

# Minutes

## Ordinary Meeting of Council

Tallangatta Council Office

Tuesday 4 August 2015

---

This information is available in alternative formats on request

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE TOWONG SHIRE COUNCIL, TALLANGATTA OFFICE, ON TUESDAY 4 AUGUST 2015 COMMENCING AT 10.00 AM.**

**TABLE OF CONTENTS**

1	Opening Prayer .....	3
2	Councillor and Officer presence at the meeting.....	3
3	Apologies and granting of leave of absence.....	3
4	Declaration of pecuniary interest and/or conflict.....	3
5	Confirmation of minutes.....	4
6	Petitions, joint letters and declarations.....	4
7	Assembly of Councillors.....	4
8	Open Forum .....	4
9	Organisational improvement .....	5
9.1	Finance Report as at 30 June 2015 (DCCS) .....	5
9.2	Ratepayers with overdue debts (06/01/0005 - DCCS) .....	18
9.3	Council Endorsement of Emergency Management Plan (07/01/0008 - DCCS) .....	22
9.4	Port of Melbourne Lease (CEO).....	25
9.5	Action Sheet Reports (06/05/0010-EA) .....	26
9.6	Council Plan Priorities (07/05/0022-DCCS).....	26
9.7	Performance Reporting Graphs (DCCS).....	26
10	Community wellbeing.....	27
11	Asset management.....	27
11.1	Benambra-Corryong Road - Freehold Consent (Section 11(2) of the Road Management Act 2004) (01/01/0048 - DTS).....	27
12	Land-use planning .....	29
13	Environmental sustainability.....	29
14	Economic and tourism development.....	29
15	Councillor reports.....	30
15.1	Bethanga NBN Tower Public Meeting (Cr Wortmann) .....	30
15.2	Native vegetation meeting (Cr Scales).....	30
16	Urgent business .....	31
17	Committee minutes.....	31
18	Occupational health and safety.....	31
18.1	Occupational Health and Safety Report (06/04/0212-DCCS).....	31
18.2	OHS Committee (06/04/0212-DCCS).....	31
19	Council policies (10/01/0007-CEO).....	32
20	Sealing of documents .....	32
21	Confidential .....	33

## **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."

Council acknowledged the passing of former Councillor Mr Roy Baird with a minute of silence.

## **2 Councillor and Officer presence at the meeting**

**Present:** Crs Wortmann, Scales, Fraser, Gadd and Joyce

<b>In Attendance:</b>	<b>Title:</b>
J Phelps	Chief Executive Officer
J Heritage	Director Technical Services
J Shannon	Director Community and Corporate Services

## **3 Apologies and granting of leave of absence**

Nil.

## **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.

Nil.

## **5 Confirmation of minutes**

7 July 2015

**CR GADD  
CR FRASER**

**THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 7 JULY 2015 AS CIRCULATED AS AMENDED BE CONFIRMED.**

**CARRIED**

## **6 Petitions, joint letters and declarations**

Nil.

## **7 Assembly of Councillors**

A written record of the Assemblies of Councillors from 7 to 28 July 2015 is included at [Appendix 1](#).

**CR SCALES  
CR FRASER**

**THAT THE INFORMATION BE NOTED.**

**CARRIED**

## **8 Open Forum**

<b>NAME</b>	<b>TOPIC</b>
Mrs Pat Swasbrick	Mitta Valley Bowling Club
Mr Ray Crispin	Lords Hut
Mr Harvey Hilary-Taylor	Mitta Valley Bowling Club

## 9 Organisational improvement

### 9.1 Finance Report as at 30 June 2015 (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: The figures in this report are based on interim financial results, prior to final year-end adjustments.*

	Note	Jun-15 (Actual) \$'000	Jun-15 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %	2014/15 Full Year (Budget) \$'000	2014/15 Full Year (Achieved) %
Income	1	2,070	558	19,408	17,142	2,266	13%	17,142	113%
Expenditure	2	4,177	5,114	13,289	15,090	1,801	12%	15,090	88%
Surplus/ (Deficit)		(2,107)	(4,556)	6,119	2,052	4,067	198%	2,052	298%

Table 1: Operating Result

#### Note 1:

Council income for the 2014/15 year of \$19.4 million is \$2.3 million more than budgeted for the financial year. Major items contributing to the full year variance include:

- Revenue received in advance:
  - \$1.8 million as an early payment from the Victorian Grants Commission for next year's allocation 2015/16 (timing variance – budgeted to be received in 2015/16)
- Additional revenue received:
  - \$309,000 for Nation Building Blackspot (road) funding, in line with two-year program (not budgeted)
  - \$226,000 representing the final claim for the works carried out to rectify the March 2012 flood damage (not budgeted)
  - \$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 (timing variance)
  - \$87,000 for improvements to the Towong Grandstand from the Public Safety on Public Land program and Towong Turf Club (not budgeted)

- Revenue expected to be received later than anticipated:
  - Awaiting work to commence at Wyeboo Multi Purpose Community Facility to lodge milestone claim of \$267,000 and community funding \$95,000 (timing variance - expected to be received in 2015/16)
  - Awaiting progression of Milestone 3 for the Narrows Project \$120,000 (timing variance – expected to be received in 2015/16)

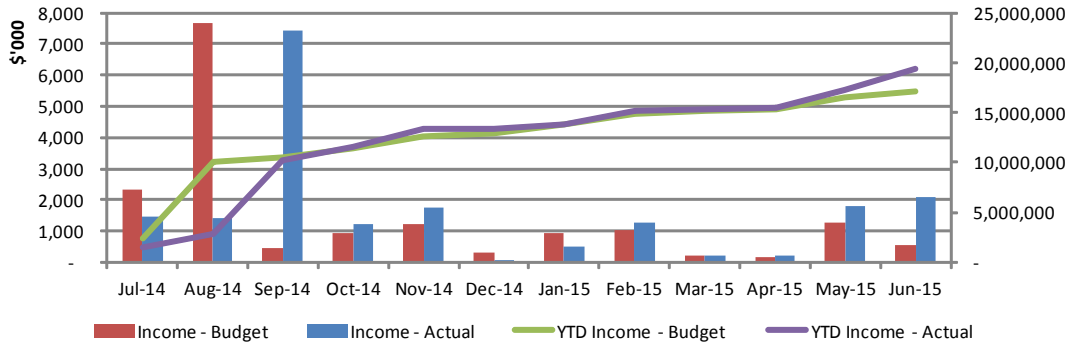
Note 2:

The favourable expenditure variance of \$1.8 million is due to:

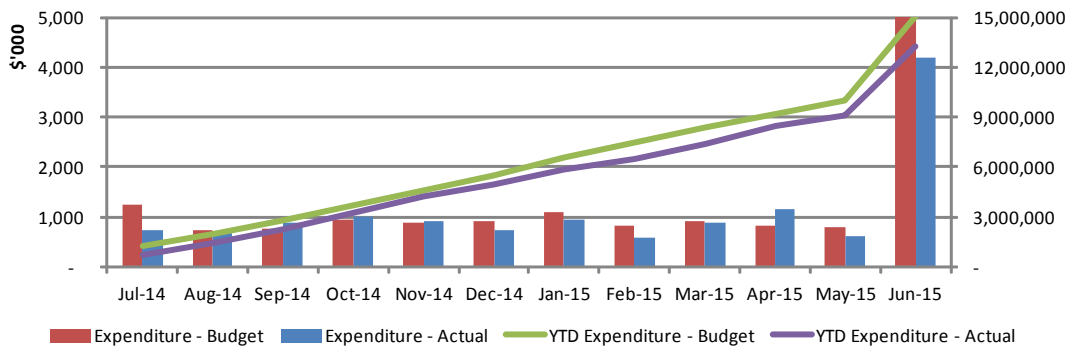
- Operational savings:
  - Vacancies in Executive Services of \$194,000
  - Vacancies and operating cost savings in town planning \$82,000
  - Vacancies in Corporate services \$60,000
  - Insight 360 \$120,000 (to be carried forward to 2015/16)
  - North east bushfire camera network \$105,000 (to be carried forward to 2015/16)
- Expenditure that will be incurred later than expected:
  - Budgeted works of \$675,000 at the Wyeboo Multi Purpose Community Facility will not commence until the completion of the football/netball season in September 2015 (timing variance)
  - Our Valley Our Future and Upper Murray 2030 projects currently \$179,000 below budget (timing variance)
  - Various community development projects \$82,000 (timing variance)
  - Narrows project expense \$49,000 (timing variance)
- 2014/15 insurance premiums prepaid in the prior financial year \$80,000 (timing variance)

**Operating Result**

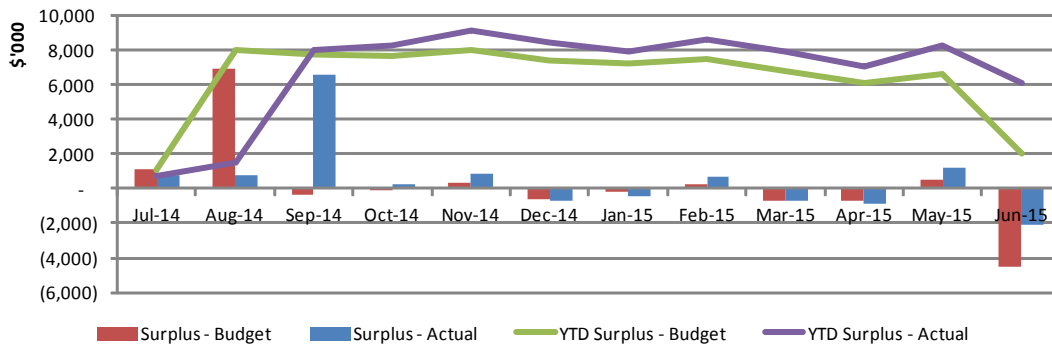
**Income**



**Expenditure**



**Operating Surplus**



**Grant Income**

	Note	Jun-15	YTD	YTD	YTD	YTD	2014/15	2014/15
		(Actual)	(Actual)	(Budget)	(Variance)	(Variance)	(Budget)	(Achieved)
		\$'000	\$'000	\$'000	\$'000	%	\$'000	%
Recurring	1	1,850	8,281	6,295	1,986	132%	6,295	132%
Non-Competitive	2	3	267	37	230	722%	37	722%
Competitive	3	620	2,034	1,973	61	103%	1,973	103%
<b>Total</b>		<b>2,473</b>	<b>10,582</b>	<b>8,305</b>	<b>2,277</b>	<b>127%</b>	<b>8,305</b>	<b>127%</b>

Table 2: Grant Income

Note 1:

Council received an early payment of \$1.8 million from the Victorian Grants Commission for next year's allocation 2015/16 (timing variance – budgeted to be received in 2015/16).

Council has received \$150,000 in advance 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 has also received \$87,000 in excess of the 2014/15 budget for Kindergarten funding due to an increase in the per capita funding, additional small rural kindergarten funding and a prior year adjustment.

Council is yet to receive the grant of \$100,000 for budgeted carried forward works for Roads to Recovery.

Note 2:

Council has received \$226,000 for final settlement of works carried out on damage from March 2012 floods which was unbudgeted in the 2014/15 year.

Note 3:

Council has not yet received grants for:

- Narrows Project \$120,000 (timing variance)
- Wyeefoo Multi Purpose Facility \$267,000 (timing variance)

Additional unbudgeted grants have been received as follows:

- \$309,000 for Nation Building Blackspot (roads) funding (in line with two year program)
- \$67,000 for the final amount for the Tallangatta Sports Centre
- \$47,000 for the Towong Racecourse Grandstand
- \$30,000 for the High Country Rail Trail (Tallangatta Path Linkage Project)



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

<b>\$'000</b>	
<b>Recurring</b>	
VGC General Purpose Funding	3,433
VGC Local Roads Funding	2,059
Country Roads and Bridges	1,000
R2R Supplementary	618
LG Infrastructure Projects	490
Corryong Pre School	153
Maternal and Child Health	136
Library	106
Berringa Pre School	101
Tallangatta Pre School	91
Municipal Emergency Response Program	60
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
State Emergency Service Mitta	7
Health Admin	3
<b>Total Recurring Grants</b>	<b>8,281</b>
<b>Competitive and Non-Competitive</b>	
Blackspot funding	594
Tallangatta Integrated Community Centre	450
Magorra Park (DSE)	289
Flood Recovery	226
Wyeboon Multi Purpose Facility	178
Berringa Pre School (Upgrade)	75
Upper Murray 2030 Vision	75
Tallangatta Multi-sport Precinct	68
Towong Racecourse (DSE)	47
L2P Program	45
Community Access	41
The Narrows Project	40
High Country Rail Trail Upgrade (DSE)	30
Our Valley Our Future	25
Cudgewa Multi Purpose Facility (DSE)	23
Tallangatta Neighbourhood House	20
Health Promotions (Walk to School)	20
Comm Health & Wellbeing	15
Seniors Week	12
Colac Colac Bike Path	12
Freeza Funding	12
Caravan Park Masterplan	3
<b>Total Competitive and Non-Competitive Grants</b>	<b>2,301</b>
<b>Total Grants Received</b>	<b>10,582</b>

**Unexpended Grants**

Where Council has received grants that are required to be expended in a specified manner, but the funds have not yet been expended, the grant is recognised as an unexpended grant or restricted funds. This identifies cash holdings that are required to be spent on a specified purpose and are not available for other Council priorities.

The following table provides a listing of current unexpended grants:

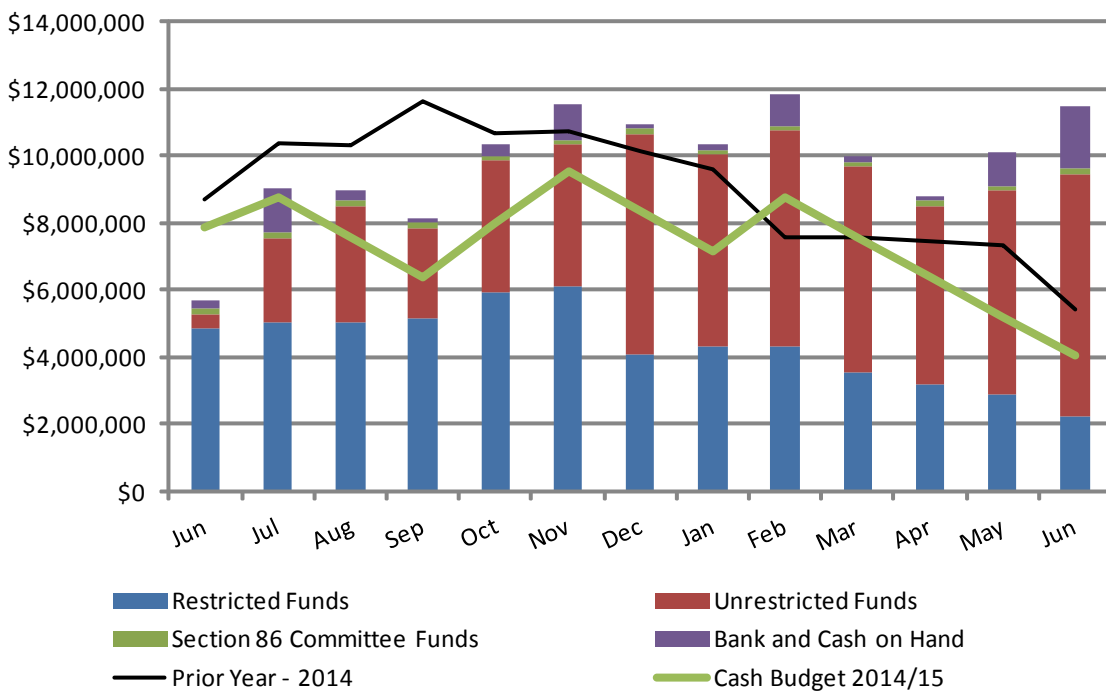
	\$'000
Unexpended Grants	
Tallangatta Integrated Community Centre	1,140
Country Roads and Bridges	305
Wyeeboo Multi Purpose Facility	129
Community Access	73
Our Valley Our Future	61
Tallangatta Neighbourhood House	51
Flood Recovery Officer	42
The Narrows Project	38
Children Services Review	35
Local Gov Business Collaboration	32
High Country Rail Trail Upgrade (DSE)	29
Upper Murray 2030 Vision	27
Health Promotions (Walk to School)	14
Bushfire Management Overlay	13
Improving Liveability of Older People	10
Freeza Funding	8
Weed Project	7
Fire Access Track Maintenance	1
<b>Total Unexpended Grants</b>	<b>2,014</b>

## CASH POSITION

### *Cash on Hand*

The cash position moved during the month as detailed below:

	Current Month Jun-15 \$	Prior Month May-15 \$	Variance	
			\$	%
Unexpended Grants	2,014,031	2,658,407	(644,376)	-24.2%
Provisions and reserves	232,000	232,000	-	0.0%
<b>Restricted Funds</b>	<b>2,246,031</b>	<b>2,890,407</b>	<b>(644,376)</b>	<b>-22.3%</b>
Unrestricted Funds	7,213,743	6,077,812	1,135,932	18.7%
Section 86 Committee Funds	136,246	136,082	164	0.1%
<b>Total Investments</b>	<b>9,596,020</b>	<b>9,104,300</b>	<b>491,720</b>	<b>5.4%</b>
Bank and Cash on Hand	1,866,309	995,523	870,786	87.5%
<b>Total Cash</b>	<b>11,462,329</b>	<b>10,099,823</b>	<b>1,362,506</b>	<b>13.5%</b>
Average Interest Rate	2.96%	3.24%		



**Investments**

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

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
16/06/2015	Term Deposit	NAB	1,007,479	2.87%	154 Days	A1+	17/11/2015
22/07/2014	Term Deposit	NAB	1,000,000	3.45%	182 Days	A1+	21/07/2015
15/10/2014	Term Deposit	AMP	1,500,000	3.50%	280 Days	A1	22/07/2015
11/03/2015	Term Deposit	Bank of Queensland	1,000,000	3.10%	119 Days	A2	8/07/2015
17/03/2015	Term Deposit	ING Bank	1,000,000	3.03%	183 Days	A2	16/09/2015
25/06/2015	Term Deposit	ME Bank	1,000,000	2.95%	124 Days	A2	27/10/2015
26/06/2015	Term Deposit	WAW	828,032	2.85%	199 Days		11/01/2015
N/A	Online Saver	Westpac	2,124,263	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	136,246	4.68%	N/A		N/A
<b>Total Investments</b>			<b>9,596,020</b>				

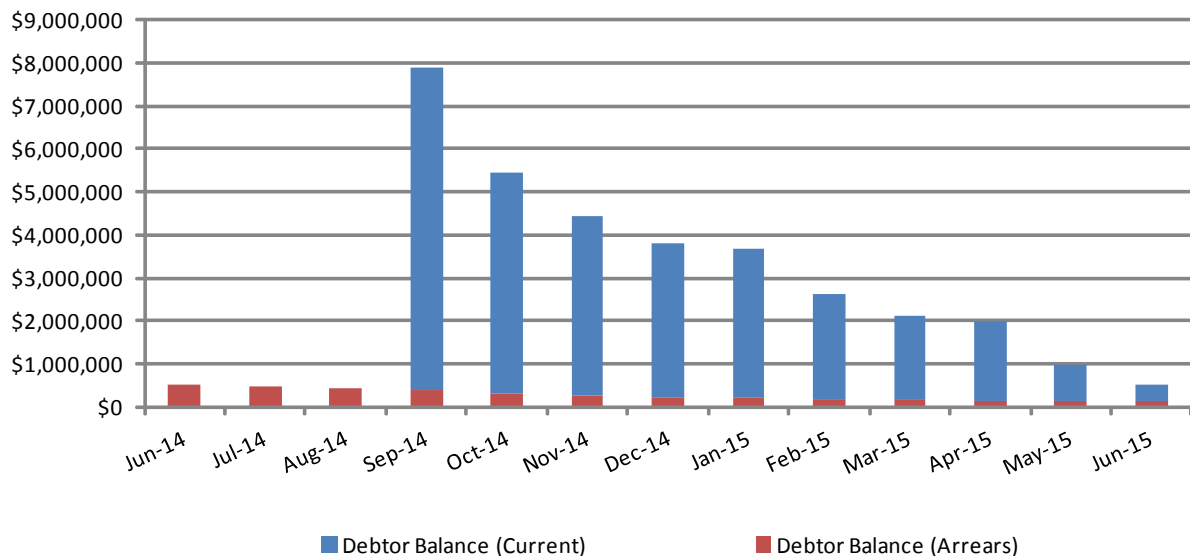
Table 4: Investments at month end

**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:

<b>Rates, charges and FSPL Debtors</b>							
	Amount	Received	% Collected	Received	Collected	Balance	
	\$	Jun-15	Jun-15	YTD	YTD	Outstanding	\$
		\$	%	\$	\$		
Levied 2014/15	7,686,447	464,529	6.0%	7,287,925	94.8%	398,522	
Arrears prior to 2014/15	502,975	9,311	1.9%	376,634	74.9%	126,341	
<b>Total Charges</b>		<b>473,840</b>		<b>7,664,559</b>		<b>524,863</b>	

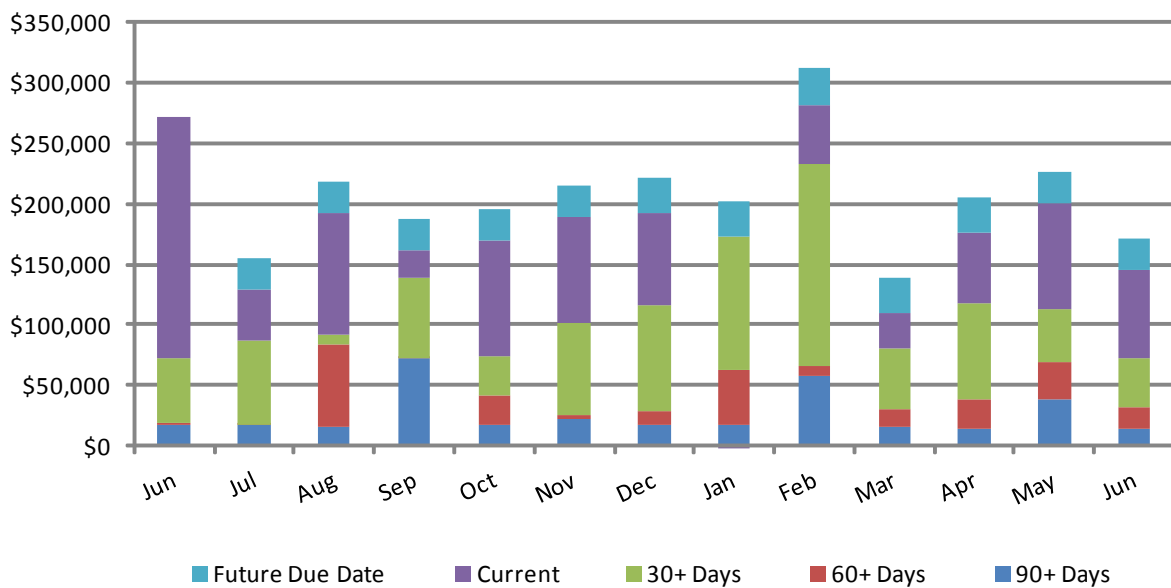


Rates and charges for 2014/15 were levied in September 2014.

**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
	\$	\$	\$	\$	\$	\$
<b>June 2015</b>	25,953	72,387	40,438	17,455	14,610	170,844
<b>May 2015</b>	25,953	87,404	44,332	30,605	37,768	226,062
<b>Movement</b>	-	(15,017)	(3,894)	(13,149)	(23,157)	(55,218)



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

Debtor	Amount	Description	RO	Notes
Debtor 8411	\$1,580	Contribution	DCCS	Payment has been requested.
Debtor 18925	\$3,500	Community Contribution	MF	Payment plan has been entered.
Debtor 9333	\$2,433	Cost recovery for planning	MF	Payment has been requested.
Debtor 17007	\$1,540	Cost recovery for slashing	DCCS	DCCS has briefed Council.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	DCCS	DCCS has briefed Council.

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	1	15,538	50,000	34,462	50,000
410 Road Construction	2	689,101	808,128	119,027	808,128
416 Sealing	3	86,348	25,000	(61,348)	25,000
417 Resealing	4	710,767	675,000	(35,767)	675,000
420 Drainage Construction	5	56,802	30,000	(26,802)	30,000
421 Digouts	6	539,733	415,000	(124,733)	415,000
422 Resheeting	7	154,659	230,000	75,341	230,000
432 Footpaths	8	132,097	254,596	122,499	254,596
433 Kerb and Channel	9	38,328	166,504	128,176	166,504
442 Guardrails		16,172	16,000	(172)	16,000
450 Bridge Construction	10	643,901	1,054,926	411,025	1,054,926
<b>Total</b>		<b>3,083,446</b>	<b>3,725,154</b>	<b>641,708</b>	<b>3,725,154</b>

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

#### Note 1:

Consultants have been used to deliver some of this work with the associated expenditure of \$25,000 coded to operating costs, rather than capital costs.

#### Note 2:

Towong Street upgrade \$80,000 will be carried forward pending the National Stronger Regions Fund (NSRF) application and Georges Creek Road improvements is now complete and was delivered for \$58,000 less than the original budget.

#### Note 3:

Harvey St, Walwa St and Kyilla St sealing were budgeted to be completed in June 2014 but completed in July. This appears as an over spend of \$61,000 in 2014/15.

#### Note 4:

Overspend of \$36,000 was offset by an under spend in Bridge Construction with funding redirected from the Country Roads and Bridges funding program.

#### Note 5:

Callaghan Creek culverts of \$27,000 has been overspent in Drainage, though offset from an under spend in Bridge Construction.

#### Note 6:

Overspend on digouts of \$125,000 was offset by funding redirected from Country Roads and Bridges for McHargs Bridge.

Note 7:

Resheeting is complete, with remaining funds of \$75,000 to be carried forward to 2015/16.

Note 8:

The Footpath replacement program has been completed with some invoices still to be received. \$112,000 will be carried forward into 2015/16 pending the 'Destination Tallangatta' NSRF grant application and the Tallangatta Integrated Community Centre construction (timing variance).

Note 9:

\$54,000 of Kerb and Channel works will be carried forward pending the NSRF grant application and the Tallangatta Integrated Community Centre construction (timing variance).

Note 10:

Bridge construction is complete with final invoices yet to be received (timing variance). A re-allocation of under spend has been made to dig-outs, reseals and drainage per above.

**Local Roads and Bridges Maintenance**

	Note	YTD Actual	YTD Budget	Variance	Annual Budget
		\$	\$	\$	\$
301 Inspections		105	-	(105)	-
302 Survey and Design		16,216	10,000	(6,216)	10,000
304 Pavement Maintenance		119,572	150,000	30,428	150,000
306 Grading	1	519,541	460,000	(59,541)	460,000
308 Shoulder Maintenance	1	71,237	100,000	28,763	100,000
310 Drainage Maintenance	1	133,174	170,000	36,826	170,000
316 Reseals		2,662	-	(2,662)	-
320 Digouts		2,500	-	(2,500)	-
324 General Roadside Maintenance	2	101,095	75,000	(26,095)	75,000
330 F/Path Maintenance		2,728	8,000	5,272	8,000
331 K and C Maintenance		125	5,000	4,875	5,000
334 Roadside Treatments		1,654	15,000	13,346	15,000
336 Signs Maintenance		7,208	17,000	9,792	17,000
338 Linemarking		5,821	10,000	4,179	10,000
340 Guideposts		14,643	7,000	(7,643)	7,000
342 Guardrail		5,089	5,000	(89)	5,000
346 Bridge Maintenance		16,789	28,584	11,795	28,584
<b>Total</b>		<b>1,020,159</b>	<b>1,060,584</b>	<b>40,425</b>	<b>1,060,584</b>

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

Note 1:

The grading, shoulder and drainage maintenance works are now complete with overspend in grading offset by under spend in shoulder and drainage maintenance.

Note 2:

More maintenance required due to wet weather and stock grids. Blackberry spraying and tree works were more substantial than originally anticipated.

## OTHER FINANCIAL MATTERS

### ***Victorian Grants Commission allocation and advance payment - 2015/16***

As reported last month, the Victorian Grants Commission advised Council of its indicative 2015/16 allocation of Financial Assistance Grants with the advised allocation being included in the adopted budget for 2015/16. An advance payment of \$1.8 million was received on 30 June 2015 as detailed in the following table:

	<b>2015/16 Indicative Allocation</b>	<b>2015/16 Allocation received in advance June 2015</b>	<b>Balance to be received in 2015/16</b>
General Purpose Grants	2,207,612	1,141,945	1,065,667
Natural Disasters	-	-	-
Local Road Funding	1,339,653	683,497	656,156
<b>Total Funding</b>	<b>3,547,265</b>	<b>1,825,442</b>	<b>1,721,823</b>

### ***Sessional kindergartens additional ratio funding – 2015/16***

The State Government has announced additional funding to support kindergartens to transition to the new improved educator-to-child ratios. The educator-to-child ratios have changed from 1 educator to every 15 children to 1 educator to every 11 children.

Additional funding of \$370 per child will support sessional kindergarten groups of 23 or more enrolments and a further \$200 for every Kindergarten Fee Subsidy enrolment will be provided for eligible children in groups of 23 or more.

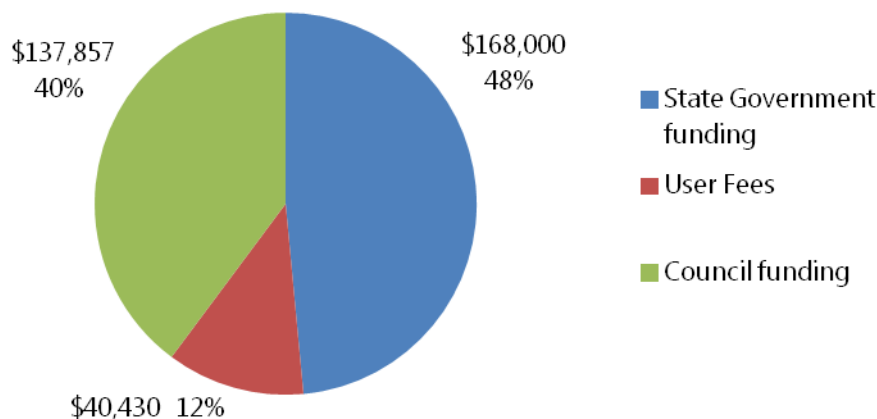
Council has budgeted for the Corryong kindergarten to have an enrolment base of 28 children for the 2016 year. With the change to the educator-to-child ratios this has required the inclusion of an additional educator position in the 2015/16 budget to accommodate the anticipated level of enrolments.



After taking into consideration the additional State funding, the change has meant that Council will need to spend approximately \$20,000 of rates income to meet the new staffing requirements. A report will be prepared and presented at a future Council Meeting.

The following chart details the sources of funding to operate Council kindergartens for 2015/16. This does not include the cost incurred by Council in maintaining the Council owned kindergarten buildings.

### Kindergarten budget 2015/16



### ***Roads to Recovery – additional funding***

The Commonwealth Government has reached an agreement to reintroduce the Consumer Price Index-linked fuel excise with the additional revenue raised to be invested in road infrastructure. This will see Local Government across Australia receive an extra \$1.105 billion through the Roads to Recovery (R2R) Program over the next two years.

As a result of this change Council will receive additional funding under the R2R program of \$2.1 million over 2015/16 and 2016/17. The details of the original program announced and budgeted in Council’s Budget and Strategic Resource Plan compared to the recently announced additional funding are shown in the table below.

	2014/15	2015/16	2016/17	2017/18	2018/19	Total
R2R - Original program	671,139	1,342,278	671,139	671,139	671,139	4,026,834
R2R - New level of funding	671,139	1,917,441	2,214,494	671,139	671,139	6,145,352
<b>Additional funding to be received</b>	-	<b>575,163</b>	<b>1,543,355</b>	-	-	<b>2,118,518</b>

**CR GADD  
CR FRASER**

**THAT:**

- 1. A REPORT ON KINDERGARTEN FUNDING BE PROVIDED TO THE SEPTEMBER COUNCIL MEETING; AND**
- 2. THAT THE FINANCE REPORT BE NOTED.**

**CARRIED**

## **9.2 Ratepayers with overdue debts (06/01/0005 - DCCS)**

### **Disclosure of Interests (S.80C):**

This report was prepared by Ms Jo Shannon, Director Community and Corporate Services.

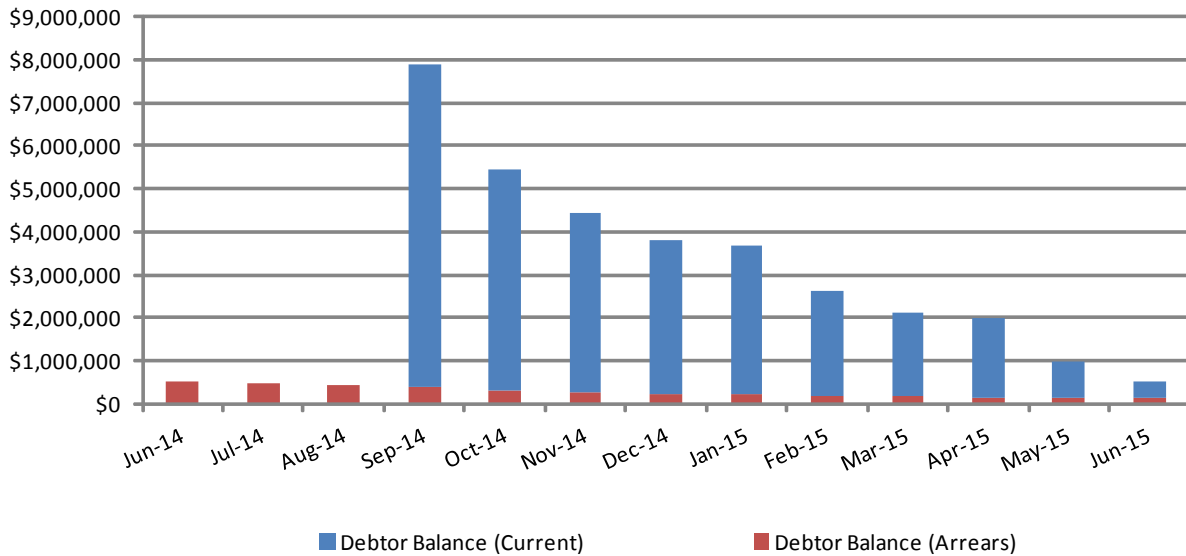
At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

### **Background/History:**

At 30 June 2015, Council had a total of \$524,863 outstanding in rates and charges.

The following table details the breakdown between current year rates and charges and those from prior years.

<b>Rates, charges and FSPL Debtors</b>						
	<b>Amount</b>	<b>Received</b>	<b>% Collected</b>	<b>Received</b>	<b>Collected</b>	<b>Balance</b>
	<b>\$</b>	<b>Jun-15</b>	<b>Jun-15</b>	<b>YTD</b>	<b>YTD</b>	<b>Outstanding</b>
	<b>\$</b>	<b>\$</b>	<b>%</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Levied 2014/15	7,686,447	464,529	6.0%	7,287,925	94.8%	398,522
Arrears prior to 2014/15	502,975	9,311	1.9%	376,634	74.9%	126,341
<b>Total Charges</b>		<b>473,840</b>		<b>7,664,559</b>		<b>524,863</b>



Whilst the rates and property team have been actively pursuing outstanding rates and charges in accordance with Council’s Debt Collection Policy, there are a number of ratepayer debts that the team has been unable to collect.

Under section 181 of the Local Government Act 1989, Council may sell land to recover unpaid rates or charges where:

- (a) any amount due to Council for rates or charges is more than 3 years overdue, and
- (b) no current arrangement exists for the payment of the amount to Council, and
- (c) Council has a Court order requiring the payment of the amount.

The table overleaf details ratepayers that have arrears greater than three years, have no current payment arrangement in place and have progressed through Council’s debt collection legal processes with Midstate Credit Collection Services.

Debtor	Land Size (ha)	Improvements Value (CIV – Land Value)	2014/15	2013/14	2012/13	2011/12	2010/11 and earlier	Total outstanding	Last payment	Oldest financial year rates owing
Debtor A	2.26	106,000	\$ 1,695	\$ 2,003	\$ 1,586	\$ 1,497	\$ 544	\$ 7,824	13/07/2015	2010/11
Debtor B	111.5	187,000	2,652	2,808	3,411	423	-	12,629	21/07/2015	2011/12
Debtor C	0.1	89,000	1,198	1,120	951	68	-	3,337	30/04/2015	2011/12
Debtor D	18.48	10,000	2,766	1,599	1,387	1,311	846	7,910	2/04/2015	2010/11
Debtor E	3.024	2,000	749	694	638	1,608	1,142	4,831	1/12/2014	2008/09
Total			\$ 9,059	\$ 8,224	\$ 7,974	\$ 4,907	\$ 2,532	\$ 36,531		

It is now recommended that Council progress these debtors through the initial steps required for a s181 recovery of unpaid fees and charges.

**Impact on Council Policy:**

Council's Debt Collection Policy has been applied to these ratepayers.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Debt collection charges from external debt collection agencies can be charged directly to the ratepayer and are not an operating cost of Council. Internal resourcing required to manage the debt collection process is not able to be recovered and this cost is borne by Council.

**Risk Assessment:**

Council collects rates and charges to be able to fund the delivery of a range of services to the Towong Shire community. When ratepayers do not pay in a timely manner, it can impact on Council's ability to deliver services. Given Council's current financial position, it is unlikely that Council services will be affected by these outstanding rates and charges.

It is also important for ratepayers to understand that Council is prepared to pursue outstanding rates and charges through legal mechanisms where all other reasonable avenues have been pursued. This can encourage ratepayers to respond to the rate obligations in a timely manner.

**Community Consultation/Responses:**

Nil.

**Discussion/Officers View:**

The listed ratepayers have progressed though Council's Debt Collection Policy. Despite numerous communications, these ratepayers have not been able to agree to or maintain a payment plan to help reduce the outstanding debt. It is now recommended that Council progress these debtors through the initial steps required for a s181 recovery of unpaid fees and charges.

**CR SCALES  
CR GADD**

**THAT COUNCIL PROGRESS THE LISTED DEBTORS THROUGH THE STEPS  
REQUIRED FOR A S181 RECOVERY OF UNPAID FEES.**

**CARRIED**

### **9.3 Council Endorsement of Emergency Management Plan (07/01/0008 - DCCS)**

#### **Disclosure of Interests (S.80C):**

This report was prepared by Ms Jo Shannon, Director Community and Corporate Services.

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 Emergency Management Act 1986 requires Council to prepare and maintain a Municipal Emergency Management Plan (s20). The Act also requires Council to establish a Municipal Emergency Management Planning Committee to prepare a draft Municipal Emergency Management Plan (MEMP) for Council consideration (s21).

Over the past twelve months the Towong Shire Municipal Emergency Management Planning Committee has reviewed and updated the Towong Shire MEMP to:

- align it with the framework provided in the Emergency Management Manual Victoria
- ensure it is consistent with State and Regional response and recovery plans
- ensure it meets local needs and requirements.

A key focus of the review has been to establish a MEMP that can assist a range of users to respond appropriately in an emergency, particularly users who are not familiar with the content. The improvements to the structure, flow and referencing in the plan are expected to achieve this.

The Committee met on 17 July 2015 to consider the latest draft of the updated MEMP, as attached at [Appendix 2](#), and now formally recommends the plan to the Council for consideration.

Council has been advised that an audit of the Towong Shire MEMP will be conducted on 20 August 2015. The audit panel comprises representatives from the Victorian State Emergency Service, Victoria Police and the Department of Health and Human Services.

**Impact on Council Policy:**

The MEMP is consistent with the Council Plan 2013 – 2017 and Council policies.

**State Government Policy Impacts:**

The MEMP has been updated to align with the State emergency management framework provided in the Emergency Management Manual Victoria and is consistent with relevant State and Regional Plans.

**Budget Impact:**

Significant Council staff time has been utilised to endeavour to ensure the MEMP meets state and regional emergency management planning requirements.

The financial resources required to fulfil Council's emergency management planning responsibilities under the MEMP will be analysed and a further report provided to Council in September 2015. The resources required to fulfil Council's responsibilities in an emergency would be dependent on the nature and scale of the emergency and is therefore unable to be quantified.

**Risk Assessment:**

This MEMP has been prepared in accordance with Council's legislative requirements, thereby minimising Council's compliance risks. Formal Council adoption of the MEMP is required to pass the audit.

The MEMP has also been updated with input from all key response, relief and recovery agencies, thereby reducing the risk of agencies not being prepared to respond appropriately in the event of a local emergency.

Each agency was represented at meetings of the Towong Shire Municipal Emergency Management Planning Committee where the MEMP was developed and considered. In doing so, each agency has considered its capacity to deliver on responsibilities

contained within the MEMP. An additional section has been included in Part Six - Relief and Recovery Planning to articulate agency capacity. Council's limited resources to operate relief centres has been formally identified in the MEMP and further capacity analysis will be undertaken to inform future updates of the MEMP.

**Community Consultation/Responses:**

The MEMP was developed and considered at meetings of the Towong Shire Municipal Emergency Management Planning Committee. This Committee includes representatives from across the Shire including:

- Vic Police, CFA, SES, Ambulance Vic
- NE Water, Ausnet Services
- Red Cross, local health services, CERT
- DHHS, DELWP, Parks Vic
- Council

**Discussion/Officers View:**

The MEMP has been developed collaboratively with key response, relief and recovery agencies and is now recommended to the Council for endorsement.

**CR GADD  
CR FRASER**

**THAT COUNCIL:**

- 1. RECOGNISE AND EXPRESS APPRECIATION TO COUNCIL STAFF INVOLVED IN PREPARATION OF THE PLAN;**
- 2. ACKNOWLEDGE THE COLLABORATION BETWEEN STAKEHOLDERS INVOLVED AND EXTEND COUNCIL'S APPRECIATION TO THOSE STAKEHOLDERS;**
- 3. ENDORSE THE MUNICIPAL EMERGENCY MANAGEMENT PLAN AS RECOMMENDED BY THE TOWONG SHIRE MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE, SUBJECT TO AMENDMENTS SUGGESTED BY COUNCIL; AND**
- 4. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO SIGN AND SEAL THE MUNICIPAL EMERGENCY MANAGEMENT PLAN.**

**CARRIED**



## 9.4 Port of Melbourne Lease (CEO)

The Chief Executive Officer will provide a verbal report at the meeting.

**CR JOYCE  
CR FRASER**

**THAT COUNCIL WRITE TO THE VICTORIAN PREMIER AS WELL AS THE  
MINISTER FOR PORTS:**

- 1. ACKNOWLEDGING THE GOVERNMENT'S INTENTION TO ALLOCATE \$200 MILLION FROM THE PROCEEDS OF THE SALE OF THE LEASEHOLD OF THE PORT OF MELBOURNE TO RURAL AND REGIONAL VICTORIA;**
- 2. EXPRESSING CONCERN REGARDING THE SALE OF THE LEASEHOLD OF THE PORT OF MELBOURNE AS COUNCIL BELIEVES THERE IS OPPORTUNITY FOR THE STATE TO RETAIN MANAGEMENT OF THE PORT WITH PROFITS BEING USED TO BENEFIT THE STATE FOR ALL VICTORIANS;**
- 3. REQUESTING, SHOULD THE GOVERNMENT PROCEED WITH THE SALE;**
  - 3.1 THE STATE GOVERNMENT ALLOCATE A PROPORTION OF THE PROCEEDS TO RURAL COMMUNITIES FOR THE MAINTENANCE AND UPGRADE OF INFRASTRUCTURE USED FOR THE TRANSPORTATION AND HANDLING OF PRODUCE; AND**
  - 3.2 THE ALLOCATION BE CLOSELY BASED ON THE PROPORTION OF PRODUCE THAT IS EXPORTED AND IMPORTED FROM RURAL AND REGIONAL VICTORIA.**

**CARRIED**

### 9.5 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 7 July 2015 Council Meeting are attached at [Appendix 3](#).

**CR FRASER  
CR SCALES**

**THAT THE REPORT BE NOTED.**

**CARRIED**

### 9.6 Council Plan Priorities (07/05/0022-DCCS)

The monthly updates on the 2013-2017 Council Plan priorities are attached at [Appendix 4](#) for information.

**CR FRASER  
CR SCALES**

**THAT THE REPORT BE NOTED.**

**CARRIED**

### 9.7 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at [Appendix 5](#) for information.

**CR JOYCE  
CR GADD**

**THAT THE REPORT BE NOTED.**

**CARRIED**

## **10 Community wellbeing**

The Community Wellbeing report is presented every second month. The next report is due in September 2015.

## **11 Asset management**

### **11.1 Benambra-Corryong Road - Freehold Consent (Section 11(2) of the Road Management Act 2004) (01/01/0048 - DTS)**

#### **Disclosure of Interests (S.80C):**

This report was prepared by Mr Jamie Heritage, Director Technical Services.

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 Minister for Roads and Ports from a previous government, Mr Tim Pallas, attended a meeting between both the East Gippsland Shire and Towong Shire. Following the meeting, the Minister confirmed by letter that the Council sections of Benambra-Corryong Road would be declared an arterial road.

Council has continued to progress the declaration with VicRoads regularly and VicRoads has recently identified Council owned land that needs to be transferred by obtaining written consent from the registered proprietor before it can declare the following land as part of Benambra – Corryong Road arterial road:

Lots 1 and 2 on TP246453A

Lot 1 on TP15051Y

Lot 1 on TP558143B

Lot 1 on TP42134M

Lot 1 on TP441863R and

Lot 1 on LP76292

The Owner's Consent and associated title information is attached at [Appendix 6](#).

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Nil.

**Risk Assessment:**

By Council completing the written consent this allows for the land to become part of the Benambra-Corryong arterial road, therefore allowing the proposed transfer of road responsibilities between the parties to progress.

A section of Benambra- Corryong Road (in Towong Shire) traverses entirely over unreserved Crown land. VicRoads also needs to gain written consent from the Department of Environment, Land, Water and Planning (DELWP) before that section can be declared arterial road. The road through the Crown land is undefined so a plan is required to define the exact area that needs to be declared.

In East Gippsland Shire there are parcels owned by private individuals over which the road traverses. This issue needs to be resolved and it is expected that this will be undertaken / completed by East Gippsland Council, and then transferred to VicRoads.

VicRoads is proposing the declaration for the Benambra –Corryong Road be completed in its entirety and therefore the DELWP and East Gippsland Shire completing their respective areas presents a risk.

**Community Consultation/Responses:**

Nil.

**Discussion/Officers View:**

Given the above issues, it may be in the interests of all parties, to progress with an alternative, interim arrangement that would see the responsibility for the road lifted from Council and vested with VicRoads. VicRoads is proposing that this could be achieved through Towong and Vic-Roads entering into a 'Section 15 Agreement'

from the Road Management Act 2004, nominating VicRoads as the coordinating road authority. The agreement could have a number of conditions attached to it, and could contain commitments towards completing the formal declaration from other parties involved.

**CR FRASER  
CR GADD**

**THAT:**

- 1. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO PROCEED WITH THE DECLARATION CONSENT FOR THE FOLLOWING LAND:**

**LOTS 1 AND 2 ON TP246453A**

**LOT 1 ON TP15051Y**

**LOT 1 ON TP558143B**

**LOT 1 ON TP42134M**

**LOT 1 ON TP441863R**

**LOT 1 ON LP76292**

- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO ENTER INTO A 'SECTION 15 AGREEMENT' (ROAD MANAGEMENT ACT 2004) WITH VICROADS.**

**CARRIED**

## **12 Land-use planning**

No reports.

## **13 Environmental sustainability**

The Environmental Sustainability report is presented every second month. The next report is due in September 2015.

## **14 Economic and tourism development**

The Economic Development report is presented every second month. The next report is due in September 2015.

## 15 Councillor reports

### 15.1 Bethanga NBN Tower Public Meeting (Cr Wortmann)

<b>Date</b>	23 July 2015
<b>Details About the Activity</b>	<p>I was asked to chair this meeting at the Bethanga Hall. Mrs Laurie Scott organised the meeting and a large number of residents were in attendance. Mr Nic Palmer gave a presentation on NBN technology to start the meeting and expressed his concerns about the proposed location of the NBN Tower. I then explained to everyone at the meeting we were not here to debate the location of the NBN Tower or the wireless technology. But we are here to formulate relevant questions that can be put to the people from NBN CO at the community information session to be held on the 10-08-15. People were then asked to state their name and the question or questions they would like answered and these were recorded to be submitted.</p> <p>I believe the meeting was very valuable and I must commend everyone who attended for respecting people's views and questions and not interrupting or talking over the speaker at the time. The questions that were formulated will be available online.</p>

### 15.2 Mitta Valley Landcare Group (Cr Scales)

Verbal report

**CR JOYCE  
CR SCALES**

**THAT THE REPORTS BE NOTED.**

**CARRIED**

## **16 Urgent business**

No urgent business.

## **17 Committee minutes**

No Committee minutes.

## **18 Occupational health and safety**

### **18.1 Occupational Health and Safety Report (06/04/0212-DCCS)**

The Occupational Health and Safety report is presented every second month. The next report is due in September 2015.

### **18.2 OHS Committee (06/04/0212-DCCS)**

The unconfirmed minutes of the meeting held on 2 July 2015 are attached at [Appendix 7](#) for information.

**CR GADD  
CR SCALES**

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

**CARRIED**

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

The following policies were tabled for review at the 2 June 2015 Council meeting and are presented at [Appendix 8](#) for adoption.

- Employee Code of Conduct and conflict of Interest Policy and Guidelines (DCCS)
- No Smoking (DCCS)
- Discrimination, Workplace and Sexual Harassment (DCCS)

**CR FRASER  
CR JOYCE**

**THAT THE THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:**

- **EMPLOYEE CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY AND GUIDELINES**
- **NO SMOKING**
- **DISCRIMINATION, WORKPLACE AND SEXUAL HARASSMENT**

**CARRIED**

The following policies are attached at [Appendix 9](#) for review. Councillors are requested to provide feedback on the policy by 1 September 2015.

- Community use of Council Meeting Spaces and Facilities (DCCS)
- Computer and Mobile Device use (DCCS)
- Debt Collection (DCCS)
- Workplace Bullying and Harassment (DCCS)
- Young Person Award (EA)

## **20 Sealing of documents**

### **20.1 Municipal Emergency Management Plan**

Refer to Item 9.3



## **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 confidential items.

There being no further business the meeting closed at 12.08 pm.

Minutes confirmed this ..... day of ..... 2015.

---

**Mayor**