah Caravan Park is well established on this land. It is proposed that this section of unmade road will be closed under the Land Act, reserved as part of the caravan park and then included in the park's lease.

BACKGROUND

The caravan park at Yackandandah has historically been sited on this Government Road reserve proposed for closure, in fact the park's office and residence, toilet block, cabin and a caravan annex are established on this road reserve which is technically outside the park's official lease area. As soon as this mapping error was recognised a temporary licence was issued by the Department of Sustainability and Environment for the occupation of part of this road reserve. The Department of Sustainability and Environment have now requested Council give its concurrence to the closing of the subject road pursuant to Section 349 of the Land Act 1958.

CONSULTATION

The Department of Sustainability and Environment has undertaken consultation with adjoining landowners and formal consent has been granted for the closure of the western side of this Government Road. Please note that however the eastern side will not be closed due to an objection by an adjacent landholder in that area.

POLICY IMPLICATIONS

This road closure provides greater certainty to the lessees of Yackandandah Caravan Park who, it should be noted, have undertaken substantial investment in the park over the past two years.

FINANCIAL & RESOURCE IMPLICATIONS

The title survey costs undertaken to clarify the park's boundary have been borne by the Department of Sustainability and Environment.

Attachment

17.0 NOTICE OF MOTION

Nil

18.0 COMMITTEE AND DELEGATES REPORTS

18.1 OCTOBER DIARY - CR P GRAHAM

Date	Time	Function
1 Oct	1.00 pm	Rutherglen Historical Committee AGM
2	9.30 am	Admin NevRwaste, Wangaratta
	11.00 am	Meeting with R Kinzburra, Beechworth
	3.30 pm	Councillors Meeting, Chiltern
	4.30 pm	Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
4	8.00 am	MAV Waste Forum, Carlton
	9.30 am	MAV Bio Diversity Forum, Melbourne
	6.00 pm	VLGA AGM and Life Membership Don Chambers, Carlton
6	6.30 pm	Tidy Town's State Awards, Benalla
8	12.00 pm	Seniors Week Bowls, Wahgunyah School of Arts
	1.30 pm	ITB meeting, Yackandandah
	7.00 pm	Y/K/T CAC, Tangambalanga
9	9.30 am	Let's Talk Officer Training, MAV, Eltham
10	11.30 am	Official Opening Luncheon Seniors' Festival Tangambalanga
	6.00 pm	Agribusiness Awards and Dinner, Amulet Winery Beechworth
11	11.00 am	Weekly meeting with CEO, Beechworth
	4.30 pm	INS Meeting, Melbourne
	6.00 pm	MAV 100 Years Insurance Dinner, Melbourne
15	9.00 am	Admin at NevRwaste, Wangaratta
	11.00 am	Seniors at Glenview, Rutherglen
	1.30 pm	Disability Advisory Committee Meeting, Chiltern
	7.00 pm	Glenview Community Care AGM, Rutherglen
16	10.00 am	Admin, Beechworth
	11.30 am	Weekly meeting with CEO, Beechworth

	4.00 pm	Council Briefing Meeting, Yackandandah
17-19	Full Days	Road Safety Conference, Melbourne
19	9.00 am	AVRWMG Meeting, Melbourne
20	3.00 pm	Book Launch "Ride Through Time", Beechworth Court House
	5.00 pm	Green Trail Forum and Dinner, Wahgunyah
21	2.30 pm	Agricultural Show, Rutherglen
	1.00 pm	Ironbark Festival, Chiltern
22	9.30 am	Tree Change Forum, Official Opening, Latrobe
	11.00 am	Admin, Beechworth
	2.00 pm	NevRwaste, Wangaratta
23	6.00 pm	Special Meeting to consider Annual Report, Beechworth
	7.00 pm	Community Forum, Beechworth
26	10.00 am	UMCHS Inc AGM, Wodonga
	2.30 pm	Admin, Beechworth
	6.30 pm	"Rutherglen" Book Launch, Rutherglen
28	1.30 pm	Flowerless Flower Show, Tangambalanga
30	9.30 am	Admin NevRwaste, Wangaratta
	11.30 am	Weekly meeting with CEO
	3.30 pm	Councillors Meeting, Chiltern
	4.30 pm	Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
31	4.30 pm	Councillors Meeting with FM Consulting, Chiltern.

Cr Peter Graham OAM
30 October 2007

18.2 OCTOBER DIARY - CR A BANKS

Date	Time	Function
2 Oct	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
22	5.30 pm	Planning Focus Meeting re MB Cellars development, Beechworth
23	4.00 pm	Council Briefing Meeting, Beechworth
	6.30 pm	Special Council Meeting to consider 2006/2007 Annual Report, Beechworth
	7.00 pm	Community Forum, Beechworth
30	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
31	4.30 pm	Meeting with FM Consulting CEO interviews, Chiltern

Cr Andrew Banks
30 October 2007

18.3 NOVEMBER DIARY - CR J DALE

Date	Time	Function
1 Oct	5pm	LaTrobe Council Meeting, Bundoora
2	4pm	Briefing Meeting, Chiltern
	7pm	Council Meeting, Chiltern
5	9am	MAV Board Meeting, Melbourne

8	7pm	Advisory Meeting, Tangambalanga
9	6.30pm	ISCAC, Chiltern
10	11am	Seniors Week Launch, Tangambalanga
	6pm	Dean's Lecture at LaTrobe, Wodonga
11	6pm	MAV Insurance 100 th Birthday Dinner, Melbourne
16	4pm	Briefing Meeting, Yackandandah
17	6.30pm	Burke Museum Meeting, Beechworth
21	10am	Iron Bark Festival, Chiltern
		Rutherglen Show, Rutherglen
23	6.30pm	Special Meeting, Beechworth – consider Annual Report
	7.00 pm	Community forum Beechworth
26	5.30pm	Wendy Stephens Art Exhibition Launch at Beechworth
28	1.30pm	Flowerless Flower Show, Tangambalanga
30	4pm	Briefing Meeting, Chiltern
	7pm	Council Meeting, Chiltern
31	5pm	MAV Board Meeting, Melbourne

Cr Jenny Dale
30 October 2007

**18.4 REVIEW OF THE NATIONAL FRAMEWORK FOR WOMEN
IN LOCAL GOVERNMENT (FILE NO: M471-02 - CR DALE)**

Note: Cr Dale declared a conflict of interest in this item in that she is the State President of ALGWA and took no part in voting.

For Decision

RECOMMENDATION

- 1. That the Council endorse the national Framework for Women in Local Government contained in Schedule 17.**
- 2. That the Council agree to affiliate with the Australian Local Government Women's Association Victoria Branch at a cost of \$200.**
- 3. That Council nominate a voting delegate to the Australian Local Government Women's Association Victoria Branch from July 07 to August 08.**

**Moved Cr Dale
Seconded Cr Murdoch**

That the Recommendation be adopted.

CARRIED

**Moved Cr Murdoch
Seconded Cr Issell**

That Cr Dale be Council's voting delegate on the Australian Local Government Women's Association Victoria Branch.

CARRIED

SUMMARY

The recommendation to the Council is the same as that recommended to all Councils across Victoria.

BACKGROUND

The National Framework for Women in Local Government was prepared and adopted by the Australian Local Government Women's Association (ALGWA) in November 2001. The Association has reviewed the progress made since implementing the framework using a program of structured interviews; a review of documentation from state departments of local government and local government peak bodies; and an update of the statistical data on women in local government.

The information gained through the review was considered by a national roundtable convened by ALGWA in February 2007 resulting in a modified National Framework for Women in Local Government (Schedule 17).

LEGISLATION/STRATEGIC PLAN/POLICY

Legislation	Equal Opportunity Act 1985 Local Government Act 1995 Local Government (Official conduct) Amendment Bill 2005
Strategic Plan	
Key Result Area	Capable and Responsive Organisation
Policy	
Policy No. and Name	10.1 – Code of Conduct

DETAILS

Key Findings of the Review

It was found that while the National Framework is widely acknowledged and that a number of its policies and initiatives have been put in place, there are significant areas in which little progress has been made. The major issues still facing women in local government are:-

- Time demand and balancing public life with family life;
- Inadequate remuneration for Councillors; and
- The work place culture for women officers.

As a result the national roundtable invited the major stakeholders, including local governments, to endorse the modified National Framework.

National Framework for Women in Local Government

The modified National Framework for Women in Local Government contains a statement of commitment, goal, and objectives as follows.

Statement of Commitment

We will work towards increasing the representation of women in local government, both as elected members and as senior managers and professionals. We will undertake ongoing reviews of policies and practices to remove barriers to women's participation and to engender safe, supportive working and decision-making environments that encourage and value a wide range of views.

Goal

To increase the participation of women in Australian local government so that councils more accurately reflect their communities.

Objectives

- *To create councils and communities where all participate and actively share their skills, knowledge and experience.*
- *To engender inclusive councils where a full range of opinion is sought, respected and taken into account in decision-making*
- *To ensure effective leadership in pursuing agreed strategies to implement this Framework.*
- *To expand training and networking opportunities that will support those strategies.*

Potential Strategies for Implementation

To achieve the objectives of the framework stakeholders are asked to consider a number of strategies.

Common to all stakeholders is the need for strong leadership at all levels, including mayors, senior councillors, chief executives, departmental directors and the leaders of local government associations and professional bodies.

Priority strategies are recommended for each level of government and related organisations. For local councils the following are recommended:-

- Ensure effective implementation of existing (and where necessary, strengthened) legislative provisions and voluntary codes of conduct intended to promote an inclusive organisational culture, equal opportunity and good governance.
- Establish personal leadership roles for the mayor and chief executive in bringing about increased women's participation and ensuring appropriate patterns of behaviour in management and decision-making.
- Ask women in the organisation – both staff and Councillors – what needs to be changed and develop an action plan.
- Include specific strategies for increased women's participation in the Council strategic and corporate plans, using existing frameworks such as the Australian Business Excellence Framework.

- Use the checklist at Annexure A to assess progress.
- Participate in the proposed 'Gender Matters' program.

The 'Gender Matters' program is to provide a structured self-assessment and/or peer review arrangement, linked to an awards scheme along the lines of the Cities for Climate Protection program run by the International Council for Local Environmental Initiatives.

FINANCIAL IMPLICATIONS

Affiliation fee of \$200.

COMMENTS

The City of Perth (and other states and territories) have introduced a range of initiatives for staff to assist in balancing work demands with personal and family responsibilities. All staff are required to attend training on equal employment opportunity requirements, and the City of Perth Code of Conduct applies to both staff and Elected Members. The Local Government (Official Conduct) Amendment Bill 2005 will assist in the establishment of enforceable rules of conduct (by regulation) for Elected Members.

The endorsement of the National Framework for Women in Local Government will demonstrate the support of the Council for ALGWA's objective to ensure that women are well represented in local government. The potential strategies recommended in the National Framework can be considered for implementation where there is a need, and as the opportunity arises to review present arrangements such as the City's code of Conduct and enterprise Bargaining Agreement.

18.5 OCTOBER DIARY - CR W HOTSON

Date	Time	Function
2 Oct	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
4	2.00 pm	ISC Drought Committee Meeting, Yackandandah
8	2.00 pm	Indigo Tourism Board Meeting, Yackandandah
10	6.30 pm	Alps Valleys Agribusiness Awards and AGM, Amulet Winery, Beechworth
15	7.00 pm	Glenview Community Care AGM, Rutherglen
16	4.00 pm	Council Briefing Meeting, Yackandandah
	6.30 pm	Council and Indigo Tourism Board Meeting, Yackandandah
21	10.00 am	Chiltern Ironbark Festival
	6.00 pm	FReeZa Youth Concert, Chiltern Music Bowl
23	4.00 pm	Council Briefing Meeting, Beechworth
	6.30 pm	Special Council Meeting to consider Annual Report, Beechworth
	7.00 pm	Community Forum, Beechworth
26	6.00 pm	Opening of Wendy Stephens Art Exhibition, Beechworth
29	7.30 pm	Municipal Fire Prevention Committee Meeting, Yackandandah

30	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
31	4.30 pm	CEO Interviews, Community Centre, Chiltern
	7.30 pm	Municipal Fire Prevention Committee Meeting, Rutherglen

Cr Bill Hotson
30 October 2007

18.6 OCTOBER DIARY - CR V ISSELL

Date	Time	Function
2 Oct	4.00pm	Council briefing meeting, Chiltern
	7.00pm	Council ordinary meeting, Chiltern
3	10.30am	Assist constituent to prepare community cabinet submission
5-13	Inclusive	Annual Leave
16	4.00pm	Council briefing meeting, Yackandandah
17	1.00pm	Presentation to stage winner, Herald Sun Tour, Beechworth
	6.30pm	Friends of Burke Museum meeting, Beechworth
18	9.00am	Leadership workshop, Melbourne
20	9.00am	Murray Arts Board Master Class, Wodonga
	3.00pm	MC, Launch of children's book re Beechworth history
21	11.00am	Ironbark Festival, Chiltern
22-23	Full days	Tree Change Conference, Beechworth
23	4.00pm	Council Briefing meeting, Beechworth
	6.30pm	Special Meeting of Council to consider Annual Report
	7.00pm	Community Forum, Beechworth
26	10.00am	Councillor duty, Beechworth
	6.30pm	Wendy Stephens Art Exhibition opening, Beechworth
30	4.00pm	Council Briefing meeting, Chiltern
	7.00pm	Council Ordinary meeting, Chiltern
31	4.30pm	Meeting re CEO recruitment, Chiltern
	7.00pm	Chair Beechworth Welfare Committee AGM

Cr V Issell
30 October 2007

18.7 OCTOBER DIARY - CR B MURDOCH

Date	Time	Function
2 Oct	4:00 pm	Council Briefing Chiltern
	7:00 pm	Council Meeting Chiltern
16	4:00pm	Briefing Meeting Yackandandah
21	10:00 am	Ironbark Festival Chiltern
22	10:00 am	MAV Water Taskforce, Melbourne
23	4:00 pm	Briefing Meeting, Beechworth
	6.30 pm	Special Council Meeting to consider 2006/2007 Annual
	7:00 pm	Report, Beechworth
		Community Forum, Beechworth
30	4:00 pm	Briefing Meeting, Chiltern
	7:00 pm	Council Meeting , Chiltern
31	4:30 pm	Meeting with FM Consulting CEO interviews, Chiltern

Cr Barbara Murdoch
30 October 2007

18.8 OCTOBER DIARY - CR F WALSH

Date	Time	Function
2 Oct	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
4	9.30 am	MAV Waste Management Forum, Melbourne
	6.30 pm	VLGA AGM, Melbourne (Don Chambers life membership)
6	6.30 pm	Tidy Towns State Awards, Melbourne
8	2.00 pm	Indigo Tourism Board, Yackandandah
9	9.00 am	Junior Council Meeting, Beechworth
15	7.00 pm	Glenview Community Care AGM
16	4.00 pm	Council Briefing Meeting, Yackandandah
	6.30 pm	Meeting with Council and Indigo Tourism Board, Yackandandah
18	7.00 pm	Atauro Island Friendship Group film evening, Rutherglen
22-23	Full Days	Tree Change Conference, Beechworth
23	4.00 pm	Council Briefing Meeting, Chiltern
	6.30 pm	Special Council Meeting to consider Annual Report, Beechworth
	7.00 pm	Community Forum, Beechworth
26	10.00 am	Junior Council Teddy Bear Judging Competition, Beechworth Primary School
	11.00 am	Junior Council Talent Competition, St Joseph's Beechworth
	6.30 pm	Launch of " <i>Rutherglen</i> " book at Rutherglen
28		Producers Market, Rutherglen
30	4.00 pm	Council Briefing Meeting, Chiltern
	7.00 pm	Council Meeting, Chiltern
31	4.30 pm	CEO interviews, Chiltern

Cr Frances Walsh
30 October 2007

18.9 JUNIOR COUNCIL OCTOBER MEETING REPORT (FILE NO: M005 - CR F WALSH)

The Junior Councillors held their meeting at the Beechworth Primary School on 10 October.

Firstly they gave an update on their functions:-

- Breanne Smith, Rutherglen Primary School Fun Fabulous and Fantastic Friday November 2. Mayor and his wife have been invited and commented on the letter writing skills shown.
- Demi Shale, St Mary's Rutherglen Hot Chips Day
- Olivia Cartledge, Talent Quest 26 October. Diane Thomas to be invited to be a judge with Councillor Walsh 11.30 am - 12.30 pm.
- Matilda Gleeson - Winter Warm up Soup day raised \$40.

- Alice Newman, Yackandandah - organising a “count the lollies” at the Garage Sale and an icy pole day at the Billycart Derby.
- Claire McKay, Beechworth organising a Teddy bear day and asked both Diane and myself to judge on 26 October from 10-11 am.

Dr Wendy Connor then had a slide show whilst talking about the people on Atauro Island. She told the Junior Councillors about the activities of the children on the Island.

Boys play soccer and volley ball. Some girls join in but the present culture is for the boys to play the games and girls stay home or watch.

Some of the other games children play are rolling a bike wheel with a stick, skippy if they have a rope, marbles and a type of jacks using stones. They play a type of hopscotch but different to ours. They make cars from plastic bottles and used them as toys. Children usually have two sets of clothes, one to wear and one for good. No televisions or computers and in the hot dry season very little food. Their diet is rice, fish, some vegetables they grow themselves, perhaps tomatoes, carrots and taro (a type of sweet potato). Some people have some chickens which mean eggs in their diet. There are some goats as well, both tame and wild.

They have a daily clinic with about six nurses and a doctor from Denmark. People can be kept in over night but for any thing serious they are sent to the mainland by boat. A ferry crosses every Saturday and at other times a boat has to be hired from a local fisherman.

Wendy also bought some letters from the children on the island and these were shared among the children. Wendy suggested we join the Alola foundation and invite a speaker to come and talk to the children about individual schools “adopting” a school on the island to write to in the future. Wendy will make enquires and get back to us with a date for the joint meeting.

The Alola foundation has been set up in Melbourne for the support of schools in East Timor and they have been continually asking us to join them. I have felt that we needed to reach the stage we are now at before we moved down that track, now is the time to move that step forward. Children took home a copy of the letter from the sub district of Atauro accepting our offer to establish a friendship agreement between Atauro and Indigo.

After morning tea provided by Beechworth Primary School, the children returned to their schools.

Their next meeting will be on Tuesday 13 November at the Rural Transaction Centre Rutherglen, where their guest speaker will be Helen Jerome of DPI, who will speak to them on fruit fly.

19.0 GENERAL BUSINESS

- 19.1 *MAV Land Health and Biodiversity Policy Forum*
The Mayor attended this forum on 4 October
- 19.2 *VLGA Annual Report 2007*
Tabled
- 19.3 *ACCC Update*
Tabled
- 19.4 *Shrine of Remembrance – Annual Report 2006/07*
Tabled
- 19.5 *Glenview Community Care – Annual Report 2006/07*
Tabled
- 19.6 *Resignation – Nick Moore*
The Mayor acknowledged the good work performed by Nicholas Moore over the past 6.5 years and thanked him for all his efforts.
- 19.7 *Corrections to Item 11.1*
Cr Issell pointed out corrections to Item 11.1 page 11 of the Agenda – should read \$280.70 under point 2 last paragraph.
- 19.8 *Heritage Advisory Committee Meeting*
Thursday 1 November at 5 pm in the President’s Room, Beechworth Town Hall.

20. CONFIDENTIAL

**20.1 AUDIT COMMITTEE MEETING MINUTES – 26
SEPTEMBER 2007 - CONFIDENTIAL (FILE NO: M034-02 -
CFO)**

PURSUANT TO SECTION 77(2)(c) OF THE LOCAL GOVERNMENT ACT 1989 I
HEREBY DESIGNATE THE ATTACHED INFORMATION AS CONFIDENTIAL AS
IT RELATES TO MATTERS WHICH MAY PREJUDICE COUNCIL.



.....
John P Costello
CHIEF EXECUTIVE OFFICER
30 October 2007

For Information

Attached are the Confidential minutes of the Audit Committee meeting held 26
September 2007.

Attachment

Moved Cr Murdoch
Seconded Cr Banks

**That the Confidential minutes of the Audit Committee meeting held 26 September
2007 be accepted.**

CARRIED

There being no further business the meeting concluded at 9.58 pm.

.....
Cr Vic Issell – Mayor

4 December 2007