

Agenda

Ordinary Meeting of Council

Corryong Council Office

Tuesday 2 December 2014

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AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT TOWONG SHIRE COUNCIL, CORRYONG OFFICE ON TUESDAY 2 DECEMBER 2014 COMMENCING AT 1.00 PM.

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1 Opening Prayer

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

2 Councillor and Officer presence at the meeting

3 Apologies and granting of leave of absence

4 Declaration of pecuniary interest and/or conflict

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

5 Confirmation of minutes

Ordinary Meeting of 11 November 2014 and Special Meeting of 25 November 2014.

6 Petitions, joint letters and declarations

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 11 to 28 November 2014 is included at Appendix 1.

RECOMMENDATION:

THAT THE INFORMATION BE NOTED.

8 Open Forum

9 Organisational improvement

9.1 Finance Report as at 31 October 2014 (DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Blair Phillips, Manager Finance.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

OPERATING RESULT

	Note	Oct-14 (Actual) \$'000	Oct-14 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %
Income	1	1,245	931	11,530	11,391	139	1%
Expenditure	2	1,028	944	3,301	3,428	127	4%
Surplus		217	(13)	8,229	7,963	266	3%

Table 1: Operating Result

Note 1:

Council YTD income of \$11.5 million is \$139,000 more than budgeted for this time of the year. Major items contributing to the YTD variance include:

- \$150,000 under the Local Government Infrastructure Program that is in excess of the budget for the 2014/15 year. This is in line with the funding agreement over the four year program.
- \$87,000 allocated under the Public Safety on Public Land program for improvements to the Towong Grandstand that had not been budgeted.
- (\$60,000) that Council is awaiting under the Municipal Emergency Response Program.

Note 2:

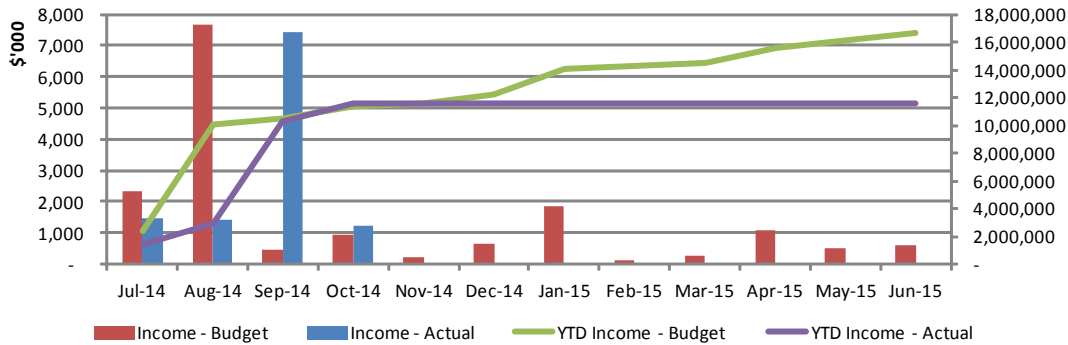
The expenditure variance is primarily due to the timing of expenditure in various Economic Development projects and Community Development projects.

Projects that were budgeted in ahead of actual expenditure include:

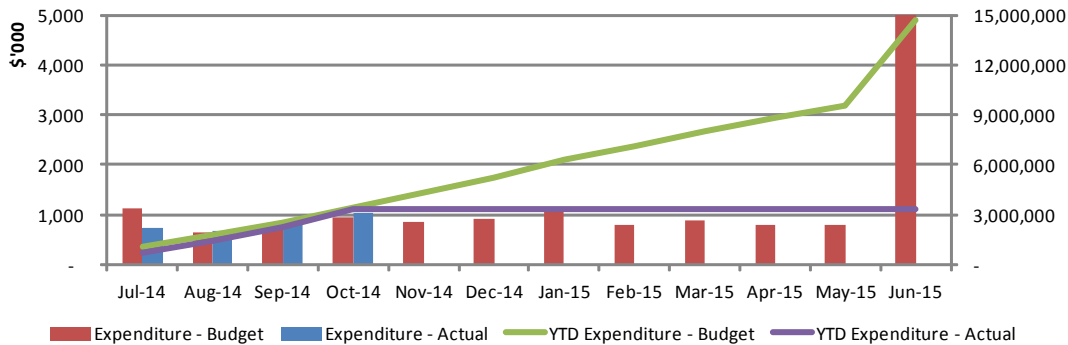
- \$48,000 Community Access Plan
- \$45,000 Our Valley Our Future
- \$40,000 Insight 360
- \$30,000 Community and Recreation Facilities

Operating Result

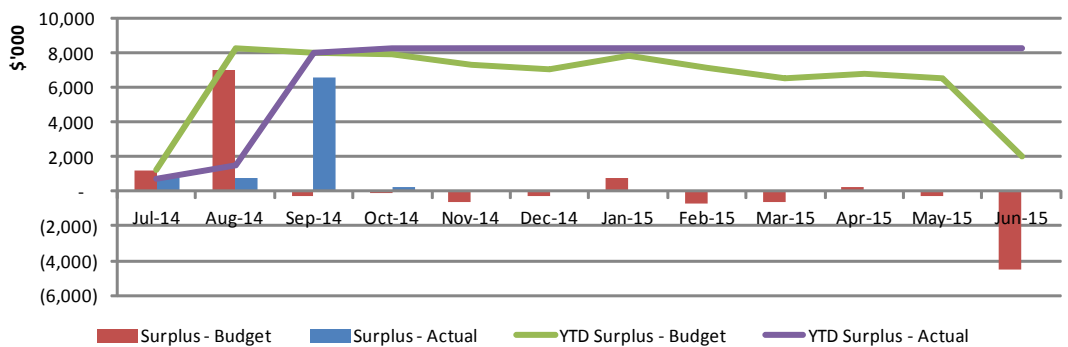
Income



Expenditure



Operating Surplus



Grant Income

	Note	Oct-14 (Actual) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	12 Month (Budget) \$'000
Recurring	1	647	2,722	2,589	133	6,295
Non-Competitive		3	13	12	1	37
Competitive		487	1,000	1,002	(2)	1,973
Total		1,137	3,735	3,603	132	8,305

Table 2: Grant Income

Note 1:

Council has received \$150,000 in excess of budget for Local Government Infrastructure Program funding in the 2014/15 year. This is in line with the funding agreement over the four year program. Council is yet to receive the grant for the Municipal Emergency Response Program (\$60,000).

Grants received Year-to-Date (YTD) are shown in the following table:

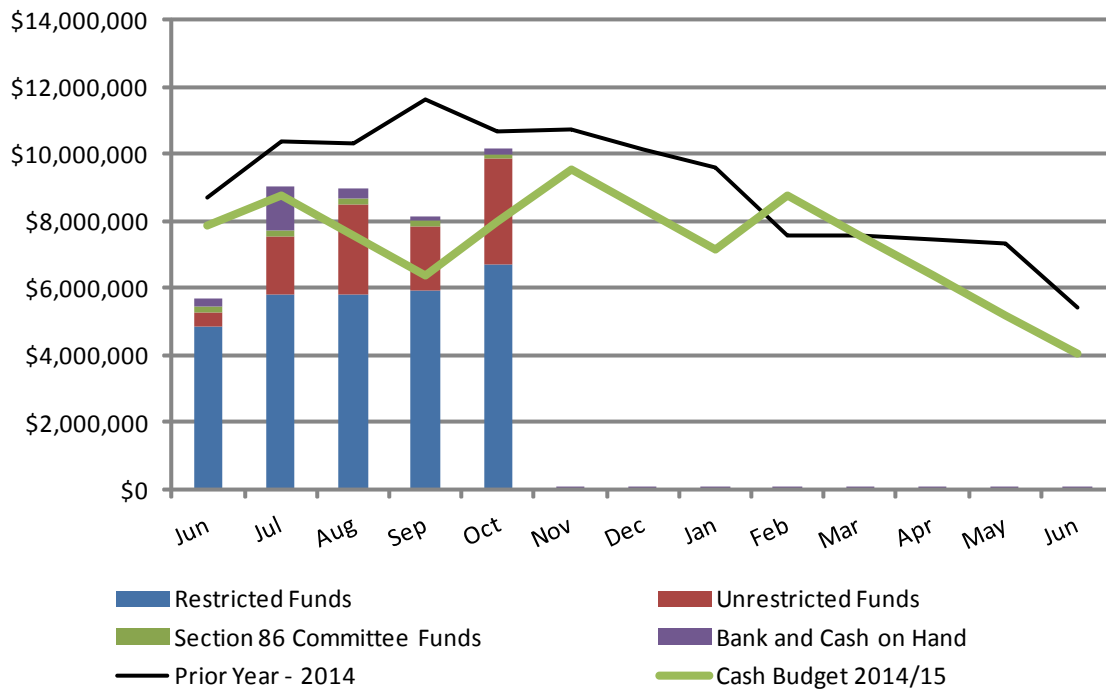
\$'000	
Recurring	
Country Roads and Bridges	1,000
VGC General Purpose Funding	573
LG Infrastructure Projects	490
VGC Local Roads Funding	344
Library	100
Corryong Pre School	57
Berringa Pre School	46
Maternal and Child Health	46
Tallangatta Pre School	33
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
State Emergency Service Mitta	7
Total Recurring Grants	2,702
Competitive and Non-Competitive	
Tallangatta Integrated Community Centre	250
Magorra Park (DSE)	250
Wyeewoo Multi Purpose Facility	178
Berringa Pre School (Upgrade)	75
Tallangatta Multi-sport Precinct	68
Towong Racecourse (DSE)	47
High Country Rail Trail Upgrade (DSE)	30
Cudgewa Multi Purpose Facility (DSE)	23
L2P Program	23
Tallangatta Neighbourhood House	20
Community Access	13
Colac Colac Bike Path	12
Health Promotions (Walk to School)	10
Freeza Funding	6
Comm Health & Wellbeing	3
Caravan Park Masterplan	3
Seniors Week	2
Total Competitive and Non-Competitive Grants	1,013
Total Grants Received	3,735

CASH POSITION

Cash on Hand

The cash position moved during the month as detailed below:

	Current Month Oct-14 \$	Prior Month Sep-14 \$	Variance	
			\$	%
Unexpended Grants	5,675,415	4,905,577	769,838	15.7%
Provisions and reserves	1,023,905	1,031,259	(7,354)	-0.7%
Restricted Funds	6,699,319	5,936,836	762,483	12.8%
Unrestricted Funds	3,156,268	1,914,135	1,242,132	64.9%
Section 86 Committee Funds	135,751	135,751	-	0.0%
Total Investments	9,991,339	7,986,723	2,004,616	25.1%
Bank and Cash on Hand	172,020	147,273	24,747	16.8%
Total Cash	10,163,358	8,133,995	2,029,363	24.9%
Average Interest Rate	3.65%	3.99%		



Restricted Funds

	\$'000
Unexpended Grants	
LG Infrastructure Projects	1,669
Tallangatta Integrated Community Centre	1,484
Country Roads and Bridges	1,342
Library core funding	194
Wyeboon Multi Purpose Facility	174
Magorra Park (DSE)	93
Towong Racecourse (DSE)	89
Berringa Pre School (Upgrade)	75
Community Development position (Tallangatta Neighbourhood House)	72
Community Access and Inclusion position	64
Flood Recovery (Community projects)	47
Children Services Review	45
Flood Recovery Officer	44
Our Valley Our Future	42
Municipal Emergency Response Program	42
Cudgewa Rec Reserve	42
Local Gov Business Collaboration position	36
Weed Project	36
High Country Rail Trail Upgrade (DSE)	30
Improving Liveability of Older People	19
Bushfire Management Overlay	13
Health Promotions (Walk to School)	10
The Narrows Project	8
Freeza Funding (Youth program)	7
Fire Access Track Maintenance	1
Total Unexpended Grants	5,675
Provisions and Reserves	
Long Service Leave	792
Landfill Rehabilitation	232
Total Provisions and Reserves	1,024
Total Restricted Funds	6,699

Investments

Investments were made up of the following at the month end:

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
18/09/2014	Term Deposit	NAB	1,000,000	3.52%	180 Days	A1+	17/03/2015
22/07/2014	Term Deposit	NAB	2,000,000	3.58%	180 Days	A1+	20/01/2015
15/10/2014	Term Deposit	AMP	1,500,000	3.50%	280 Days		22/07/2015
11/09/2014	Term Deposit	Bank of Queensland	1,000,000	3.50%	181 Days	A2	11/03/2015
12/09/2014	Term Deposit	ING Bank	1,000,000	3.50%	180 Days	A2	11/03/2015
26/09/2014	Term Deposit	WAW	807,833	3.45%	90 Days		26/12/2014
N/A	Online Saver	ANZ	2,547,755	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	135,751	4.68%	N/A		N/A
Total Investments			9,991,339				

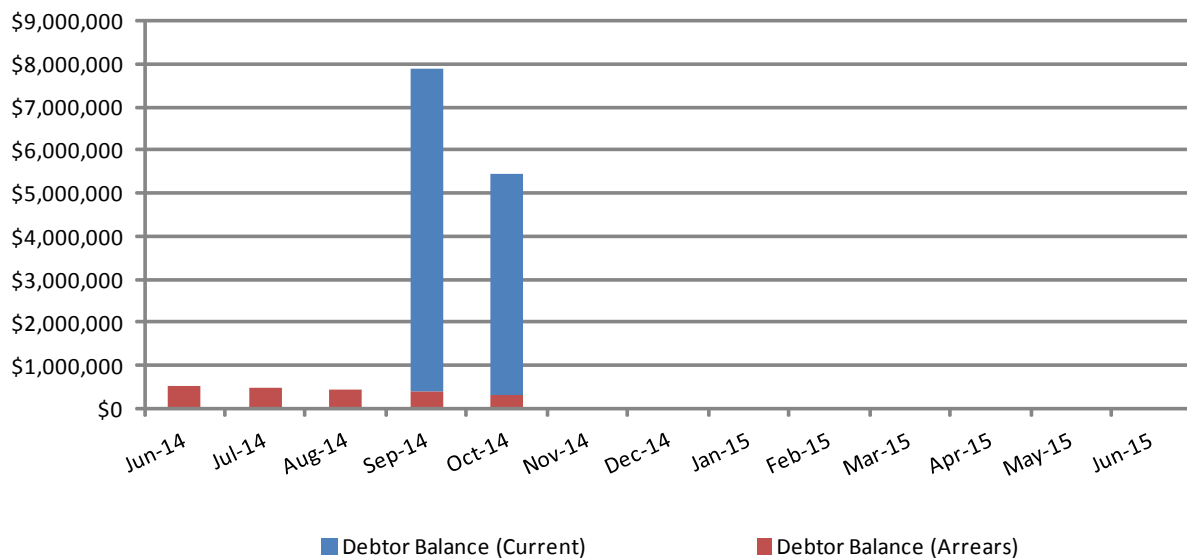
Table 4: Investments at month end

RECEIVABLES

Rates, Municipal Charge, Waste Management Charge and Waste Collection Charge

The breakdown of rates received for the current month and year-to-date is shown in the following table and graph:

Rates, charges and FSPL Debtors	Amount \$	Received	% Collected	Received	Collected	Balance Outstanding \$
		Oct-14 \$	Oct-14 %	YTD \$	YTD \$	
Levied 2014/15	7,691,337	2,317,760	30.1%	2,524,835	32.8%	5,166,502
Arrears prior to 2014/15	502,975	70,501	14.0%	201,088	40.0%	301,887
Total Charges		2,388,261		2,725,923		5,468,389

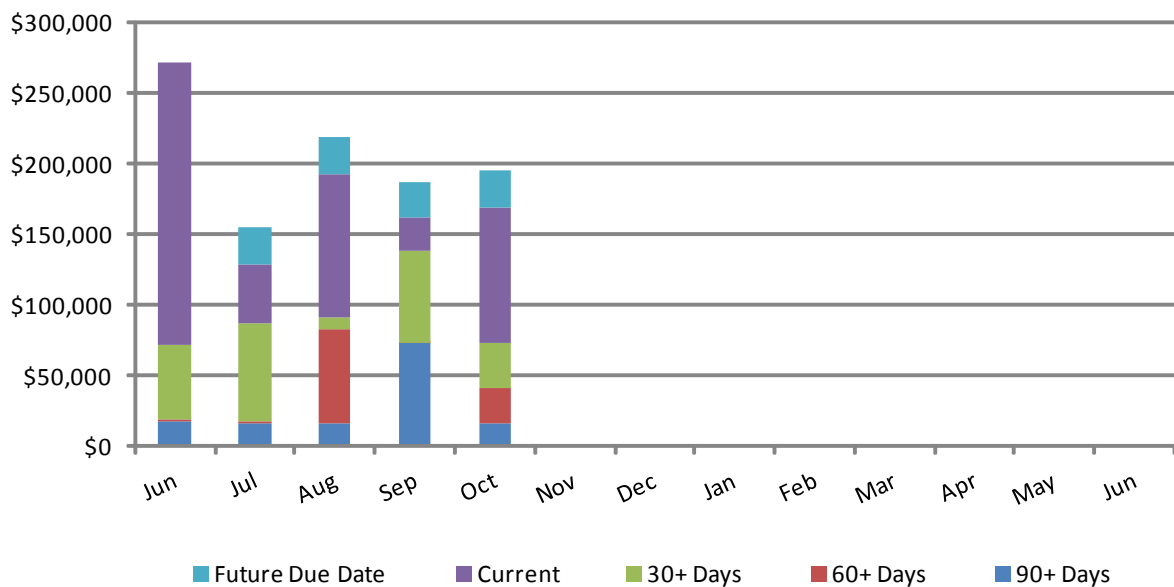


Rates and charges for 2014/15 were levied in September 2014.

Sundry Debtors

The Sundry Debtors outstanding at month end and the movement from the prior month is shown below:

Sundry Debtors	Future Due Date	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
October 2014	25,953	96,016	31,687	25,032	16,597	195,285
September 2014	25,953	23,266	65,242	381	72,461	187,304
Movement	-	72,750	(33,555)	24,651	(55,864)	7,981



Significant debtors (>\$1,000) with ageing of greater than 90 days are as follows:

Debtor	Amount	Description	RO	Notes
Debtor 18925	\$3,500	Community Group Loan	JS	The long term binding payment agreement has not yet been signed but making payments within terms. Paying \$500 per annum. \$500 received June 2014.
Debtor 8411	\$1,580	Contribution	JS	Payment has been requested.
Debtor 17007	\$2,950	Infringement Notice	JS	Debt undergoing review.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	JS	Debt undergoing review.

Table 6: Significant debtors > 90 days

LOCAL ROADS

Local Roads and Bridges Capital Works

	Note	YTD Actual	YTD Budget	Variance	Annual Budget
		\$		\$	\$
402 Survey and Design		161	-	(161)	50,000
410 Road Construction	1	377,209	354,673	(22,536)	808,128
413 Storm Damage		-	-	-	-
416 Sealing	2	43,949	-	(43,949)	25,000
417 Resealing	3	-	25,955	25,955	675,000
420 Drainage Construction		1,838	-	(1,838)	30,000
421 Digouts		-	-	-	415,000
422 Resheeting	4	20,863	9,305	(11,558)	230,000
432 Footpaths	5	8,118	-	(8,118)	224,596
433 Kerb and Channel	6	14,723	1,167	(13,556)	166,504
442 Guardrails		-	-	-	16,000
450 Bridge Construction	7	109,155	168,361	59,206	1,054,926
Total		576,016	559,461	(16,555)	3,695,154

Table 7: Local Roads & Bridges – Capital Works (YTD)

Note 1:

Timing variance with works on Georges Creek Road Stage 2 commencing earlier than anticipated.

Note 2:

Harvey Street, Walwa Street and Kyilla Street were budgeted to be completed in June 2014 but completed in July.

Note 3:

Timing variance with resealing preparation and external design works budgeted ahead of actual expenditure.

Note 4:

Ten hour grading days, has meant that more resheeting has been completed than originally anticipated.

Note 5:

Works on footpaths have commenced earlier than anticipated.

Note 6:

Timing of actual works are ahead of budgeted expenditure.

Note 7:

Bridge construction is yet to commence however preliminary investigation works have started and are lower than anticipated.

Local Roads and Bridges Maintenance

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
301 Inspections		105	-	(105)	-
302 Survey and Design		19	1,668	1,649	10,000
304 Pavement Maintenance	1	29,641	75,000	45,359	150,000
306 Grading	2	170,918	153,332	(17,586)	460,000
308 Shoulder Maintenance	2	17,992	33,332	15,340	100,000
310 Drainage Maintenance	2	36,670	56,668	19,998	170,000
316 Reseals		5,936	-	(5,936)	-
324 General Roadside Maintenance		35,739	25,000	(10,739)	75,000
330 F/Path Maintenance		449	-	(449)	8,000
331 K and C Maintenance		125	-	(125)	5,000
334 Roadside Treatments		-	-	-	15,000
336 Signs Maintenance		1,705	4,000	2,295	17,000
338 Linemarking		-	-	-	10,000
340 Guideposts		2,055	2,332	277	7,000
342 Guardrail		583	-	(583)	5,000
346 Bridge Maintenance		3,223	9,528	6,305	28,584
Total		305,160	360,860	55,700	1,060,584

Table 8: Local Roads & Bridges - Maintenance (YTD)

Note 1:

Lower pavement maintenance requirements than anticipated in the budget at this point in time.

Note 2:

The grading, shoulder and drainage maintenance works are completed together. Grading is now ahead of schedule after initial delays in prior months with lower maintenance requirements for shoulder and drainage at this point in the program.

RECOMMENDATION:

THAT THE FINANCE REPORT BE NOTED.

9.2 Mayoral and Councillor Allowance (07/05/0007-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Blair Phillips, Manager Finance.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

The Councillor and Mayoral allowances for Towong Shire Council are currently set at \$18,418 and \$55,026 respectively. These were set at the 4 March 2014 Council meeting.

Under 73B(2) of the Act the Minister must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances.

Section 73B further provides:

(4) If a review conducted by the Minister under this section results in a finding that Councillor and Mayoral allowances should be adjusted, the Minister must specify by notice published in the Government Gazette—

(a) an adjustment factor; and

(b) the new limits and ranges of allowances for each category of Councils, adjusted in accordance with the adjustment factor.

(5) If a notice is published in the Government Gazette under subsection (4), a Council must increase the level of Councillor and Mayoral allowances in accordance with the adjustment factor specified in the notice.

Council has been advised that the Minister for Local Government, the Hon Tim Bull MLA, has reviewed the limits and ranges of the current Mayoral and Councillor allowances and has determined under section 73B of the Act that the allowances be increased by 2.5% from 1 December 2014. This advice is included at Appendix 2.

The 2.5% increase takes the Towong Shire Councillor and Mayoral allowances to \$18,878 and \$56,402 respectively.

The amount equivalent to the superannuation guarantee under Commonwealth taxation legislation is currently 9.50% and is payable in addition to these amounts.

	Allowance	Plus 9.50%
Mayor	\$56,402	\$61,760
Councillor	\$18,878	\$20,672

A person elected to be a Councillor is entitled to receive a Councillor allowance from the date the person takes the oath of office. A Councillor elected to be Mayor is entitled to receive a Mayoral allowance from the date he or she is elected to the position of Mayor.

The Act provides that a Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance. There are no provisions in the Act enabling a Councillor or Mayor to elect to receive a part of the allowance set by the Council.

A further allowance available to Councillors is the Remote Area Travel Allowance. If a Councillor, including the Mayor, normally resides more than 50kms by the shortest practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Councillor to attend, he or she must be paid an additional allowance of \$40.00 in respect of each day on which one or more meetings or authorised functions were actually attended by that Councillor, up to a maximum of \$5,000 per annum.

Allowances are taxable income and Councillors should establish their own processes for documenting claimable expenses. A Statement of Earnings detailing allowances and benefits will be providing following 30 June each year for Councillors' tax purposes.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

The increase has not been budgeted for in the 2014/15 financial year. The increase will total \$42 per Councillor per month and \$126 for the Mayor per month. This totals \$2,058 for the remaining seven months from the effective date.

Risk Assessment:

There are reputational risks of having Councillors approving increases in their own remuneration. This risk is controlled by having the Minister for Local Government, within his powers under the Act, set the increase annually.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

This report outlines the process for setting the Mayoral and Councillor allowance within the thresholds specified.

RECOMMENDATION:

THAT:

- 1. THE 2.5% INCREASE DETERMINED BY THE MINISTER BE APPLIED TO THE CURRENT COUNCILLOR AND MAYORAL ALLOWANCES, TAKING THE ALLOWANCES TO \$18,878 AND \$56,402 RESPECTIVELY, AS REQUIRED UNDER THE LOCAL GOVERNMENT ACT 1989; AND**
- 2. THE REMOTE AREA TRAVEL ALLOWANCE BE NOTED.**
- 3. THE INCREASES RELATING TO CHANGES IN SUPERANNUATION GUARANTEE BE NOTED.**

9.3 Office Closure 2014/2015 Christmas New Year Period (07/05/0007-EA)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation and presentation of the report the officer does have a direct interest (common to all staff) to which the report or advice relates.

Background/History:

With the Christmas New Year holiday season almost upon us, it is necessary to consider staffing arrangements/office closure during that time.

It is proposed that the offices and depots close from 3.00 pm Wednesday 24 December 2014 and reopen on Friday 2 January 2015.

Public Holidays are scheduled for Thursday 25 December and Friday 26 December 2014 and Thursday 1 January 2015.

Staff will be required to take annual leave/RDO's etc to cover the remaining days.

Council's "After Hours" emergency provider will take emergency calls from 3.00 pm on 24 December 2014 and refer them accordingly until return to work on 2 January 2015.

The public holidays to be observed in Victoria during the remainder of the 2014-2015 municipal years are:

Public Holidays	2014	
Christmas Day	Thursday	25 December
Boxing Day	Friday	26 December
	2015	
New Year's Day	Thursday	1 January
Australia Day	Monday	26 January
Labour Day	Monday	9 March
Good Friday	Friday	3 April
Easter Monday	Monday	6 April
Anzac Day	Saturday	25 April
Queen's Birthday	Monday	8 June
Melbourne Cup Day	Tuesday	3 November
Christmas Day	Friday	25 December
Boxing Day	Saturday	26 December

Impact on Council Policy:

Not applicable.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

Nil.

RECOMMENDATION:

THAT THE COUNCIL OFFICES AND DEPOTS CLOSE FROM 3.00 PM WEDNESDAY 24 DECEMBER 2014 AND REOPEN ON FRIDAY 2 JANUARY 2015.

9.4 Australia Day Community Awards 2015 (07/06/0002-EA)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

Council, in conjunction with local service clubs, host five Australia Day events throughout the Shire; Bellbridge, Corryong, Mitta Valley, Tallangatta and Walwa. Councillor representation is required at each of the five locations.

Council participates in the Australia Day Ambassador Program and at the time of writing has not yet been advised of whom (if any) will be visiting Towong Shire as guest speakers in Bellbridge, Corryong, Tallangatta or Walwa. Mr Hugh Giltrap will be the guest speaker at the Mitta Valley celebrations to be held at Mitta Mitta. Mr Giltrap was the 2014 recipient.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

A 2014/2015 budget allocation of \$6,000 is available for the Australia Day Community Breakfast Awards.

Risk Assessment:

Not applicable.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

It is normal practice for Councillors to nominate for the event(s) they are able to attend and accordingly, Councillors are requested to make their nomination.

RECOMMENDATION:

THAT:

- 1. THE REPORT BE NOTED; AND**
- 2. COUNCILLORS NOMINATE WHICH EVENTS THEY WILL ATTEND FOR THE 2015 AUSTRALIA DAY COMMUNITY BREAKFAST AWARDS.**

LOCATION	COUNCILLOR
BELLBRIDGE	
CORRYONG	
MITTA MITTA	
TALLANGATTA	
WALWA	

9.5 Council Meeting Arrangements (07/05/0007-EA)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background:

Council needs to determine its meeting arrangements and schedule for the 2015-2016 municipal year.

Council's local law provides that the date, time and place for all Ordinary Council meetings be fixed by Council from time to time.

Ordinary Council meetings are held on the first Tuesday of the month commencing at 10am with meeting venues alternating between the Corryong and Tallangatta Council offices and every third meeting conducted offsite.

It is also proposed that there be no Ordinary Council Meeting held in January in order to accommodate staff and Councillor leave over Christmas and the New Year.

RECOMMENDATION:

THAT:

- 1. ORDINARY COUNCIL MEETINGS BE HELD ON THE FIRST TUESDAY OF EVERY MONTH (EXCEPTING PUBLIC HOLIDAYS) COMMENCING AT 10.00 AM ALTERNATING BETWEEN TALLANGATTA AND CORRYONG AND VARIOUS VENUES THROUGHOUT THE SHIRE; AND**
- 2. THE FOLLOWING MEETING DATES AND VENUES BE ADOPTED FOR ORDINARY COUNCIL MEETINGS FOR THE 2015 MUNICIPAL YEAR;**

DATE	LOCATION
JANUARY 2015	NO MEETING
3 FEBRUARY 2015	TALLANGATTA COUNCIL OFFICE
3 MARCH 2015	MITTA VALLEY SPORTS COMPLEX
7 APRIL 2015	CORRYONG COUNCIL OFFICE
5 MAY 2015	TALLANGATTA COUNCIL OFFICE

DATE	LOCATION
2 JUNE 2015	WALWA BUSH NURSING CENTRE
7 JULY 2015	CORRYONG COUNCIL OFFICE
4 AUGUST 2015	TALLANGATTA COUNCIL OFFICE
1 SEPTEMBER 2015	BETHANGA MEMORIAL HALL
6 OCTOBER 2015	CORRYONG COUNCIL OFFICE
10 NOVEMBER 2015	TALLANGATTA COUNCIL OFFICE
1 DECEMBER 2015	CORRYONG COUNCIL OFFICE

9.6 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 11 November 2014 Council Meeting are attached at Appendix 3.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

9.7 Council Plan Priorities (07/05/0022-DCCS)

The monthly updates on the 2013-2017 Council Plan priorities are attached at Appendix 4 for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED

9.8 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at Appendix 5 for information.

RECOMMENDATION:

FOR INFORMATION

10 Community wellbeing

The Community Wellbeing report is presented every second month. However as it is proposed that there will not be a meeting in January 2015, the next report is due in February 2015.

11 Asset management

11.1 Asset Management Report (01/07/0004-DTS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Rachael Gadd, Civil Asset Engineer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly report on Asset Management activities throughout the Shire.

Stock Grid Policy

The implementation of the stock grid policy is ongoing with site visits and telephone consultation with stock grid owners helping to resolve issues regarding DEPI agricultural grazing licences, fencing alignments, signage and stock grid repair requirements. We have received responses from 52% of stock grid owners and as the date for initial response has now passed work will begin to follow up on the late replies. There are currently six stock grids scheduled for removal during routine road maintenance and a number of others have undergone repairs already. A bulk purchase of stock grids will be coordinated by Council at the request of stock grid owners. This will occur once there have been requests for at least 12 grids. A bulk purchase of signs will also occur early in 2015.

Trees

A tree management plan is being developed to document current practices and align street tree management with relevant legislation. This has involved the consolidation of Council's existing urban street tree register and in the coming months an audit will be completed of the Shire's significant trees.

Asset Management Plan for Recreation and Open Spaces

The development of the recreation and open space plan is progressing. An inventory and condition inspection of play grounds and street furniture assets is currently in progress with an iPad app being used to capture data such as location, condition and photos in the field.

Asset renewal and maintenance

Three bridges have been scheduled for replacement on McHargs Road, Campbell's Lane and Hindleton Road. The initial survey and design works are currently underway with construction to begin in 2015. Two major culverts on Callaghan Creek Road are also scheduled for replacement in early 2015.

A building renewal and maintenance works schedule has been developed following the completion of the building maintenance inspections. An asset database of Council buildings has also been developed. Works have been prioritised on a risk basis and will be actioned throughout the year. Some capital works have been postponed to 2015/2016 due to budget constraints or pending grant funding.

The grading and re-sheeting program is ongoing throughout the year.

The construction of a sealed dust strip on Spring Creek Road will commence in February 2015.

Tender submissions for Council's major patching program have now closed and assessment of the submissions was conducted at the November Council meeting.

The annual reseal program has been finalised and Downer EDI will commence in January as per Council's resealing contract. These works are supported by Roads to Recovery funding.

A strategic new footpaths links list has been developed and will inform the construction of new footpaths in all major towns within the Shire over the next five years. These footpaths will form links between shopping precincts, hospitals, sporting facilities and existing recreational pathways. A grant has been received and works will begin in January in Corryong and Tallangatta.

Condition inspections and mapping of urban stormwater drainage assets will commence in November and be ongoing over the next three years. The priority this year is drainage on and around Towong Street, Tallangatta.

Town beautification

Town beautification works have now been completed in Bethanga Bay Road, Bethanga. The existing avenue of trees has been pruned and mown. The ongoing maintenance of this area is now an addition to the existing town maintenance contract and at the renewal of the contract it will be included as an ongoing item in the schedule of works. Minor works have also been undertaken at Eskdale and Mitta Mitta. The major works program for town beautification is yet to be finalised.

Review of condition assessment method

The method of performing condition assessments for all asset categories has been reviewed to align with the Maloney's 0-10 system. This will ensure consistency in the collection of condition data for all asset categories enabling accurate assessments and prioritisation of capital and maintenance works programs in the future. The Maloney system is currently used by Council for the external and internal condition assessment of sealed and unsealed roads, bridges and major culverts, footpaths, kerb and channel. The reviewed system is now being used in the assessment of street furniture and playground equipment and will also be implemented for buildings, drainage and significant trees.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Asset Management area is making good progress in relation to the Council Plan.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

11.2 Works Schedule (DTS)

The works scheduled for the period 24 October to 21 November 2014 is attached at Appendix 6 for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

12 Land-use planning

No report.

13 Environmental sustainability

The Environmental Sustainability report is presented every second month. However as it proposed that there will not be a meeting in January 2015, the next report is due in February 2015.

14 Economic and tourism development

The Economic Development report is presented every second month. However as there will not be a meeting in January 2015, the next report is due in February 2015.

15 Councillor reports

15.1 Chief Executive Officer Employment Contract (Cr Wortmann)

Disclosure of Interests (S. 80C):

Report prepared by Mayor Cr Wortmann.

At the time of preparation of the report Cr Wortmann did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

The Chief Executive Officer's Employment Contract expires on 30 May 2015.

In accordance with the Employment Contract the Chief Executive Officer is required to notify Council, no later than six months before the contract expiry date, whether she is seeking to continue employment with Council, in the position of Chief Executive Officer, beyond the expiry date.

The Chief Executive Officer has written to Council (letter received 11 November 2014) advising that she is seeking to continue employment with Council in the position of Chief Executive Officer beyond the expiry date.

In accordance with the Employment Contract Council is required, within 35 days of receipt of the notification from the CEO, to notify the Officer whether the Council is willing to continue the Officer's appointment under a new contract pursuant to section 94(4) of the Act.

If the Council, in its absolute discretion, is willing to continue the Officer's appointment and employment under a new contract, the terms and conditions of that new contract must be agreed upon before the Expiry Date, failing which the Officer's appointment and employment will terminate when the Agreement (the Employment Contract) expires.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

There is no budget impact of this decision. If Council determines that it is willing to continue the Officer's appointment and employment under a new contract, the terms and conditions of a new contract must be agreed upon. A new contract may have a budget impact.

Risk Assessment:

No risk assessment has been undertaken however if Council does not wish to continue the Officer's employment Council will need to commence the process of recruiting a new Chief Executive Officer.

Community Consultation/Responses:

No community consultation has been undertaken in relation to this matter.

Discussion:

Ms Juliana Phelps has performed exceptionally well since being appointed to the position of Chief Executive Officer.

Councillors have been provided with annual performance reports previously, however these will be available at the meeting should they be required.

Copies of the Annual Reports and performance against Council Plan priorities have also been provided previously and will also be available at the meeting.

RECOMMENDATION:

THAT:

- 1. COUNCIL DETERMINE WHETHER IT IS WILLING TO CONTINUE THE APPOINTMENT AND EMPLOYMENT OF MS JULIANA PHELPS IN THE POSITION OF CHIEF EXECUTIVE OFFICER; AND**
- 2. SHOULD COUNCIL DECIDE TO CONTINUE WITH THE APPOINTMENT AND EMPLOYMENT OF MS PHELPS, NEGOTIATIONS FOR THE TERMS AND CONDITIONS OF THE NEW CONTRACT COMMENCE EARLY IN 2015.**

15.2 Timber Towns (Cr Gadd)

Date	14 November 2014
Details About the Activity	<ul style="list-style-type: none">• Code of Practice for timber production has passed through State Govt, Timber Towns had put in a submission to this code• Projects that are ongoing are (The Book Of History) being finalised• Indigo Shire Council is considering membership, also three or four other potential Councils considering joining Timber Towns• Andrew Leach is the new treasurer for Timber Towns• Feedback is sought on the new Timber Towns newsletter• A Business Case for government funding of timber roads in Victoria was presented and we are encouraged to share this document with our local politicians. Discussion ensued re the importance of safety issues in relation to timber roads and the economy of rural communities as well as the focus on our roads• John Murphy from VicRoads gave an update - Snapshot of roads around Victoria was presented, movements and roads around the state, land use and industry locations in regional Victoria are being mapped• Update in TIRES 2015• TIRES document has been updated yearly and concludes in 2015 Research approach of the next document will be conducted. Working group to be formed from Councils and State Govt to ensure all data is collected, and to use as an advocacy document• Working group to be formed from local council reps, most work will be online to review document

RECOMMENDATION:

THAT THE COUNCILLOR REPORTS BE NOTED.

16 Urgent business

17 Committee minutes

17.1 Rural Councils Victoria (CEO)

The unconfirmed minutes of the Rural Council Victoria meeting held on 14 November 2014 are attached at Appendix 7 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED OCCUPATIONAL RURAL COUNCILS VICTORIA MINUTES BE NOTED.

17.2 MAV Regional Forum (Cr Fraser)

The unconfirmed minutes of the MAV Regional Forum held on 4 September 2014 are attached at Appendix 8 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED MAV REGIONAL FORUM MINUTES BE NOTED.

18 Occupational health and safety

18.1 OHS Committee (06/04/0212-DCCS)

The unconfirmed minutes of the meeting held on 6 November 2014 are attached at Appendix 9 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MINUTES BE NOTED.

19 Council policies (10/01/0007-CEO)

The following policies were tabled for review at the 7 October 2014 Council meeting and are presented at Appendix 10 for adoption.

- Fraud and Corrupt conduct (CEO)
- Fraud, Corrupt Conduct and Conflict of Interest Reporting Procedure (DCCS)
- Protected Disclosure (DCCS)
- Social Media (DCCS)

The Kerbside Refuse and Recycling Collection was tabled on 11 November 2014 and is also presented at Appendix 10 for adoption.

RECOMMENDATION:

THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:

- **FRAUD AND CORRUPT CONDUCT**
- **FRAUD, CORRUPT CONDUCT AND CONFLICT OF INTEREST REPORTING PROCEDURE**
- **PROTECTED DISCLOSURE**
- **SOCIAL MEDIA**
- **KERBSIDE REFUSE AND RECYCLING COLLECTION**

The following policies are attached at Appendix 11 for review. Councillors are requested to provide feedback on the policy to the relevant officers by 10 January 2015.

- Tree (DTS)
- Conflict of Interest Guidelines for Planning Staff (CEO)

20 Sealing of documents

20.1 Section 173 Agreement – Robfamco, Marilyn Teresa Roberts, and Peter James Roberts and Goulburn Murray Water and Towong Shire Council (P242500)

Planning Permit 2014/037 provided consent for the development of Lot 12, Plan of Subdivision 446823, Parish of Magorra for the purpose of an extension and alteration to an existing dwelling. Condition 9 of the Planning Permit required a Section 173 Agreement to be registered on the Title of the land. The Agreement indicates that the owner of Lot 12, Plan of Subdivision 446823, Parish of Magorra is required to:

1. Have a wastewater system installed, operated and maintained as required by the EPA;
2. That an annual inspection be undertaken by the land owner and at their cost, with the report of the inspection to be forwarded to the Responsible Authority and Goulburn Murray Water; and
3. All repairs and maintenance to the wastewater system must be documented and reported to the Responsible Authority and Goulburn Murray Water;

The Agreement has now been drafted in accordance with the Planning Permit and needs to be signed and sealed.

RECOMMENDATION:

THAT THE CHIEF EXECUTIVE OFFICER BE AUTHORIZED TO SIGN AND SEAL THE SECTION 173 AGREEMENT RELATING TO LAND KNOWN AS LOT 12, PLAN OF SUBDIVISION 446823, PARISH OF MAGORRA THAT HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2014/037.

21 Confidential

In accordance with S77(2) information is 'confidential information' if:

- (a) the information was provided to the Council or a special committee in relation to a matter considered by the Council or special committee at a meeting closed to members of the public and the Council or special committee has not passed a resolution that the information is not confidential; or
- (b) the information has been designated as confidential information by a resolution of the Council or a special committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or special committee has not passed a resolution that the information is not confidential; or
- (c) subject to sub-section (3), the information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential.

In accordance with Section 89(2) and 89(3) of the Local Government Act 1989,

(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

(3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting

No reports.