

Agenda

Ordinary Meeting of Council

Mitta Valley Sports Complex, Eskdale

Tuesday 5 April 2016

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<p style="text-align: center;">AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT THE MITTA VALLEY SPORTS COMPLEX, ESKDALE ON TUESDAY 5 APRIL 2016 COMMENCING AT 10.00 AM.</p>

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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

1 March 2016

RECOMMENDATION:

THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 1 MARCH 2016 AS CIRCULATED BE CONFIRMED.

6 Petitions, joint letters and declarations

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 1 to 29 March 2016 is included at [Appendix 1](#).

RECOMMENDATION:

THAT THE INFORMATION BE NOTED.

8 Open Forum

9 Organisational improvement

9.1 Finance Report as at 29 February 2016 (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	Feb-16 (Actual) \$'000	Feb-16 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %	2015/16 Full Year (Budget) \$'000	2015/16 Full Year (Achieved) %
Income	1	1,728	992	11,640	12,645	(1,005)	(8%)	15,081	77%
Expenditure	2	874	641	5,621	6,965	1,344	19%	14,019	40%
Surplus/ (Deficit)		854	351	6,019	5,680	339	6%	1,062	567%

Table 1: Operating Result

Note 1:

Council YTD income at 29 February 2016 is \$11.6m against a budget of \$12.6m. The major items contributing to the \$1.0m variance include:

- Revenue received in a prior period:
In the 2014/15 financial year an early payment of \$1.8 million was received for part of the 2015/16 Financial Assistance Grants allocation from the Victorian Grants Commission. This has resulted in receiving \$457,000 less per quarterly instalment than originally budgeted in 2015/16. This accounts for \$1.37 million of the YTD variance at 29 February 2016. This will be a permanent variance for 2015/16.
- Revenue received earlier than anticipated:
Roads to Recovery funding of \$1.08 million has been received in February. This is \$438,000 higher than anticipated budget at this point in time. This is still in line with the total funding schedule (timing variance).
- Revenue expected to be received later than anticipated:
Council is yet to receive the funding of \$180,000 for the Corryong Swimming Pool upgrade. It is anticipated to be received when works commence in March 2016 (timing variance).

Council is yet to receive the final instalment of \$100,000 for the Tallangatta Integrated Community Centre. This is anticipated to be received in May after construction is complete (timing variance).

Note 2:

Council YTD expenditure at 29 February 2016 is \$5.6m against a budget of \$6.9m. The major items contributing to the \$1.3m variance include:

- Expenditure that will be incurred later than expected:
 - \$321,000 Wyeeboo Multi Purpose Facility (works commenced in late October 2015, later than originally expected)
 - \$229,000 Staff costs (Currently operating at 63.2 EFT v Budget of 68.3 EFT)
 - \$152,000 Corryong Tennis Court project (scheduled for April 2016)
 - \$69,000 Drainage maintenance – less demand for drainage maintenance, with anticipated savings to be used to carry out additional grading works.

- Current savings against budget include:
 - \$190,000 Plant and equipment costs – a conservative budget approach was adopted for plant and equipment running costs in 2015/16 to allow for an audit of plant items and their associated costs.
 - \$62,000 Kerbside collection service – a higher plant utilization rate has in turn produced a saving against the budgeted plant costs

Grant Income

	Note	Feb-16	YTD	YTD	YTD	YTD	2015/16	2015/16
		(Actual)	(Actual)	(Budget)	(Variance)	(Variance)	(Budget)	(Achieved)
		\$'000	\$'000	\$'000	\$'000	%	\$'000	%
							Full Year	Full Year
Recurring	1	1,547	2,832	3,720	(888)	(24%)	5,418	52%
Non-Competitive	2	3	26	-	26	0%	-	0%
Competitive	3	4	333	606	(273)	(45%)	934	36%
Total		1,554	3,191	4,326	(1,135)	(26%)	6,352	50%

Table 2: Grant Income

Note 1:

Council YTD recurring grant income at 29 February 2016 is \$2.8m against a budget of \$3.7m. The major items contributing to the \$900,000 variance are:

- Part of the 2015/16 Financial Assistance Grants allocation from the Victorian Grants Commission Revenue was received in a prior period. This has resulted in receiving \$457,000 less per quarterly instalment than originally budgeted in 2015/16. This accounts for \$1.37 million of the YTD variance at 29 February 2016 and will be a permanent variance for 2015/16.

- Council received \$1.08 million of the Roads to Recovery funding. This is \$438,000 higher than anticipated budget at this point in time. This is still in line with the total funding schedule (timing variance).

Note 2:

Funding for Community Access and Inclusion is being received however was unbudgeted. This will be a \$38,000 permanent variance by June 2016.

Note 3:

Council YTD competitive grant income at 29 February 2016 is \$0.3m against a budget of \$0.6m. The major items contributing to the \$0.3m variance are:

- Revenue that is expected to be received later than anticipated:
 - Corryong Swimming Pool upgrade \$180,000 (funding now expected to be received in March 2016 when upgrade works commence)
 - Tallangatta Integrated Community Centre \$100,000 (due to delays in construction)
 - Corryong Pre-School upgrade \$79,000 (funding expected to be received in early 2016)

- Funding that has been received in advance of budget or is unbudgeted:
 - Magorra Park \$40,000 (unbudgeted income offset by additional expenditure)
 - Community Development projects \$46,000 (timing variance).

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

	\$'000
Recurring	
R2R Supplementary	1080
VGC General Purpose Funding	799
VGC Local Roads Funding	492
Library	108
Maternal and Child Health	93
Municipal Emergency Response Program	60
Corryong Pre School	59
Tallangatta Pre School	35
Weed Project	31
Berringa Pre School	30
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
LG Infrastructure Projects	10
State Emergency Service Mitta	6
Health Admin	3
Total Recurring Grants	2,832
Competitive and Non-Competitive	
Corryong Tennis Courts Grant	90
Tallangatta Tfer Station - Capital	60
L2P Program	48
Magorra Park (DSE)	40
Our Valley Our Future	30
Community Access	26
Pre-School Cluster	20
Corryong Tfr Station - Capital Gran	14
Freeza Funding	11
Regional Living Expo	10
Community Health and Wellbeing	7
Youth Week	2
Corryong Pre School Capital Grants	1
Total Competitive and Non-Competitive Grants	359
Total Grants Received	3,191

Table 3: Grant Income received

Unexpended Grants and Restricted Funds

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 and restricted funds:

	\$'000
Unexpended Grants	
Roads to Recovery	1065
Country Roads and Bridges	159
Community Access	99
Corryong Tennis Courts Grant	81
Our Valley Our Future	71
Tallangatta Tfer Station - Capital	59
Tallangatta Neighbourhood House	51
Flood Recovery Officer	42
Local Gov Business Collaboration	32
High Country Rail Trail Upgrade (DSE)	27
L2P Program	24
Weed Project	16
Freeza Funding	15
Bushfire Management Overlay	13
Children Services Review	10
Health Promotions (Walk to School)	4
Regional Living Expo	3
The Narrows Project	0
Total Unexpended Grants	1,771

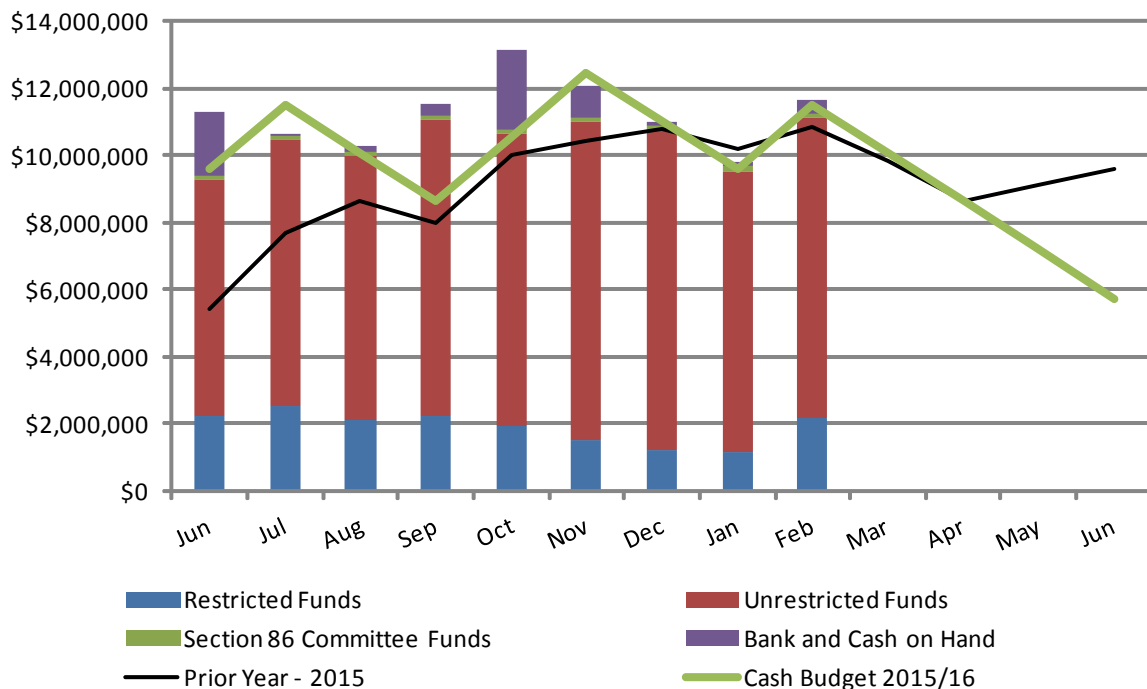
Table 4: Unexpended Grants and Restricted Funds

CASH POSITION

Cash on Hand

The cash position moved during the month as detailed below:

	Current Month Feb-16	Prior Month Jan-16	Variance	
	\$	\$	\$	%
Unexpended Grants	1,771,931	759,338	1,012,593	133.4%
Other Provisions and Reserves	425,706	425,706	-	0.0%
Restricted Funds	2,197,637	1,185,044	1,012,593	85.4%
Provision for Employee Entitlements	1,145,657	1,145,657	-	0.0%
Other Unrestricted Funds	7,748,349	7,188,574	559,775	7.8%
Total Unrestricted Funds	8,894,006	8,334,231	559,775	6.7%
Section 86 Committee Funds	136,246	136,246	-	0.0%
Total Investments	11,227,889	9,655,520	1,572,368	16.3%
Bank and Cash on Hand	396,800	172,425	224,374	130.1%
Total Cash	11,624,688	9,827,945	1,796,743	18.3%
Average Interest Rate	2.70%	2.83%		



Investments

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

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
17/11/2015	Term Deposit	WBC	1,000,000	2.85%	180 Days	A1+	17/05/2016
19/01/2016	Term Deposit	NAB	1,000,000	3.00%	185 Days	A1+	18/07/2016
16/09/2015	Term Deposit	NAB	2,000,000	2.85%	180 Days	A1+	16/03/2016
22/07/2015	Term Deposit	AMP	1,500,000	2.90%	271 Days	A1	18/04/2016
11/01/2016	Term Deposit	Bank of Queensland	1,000,000	3.00%	121 Days	A2	11/05/2016
1/03/2016	Term Deposit	ME Bank	1,000,000	2.95%	183 Days	A2	31/08/2016
11/01/2016	Term Deposit	WAW	840,896	2.70%	182 Days		11/07/2016
N/A	Online Saver	Westpac	2,750,747	2.05%	On Call	AA-	N/A
N/A	S86 Committees	Various	136,246	4.68%	N/A		N/A
Total Investments			11,227,889				

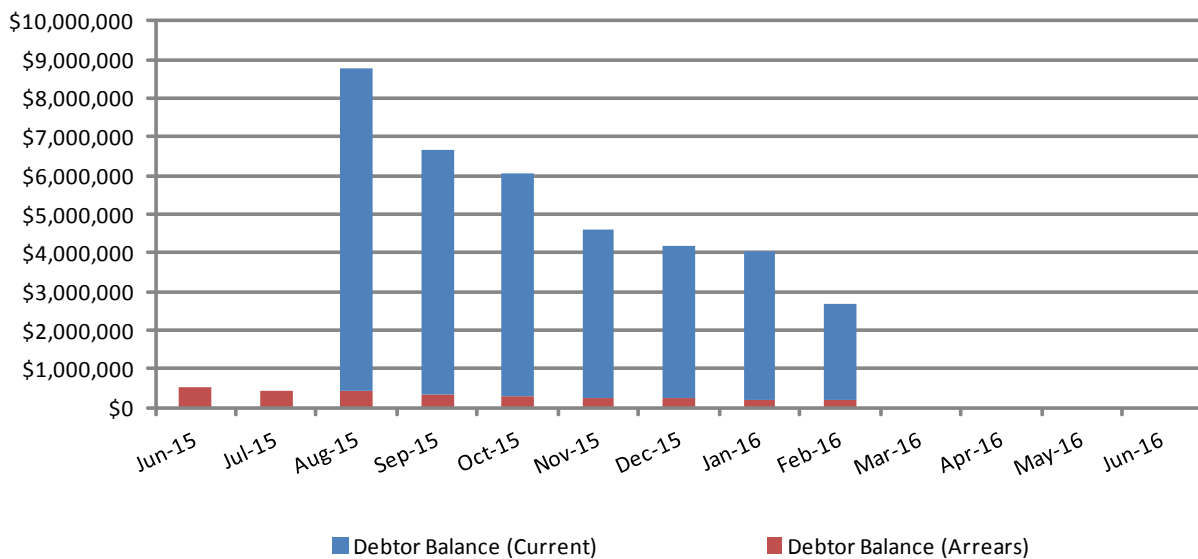
Table 5: Investments at month end

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	
	\$	Feb-16	Feb-16	YTD	YTD	Outstanding	
	\$	\$	%	\$	\$	\$	
Levied 2015/16	8,449,010	1,347,056	15.9%	5,958,739	70.5%	2,490,271	
Arrears prior to 2015/16	524,863	25,212	4.8%	336,757	64.2%	188,106	
Total Charges		1,372,268		6,295,496		2,678,377	

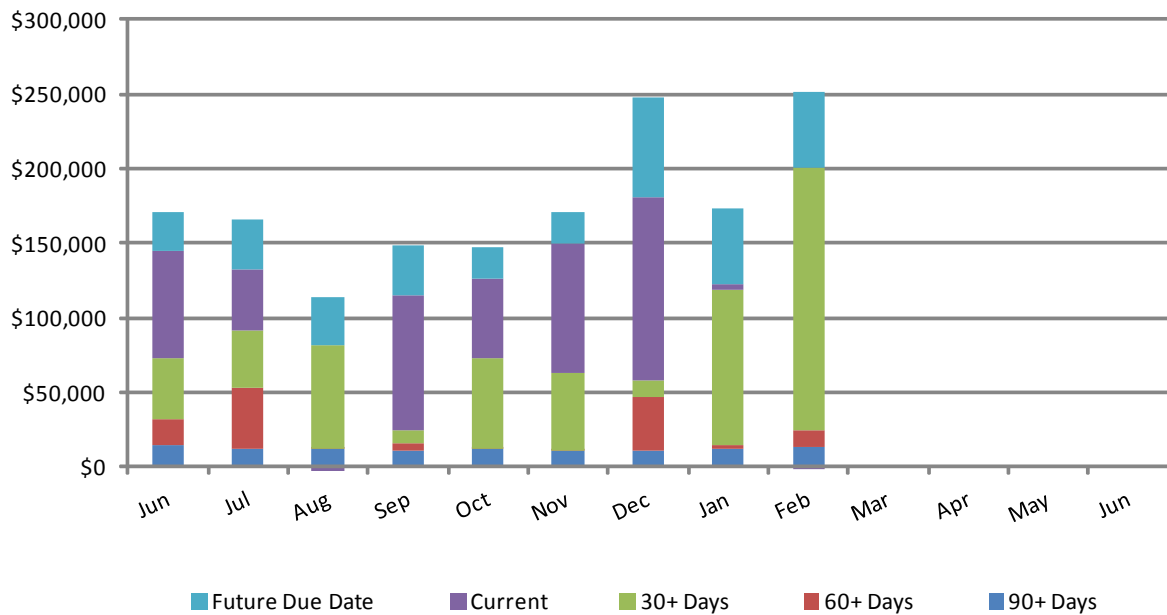


Note – rates were struck in August 2015. Quarterly instalments are due at the end of September, November, February and May.

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
	\$	\$	\$	\$	\$	\$
February 2016	50,802	(350)	174,992	11,243	13,748	250,437
January 2016	50,802	3,553	104,438	2,321	12,093	173,207
Movement	-	(3,903)	70,554	8,922	1,656	77,229



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

Debtor	Amount	Description	RO	Notes
Debtor 8411	\$1,580	Contribution	JS	Payment has been requested.
Debtor 17007	\$1,540	Cost recovery for slashing	BP	Contact has been made with the debtor and is expected to be recovered.
Debtor 18925	\$3,250	Community Contribution	BP	Payment plan has been entered. Last payment received on 29/10/15.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	BP	Contact has been made with the debtor and is expected to be recovered.

Table 6: Significant debtors > 90 days

LOCAL ROADS

Local Roads and Bridges Capital Works

The following tables report on progress of Local Roads and Bridges Capital and Maintenance programs.

Local Roads and Bridges Infrastructure	Note	YTD Actual	YTD Budget	Variance	Annual Budget
		\$		\$	\$
410 Road Construction	1	29,710	80,000	50,290	584,778
416 Sealing		1,076	-	(1,076)	-
417 Resealing	2	11,407	962,500	951,093	962,500
420 Drainage Construction		-	30,000	30,000	30,000
421 Digouts	3	499,204	600,000	100,796	600,000
422 Resheeting	4	43,040	150,000	106,960	230,000
432 Footpaths	5	12,896	170,000	157,104	344,596
433 Kerb and Channel	6	17,866	90,000	72,134	168,504
442 Guardrails		-	30,000	30,000	30,000
450 Bridge Construction	7	35,668	20,000	(15,668)	20,000
Total		650,867	2,132,500	1,481,633	2,970,378

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

The Local Roads and Bridges Capital Works program is scheduled to be delivered over the drier months and commenced in October 2015. The commencement of some works has been delayed until early 2016 and will form part of the successful National Stronger Regions Funding application - Destination Tallangatta project.

Note 1:

Georges Creek Road construction is currently in progress. Towong Street and Shelley-Walwa Road are on hold pending additional funding (timing variance).

Note 2:

The reseal program is complete and Council is awaiting invoices (timing variance).

Note 3:

Digout works have progressed and Council is awaiting on invoices (timing variance).

Note 4:

Resheeting has been set to begin in April 2016 (timing variance).

Note 5:

Some footpath works are on hold and will be undertaken as part of Destination Tallangatta (timing variance).

Note 6:

Some kerb and channel projects have been put on hold and will be undertaken as part of Destination Tallangatta (timing variance).

Note 7:

Works completed due to unexpended grants from Country Roads and Bridges program. This will be a permanent variance of \$194,000 once all projects under this program are complete.

Local Roads and Bridges Maintenance

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
301 Inspections		2,013	-	(2,013)	-
302 Survey and Design		8,803	23,336	14,533	45,000
304 Pavement Maintenance		79,887	70,000	(9,887)	150,000
306 Grading		316,713	306,664	(10,049)	460,000
308 Shoulder Maintenance	1	105,196	66,664	(38,532)	100,000
310 Drainage Maintenance		44,141	113,336	69,195	170,000
312 Call Outs		8,274	13,336	5,062	20,000
324 General Roadside Maintenance		61,261	50,000	(11,261)	75,000
326 Mowing		207	-	(207)	500
328 Tree Maintenance		54,695	53,336	(1,359)	102,000
330 Footpath Maintenance		3,537	4,000	463	8,000
334 Roadside Treatments		-	12,000	12,000	15,000
336 Signs Maintenance		6,838	8,000	1,162	32,000
338 Linemarking		169	5,000	4,831	10,000
340 Guideposts		7,822	4,664	(3,158)	7,000
342 Guardrail		-	2,500	2,500	5,000
346 Bridge Maintenance		27,569	19,472	(8,097)	29,210
Total		727,125	752,308	25,183	1,228,710

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

Note 1:

Additional works have been completed in preparation for the reseal program. This will be a permanent variance.

OTHER FINANCIAL MATTERS

There are no other financial matters to report for February 2016.

RECOMMENDATION:

THAT THE FINANCE REPORT BE NOTED.

9.2 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 May 2016.

The bi-monthly Council Plan Priorities report is included in this agenda at Item 9.4.

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

Items requiring action from the 1 March 2016 Council Meeting are attached at [Appendix 2](#).

RECOMMENDATION:

THAT THE REPORT BE NOTED.

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

The monthly updates on the 2013-2017 Council Plan priorities are attached at [Appendix 3](#) for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED

9.5 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at [Appendix 4](#) for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED

10 Community wellbeing

10.1 Community Wellbeing Report

The Community Wellbeing report is presented every second month. The next report is due in May 2016.

The bi-monthly Council Plan Priorities report is included in this agenda at Item 9.4.

11 Asset management

11.1 Asset Management Report (DTS)

The Asset Management report is presented every second month. The next report is due in May 2016.

The bi-monthly Council Plan Priorities report is included in this agenda at Item 9.4.

11.2 Benambra-Corryong Road - Freehold Consent (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 Council and Towong Shire Council. 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:

Lot 1 on TP423879

Lot 1 on TP617868

The Owner's Consent and associated title information is attached at [Appendix 5](#).

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 Shire 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 Council and VicRoads 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.

RECOMMENDATION:

THAT:

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

LOT 1 ON TP423879

LOT 1 ON TP617868

AND SUBSEQUENT TITLES ARISING THAT ARE INVESTED IN COUNCIL THAT MAY RELATE TO THE TRANSFER OF THE BENAMBRA - CORRYONG RD DECLARATION; AND

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

12 Land-use planning

12.1 Towong Planning Scheme Amendment C34 (03/02/0041-CEO)

Disclosure of Interests (S.80C):

This report was prepared by Simon Hollis, Manager Planning.

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.

Towong Planning Scheme Amendment C34:

Towong Planning Scheme Amendment C34 seeks to make changes to the Towong Planning Scheme to address specific emerging planning issues and to undertake some 'housekeeping' changes to remove redundant planning controls and correct zoning anomalies in order to improve the overall operation of the Scheme.

Amendment C34 seeks to make the following changes to the Towong Planning Scheme:

- Remove the Development Plan Overlay from the developed parts of Bellbridge;
- Remove the Development Plan Overlay from the subdivided area of Industrial land fronting Boundary Street Corryong;
- Remove the Restructure Overlay from Walwa and Berringama;
- Change the Schedule to the Restructure Overlay and the Local Planning Policy Framework to ensure all references to Australian Standard AS/NZS1547:2012 and EPA Publication Environmental Management Code of Practice – Onsite Waste Water Management Publication 891.3 reflect any changes or updates to these documents;
- Rezone the land at the Corryong Secondary College from General Residential Zone to Public Use Zone 2;
- Rezone a parcel of land used for timber plantation at Perkins Road, Lucyvale from Public Conservation and Resource Zone to Rural Activity Zone;
- Rezone land attached to the odd numbered properties on the western side of Cross Avenue, Dartmouth from Rural Activity Zone to Township Zone;
- Rezone the land at the Corryong water treatment plant from Farming and Rural Activity Zone to Public Use Zone 1;
- Rezone land at the Corryong Recreation Reserve from Farming Zone to Public Park and Recreation Zone;
- Rezone land adjacent to the Eskdale Primary School from Public Use Zone 2 to Township Zone;

- Change the Schedule to the Low Density Residential Zone to not specify a minimum subdivision size;
- Change the Schedule to Clause 52.17 to specify the maximum extent of native vegetation entitled to be removed, destroyed or lopped when removing Blackberries.

The matter was previously reported to Council in February 2015 at which time Council resolved to seek Ministerial authorisation to prepare and exhibit the amendment.

Exhibition of Amendment C34

Amendment C34 was placed on public exhibition pursuant to Sections 17, 18 and 19 of the *Planning and Environment Act 1987* between 15 January and 15 March 2015.

Notification included the following:

- Direct notice to affected land owners;
- Letters to relevant Ministers and referral authorities; and
- Notices placed in the Border Mail, Tallangatta Herald, Corryong Courier and the Government Gazette.

Submissions to Amendment C34

A total of five submissions were received during the exhibition period with a further submission received shortly after the close of the formal exhibition period ([Appendix 6](#)). Only the proposed changes to Clause 52.17 of the Towong Planning Scheme attracted objecting submissions or submissions suggesting changes to the exhibited amendment.

North East Water requested that some additional properties containing North East Water infrastructure be rezoned to Public Use Zone 1, however this cannot be done via Amendment C34 and the rezoning of these properties will need to be dealt with by a future planning scheme amendment.

Table 1: Amendment C34 Submission Summary

Submitter	Comments
Country Fire Authority	No objection
Hancocks Victorian Plantations	Support for proposed rezoning at Perkin's Track
North East Water	No objection. Suggested additional rezonings on other North East Water properties.
North East Catchment Management Authority	Objects to proposed changes to Clause 52.17 in relation to Blackberry control
Department of Environment Land Water and Planning	No objection but seeks the removal of the changes to the schedule to Clause 52.17 from the Amendment and suggests other possible changes to Clause 52.17
Victorian Blackberry Taskforce	Requests the exemption only apply to land-based Blackberry management

Changes to Clause 52.17 of the Towong Planning Scheme

Clause 52.17 of the Towong Planning Scheme relates to the destruction and removal of native vegetation. There exists scope within the Schedule to Clause 52.17 to nominate specific weeds for which a certain amount of native vegetation can be removed or destroyed over any given five year period. Amendment C34 nominates Blackberries in the Schedule to Clause 52.17 so that the maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership over a five year period for the purpose of managing Blackberries may be up to:

- 1 hectare of native vegetation which does not include a tree; or
- 15 native trees if each tree has a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

Support for the proposed changes to Clause 52.17 came from Tintaldra Landcare. The Department of Land Water and Planning (DELWP) sought the removal of the changes to clause 52.17 from the Amendment and suggested some changes such as only allowing the Clause 52.17 exemption if the Blackberry control work is done in accordance with Blackberry Control Management Plan approved by the relevant Blackberry Action Group or only on land that is in the 'low risk pathway' in accordance with the Native Vegetation Information Management system (NVIM).

The North East Catchment Management Authority submission indicated that they believed the proposed changes to the Schedule to Clause 52.17 of the Towong Planning Scheme were inconsistent with the Regional Catchment Strategy and will lead to adverse environmental effects. They object to the Amendment as exhibited.

The submission from the Victorian Blackberry Taskforce requested that the exemption only apply to land-based Blackberry management activities.

Impact on Council Policy:

Towong Planning Scheme Amendment C34 seeks to keep the Towong Planning Scheme contemporary by addressing specific issues which have emerged and by improving the overall operation of the Scheme, particularly where planning controls have become redundant or where zoning anomalies have occurred.

State Government Policy Impacts:

Amendment C34 to the Towong Planning Scheme does not contradict State Planning Policy. The amendment was prepared in accordance with Minister's Direction No 11 'Strategic Assessment of Amendments', the Practice Note 'Strategic Assessment Guidelines for Planning Scheme Amendments' (revised August 2004).

Budget Impact:

All costs associated with the Amendment have been budgeted for.

Discussion/Officers View:

The planning scheme changes proposed by Amendment C34 will ensure that the Towong Planning Scheme responds appropriately to emerging planning issues and corrects anomalies within the Scheme. The changes will improve the overall accuracy and operation of the Towong Planning Scheme.

The rationale for the proposed change to the Schedule to Clause 52.17 of the Towong Planning Scheme is that Blackberries present a significant land management challenge within Towong Shire and that the Towong Planning Scheme should inherently contain the maximum discretion afforded by the Victorian Planning Provisions in relation to native vegetation destruction to assist in Blackberry management. Given the submissions in relation to this part of Amendment C34, further discussion amongst the submitters and other stakeholders would be beneficial to ensure the Towong Planning Scheme protects biodiversity and does not impede effective Blackberry management. Accordingly, it is recommended that the

changes to Clause 52.17 should be removed from Amendment C34 and included in a subsequent planning scheme amendment after further discussion with stakeholders.

RECOMMENDATION:

THAT COUNCIL:

- 1. ADOPT AMENDMENT C34 TO THE TOWONG PLANNING SCHEME AS EXHIBITED PURSUANT TO SECTION 29 OF THE PLANNING AND ENVIRONMENT ACT, EXCLUDING THE PROPOSED CHANGES TO THE SCHEDULE TO CLAUSE 52.17; AND**
- 2. REQUEST MINISTERIAL APPROVAL OF AMENDMENT C34 PURSUANT TO SECTION 31 OF THE PLANNING AND ENVIRONMENT ACT 1987.**

13 Environmental sustainability

13.1 Environment Sustainability Report

The Environmental Sustainability report is presented every second month. The next report is due in May 2016.

The bi-monthly Council Plan Priorities report is included in this agenda at Item 9.4.

14 Economic and tourism development

14.1 Economic and Tourism Development Report

The Economic and Tourism Development report is presented every second month. The next report is due in May 2016.

The bi-monthly Council Plan Priorities report is included in this agenda at Item 9.4.

15 Councillor reports

15.1 Chief Executive Officer - Annual Performance Review (Mayor Cr Wortmann)

Background/History:

The employment contract between Council and the Chief Executive Officer requires an annual review of the Chief Executive Officer's performance. This review was facilitated by Mr Philip Shanahan on Thursday 17 March 2016.

The appraisal was made against the Performance Criteria set out in Schedule 2 of the employment contract.

The review process used by Mr Shanahan included:

1. A detailed report and presentation by the Chief Executive Officer to Councillors in relation to the achievement of the Key Performance Indicators
2. An interview with approximately eight Council employees, drawn from across the organisation, to gain some consensus opinions about the CEO's performance
3. An interview with two non-executive direct reports to gain some consensus opinions about the CEO's performance
4. Discussion with Council's Senior Management Group to establish consensus views about performance
5. A meeting with the Chief Executive Officer to discuss the Chief Executive Officer's performance for the previous 12 months
6. The sourcing of quantitative information and data from Council's Annual Report and other sources as appropriate
7. A facilitated Councillors' workshop where Councillors subsequently reached consensus views about the Chief Executive Officer's performance

A copy of the report prepared by Mr Shanahan has been distributed to Councillors.

The Chief Executive Officer has again worked very hard over the past year and the growing number of outstanding results for Council is testimony to her hard work.

The provisions of the contract are such that the package value is to be increased annually as at May 31 by the annual CPI All Groups (Melbourne) figure.

The Chief Executive Officer has advised the Mayor that whilst she is grateful for this provision, she does not wish to accept an increase to the package value.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

The amount which had been budgeted for the annual CPI increase to the package will be a saving to Council.

Risk Assessment:

Council has met the requirements of the employment contract within the requisite timeframes.

Community Consultation/Responses:

Nil.

Discussion:

Ms Phelps' performance continues to be of a very high standard and I wish to congratulate Ms Phelps on her performance over the past year.

RECOMMENDATION

THAT:

- 1. THE PERFORMANCE APPRAISAL FOR COUNCIL'S CHIEF EXECUTIVE OFFICER, MS JULIANA PHELPS, BE ADOPTED BY COUNCIL; AND**
- 2. COUNCIL ACCEPT MS PHELPS' POSITION THAT THE PACKAGE VALUE NOT BE INCREASED AS PROVIDED FOR IN THE CONTRACT.**

15.2 Tallangatta Agricultural and Pastoral Show (Cr Wortmann)

Date	12 March 2016
Details About the Activity	<p>I was invited to open the Tallangatta Show. It was a very special day as it was the 120th time the Show had been held. The Show is a two day event and the crowds quite good considering how dry and hot the weather had been. I complimented the Show Committee on the condition of the Show Grounds the surface was green and soft for the horse events which was appreciated by all participants. I also thanked the committee and the volunteers for all the work they put in to holding the Show.</p>

15.3 Mighty Mitta Muster (Cr Wortmann)

Date	13 March 2016
Details About the Activity	<p>I attended the Mighty Mitta Muster it was a very enjoyable day, it was quite a hot day but the large crowd enjoyed all of the events that were held on the day.</p> <p>Mr Bill Tilley member for Benambra officially opened the Muster. Sophie Mirabella the Liberal candidate for Indi was also present for the opening.</p> <p>I would like to congratulate the Mitta Muster Committee on all the hard work that goes into staging such a successful event and it is draws people from far and wide to our Shire. I would also like to thank all the volunteers for their mighty efforts.</p>

15.4 Tallangatta Post Office Meeting (Cr Wortmann)

Date	14 March 2016
Details About the Activity	<p>I attended this community information meeting. Australia Post should be commended on the way they conducted the meeting, they had three representatives who provided information and answered questions from the public.</p> <p>The main points and answers to questions were the following:</p>

	<ul style="list-style-type: none"> - Crisp's Newsagency to operate postal services for the interim. - There is interest in taking on the postal services by individuals. - Three months is the norm for training before someone can take on the service. - Securing premises is a priority. - There will AustPost staff at the Newsagency on Wednesday to help the transition. - Banking services will resume when the new Post Office is opened. Approximately three months. - There may be a possibility for interim banking services - AustPost following up. - All sorting of mail will continue to be carried out at the Memorial Hall until the new post office is established.
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15.5 Wild dog field day meeting Bullioh (Cr Wortmann)

Date	23 March 2016
Details About the Activity	<p>Cr Fraser and myself attended and these are the main issues that were raised as follows:</p> <p>There was a suggestion of a levee on landholders that are protected by the community electric dog fence, to enable a contractor to be employed part time to maintain the fence. It was suggested that properties inside the fence on the peninsular to contribute to the levee?</p> <p>Technology has advanced so that monitoring of electric fences can be achieved if the energiser position has mobile phone coverage. This would help the maintenance; this would lead to faults being located quickly. Also a drive along the fence would only be required to look for water washes under the fence. A committee needs to be formed to concentrate and on the community dog fence.</p> <p>Extension of the existing fence further south was also suggested. The 60 Km of existing fence must be brought up to a working standard and the ongoing maintenance solved before we can apply for an extension of the fence.</p> <p>A permanent wild dog controller has been appointed to the</p>

	<p>Mitta area and this has helped greatly in reducing wild dog numbers and this has helped the wild dog controllers in the north and western part of the Shire.</p> <p>There will only be one aerial baiting program in 2016 and it will be conducted in Spring.</p> <p>There are limited numbers of trap kits distributed around the district for landholders to utilise.</p> <p>AWI funding will come to an end so it is vital that the programs that have been implemented can be driven by the community and can be sustainable so that they can continued into the future, eg different forms of baiting.</p> <p>Distance people can clear along fence lions is a big issue. Especially on crown land.</p>
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15.6 Corryong Airport Precinct Development Project Announcement (Cr Wortmann)

Date	17 March 2016
Details About the Activity	<p>It was with great pleasure on behalf of my fellow Councillors that I welcomed the member for Northern Victoria Jaclyn Symes back to our Shire. I also welcomed Tony Long - Acting Assistant Chief Fire Officer DELWP and departmental staff, representatives of RDV, Ed Barry Chair of UMBI and UMBI members, representatives of Upper Murray Health and Community Services and Corryong Community members.</p> <p>Jaclyn Symes was present to represent the Andrews State Government and announce the successful funding application for the airport through RDV of just over \$530k to complete the Corryong Airport Precinct Development.</p> <p>This combined with DELWP investment of \$1.4 million and Towong Shire and our local funding partners (Man from Snowy River Tourist Association, Upper Murray Health and Community Services, Dart Mining and Red Cross) brings the total project to \$2.2 million.</p> <p>The Corryong Airport Precinct Development Project (Project) will</p>

	<p>create a thriving business and transport hub for the Upper Murray Region.</p> <p>The Project will comprise the following capital works:</p> <ul style="list-style-type: none">• installation of Pilot Activated Lighting (PAL) along the runway;• installation of lighting to illuminate surrounding hazards, including Mt Mittamatite;• resealing of the runway;• an extension of the airplane taxi areas;• resealing of the taxi areas;• establishment of business and hangar development sites;• construction of a new multipurpose, terminal building;• installation of hardstands for small plane tie down;• installation of a hardstand for helicopter landings;• installation of secure storage facilities to store firefighting chemicals, fuel and equipment;• upgrading of parking, signage and landscaping at the airport;• provision of area for a potential future re-fuelling station at the airport; and• reposition the windsock and weather monitoring equipment to provide more accurate information to airport users and pilots.
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RECOMMENDATION:

THAT THE COUNCILLOR REPORTS BE NOTED.

16 Urgent business

17 Committee minutes

18 Occupational health and safety

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

The unconfirmed minutes of the meeting held on 3 March 2016 are attached at [Appendix 7](#) for information.

RECOMMENDATION:

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

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

The following policy was tabled for review at the 2 February 2016 Council meeting and is presented at [Appendix 8](#) for adoption.

- OHS Committee Constitution (DCCS)

RECOMMENDATION:

THAT THE OHS COMMITTEE CONSTITUTION POLICY AS PRESENTED BE ADOPTED:

The following policies are attached at [Appendix 9](#) for review. Councillors are requested to provide feedback on the policies to the Responsible Officers by 3 May 2016.

- Disability Access (DCCS)
- Disability Access Funding (DTS)
- Investment (DCCS)
- Occupational Health and Safety (OH and S) (DCCS)
- Temporary Road Closure (DTS)
- Town Entrance Signage (DTS)
- Young Person Award (EA)

20 Sealing of documents

20.1 Section 173 Agreement – Robert Lebner and Towong Shire Council in relation to 288 Sugarloaf Road Corryong

Planning Permit 2014/004 (extended) provided consent for a two lot subdivision, located at 288 Sugarloaf Road Corryong. The Planning Permit required a Section 173 Agreement to indicate that the owner of proposed lot 1 is entitled to maintain the existing driveway within the carriageway easement that traverses proposed lot 2.

The Agreement has now been drafted in accordance with Planning Permit 2014/004 (extended) and needs to be signed and sealed.

RECOMMENDATION:

THAT THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL THE SECTION 173 AGREEMENT RELATING TO LAND KNOWN AS LOT 2 PS 645631 PARISH OF COLAC COLAC (288 SUGARLOAF ROAD CORRYONG) THAT HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2014/004 (EXTENDED).

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 reports.