

Minutes

Ordinary Meeting of Council

Tallangatta Council Office

Tuesday 3 July 2018

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT TOWONG SHIRE COUNCIL, TALLANGATTA OFFICE ON 3 JULY 2018 COMMENCING AT 10.30 AM.

Commonly used acronyms

ABBREVIATION	TITLE
Council Officers	
CAE	Civil Asset Engineer
CEO	Chief Executive Officer
DCCS	Director Community and Corporate Services
DTS	Director Technical Services
EA	Executive Assistant
MCorp	Manager Corporate Services
MCS	Manager Community Services
MED	Manager Economic Development
MF	Manager Finance
Government/Organisation	
ACSUM	Alliance of Councils and Shires of the Upper Murray
CHS	Corryong Health Service (formerly Upper Murray Health and Community Services)
DEDJTR	Department of Economic Development, Jobs, Transport and Resources
DELWP	Department of Environment, Land, Water and Planning
GMW	Goulburn Murray Water
HRGLN	Hume Region Local Government Network
MAV	Municipal Association of Victoria
NECMA	North East Catchment Management Authority
NEW	North East Water
NEWRRG	North East Waste and Resource Recovery Group
RCV	Rural Councils Victoria
RDA	Regional Development Australia
RDV	Regional Development Victoria
THS	Tallangatta Health Service

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The Mayor opened the meeting at 10.30am.

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

Present: Crs Scales, Star, Tolsher and Whitehead

In Attendance:	Title:
Ms J Phelps	Chief Executive Officer
Ms J Shannon	Director Community and Corporate Services
Mr J Heritage	Director Technical Services
Mr S Taylor	Manager Planning (10.54am)
Mrs D Snaith	Executive Assistant

3 Apologies and granting of leave of absence

Cr D Wortmann – Leave of absence granted 5 June 2018

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.

Cr Tolsher declared a conflict of interest because of a close association in item 10.2 – Tallangatta Library Opening Hours as Cr Tolsher’s wife is employed by Council at the Tallangatta Library.

5 Confirmation of minutes

Ordinary Meeting of 5 June 2018 and Special Meeting of 26 June 2018.

**CR WHITEHEAD
CR TOLSHER**

THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 5 JUNE 2018 AND THE SPECIAL MEETING HELD ON 26 JUNE 2018 AS CIRCULATED BE CONFIRMED.

CARRIED

6 Petitions, joint letters and declarations

6.1 Roy Williams Park tree removal and replacement (07/05/0007-DTS)

A petition was received on 13 June 2018 regarding Roy Williams Park and tree removal and tree replacement (attached at Appendix A).

A report has been prepared in relation to the matter and is included in Confidential Business – Item 21.2.

**CR SCALES
CR STAR**

THAT:

- 1. COUNCIL CONSIDER THE PETITION AND THE REPORT; AND**
- 2. THE REPORT BE CONSIDERED FOLLOWING OPEN FORUM IN THE OPEN COUNCIL MEETING EXCLUDING THE APPENDICES AND RECOMMENDATION IN ACCORDANCE WITH S89(2)(h) OF THE LOCAL GOVERNMENT ACT.**

CARRIED

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 5 June to 26 June 2018 is included at [Appendix 1](#).

**CR WHITEHEAD
CR TOLSHER**

THAT THE INFORMATION BE NOTED.

CARRIED

8 Open Forum

8.1 Presentations by members of the gallery

NAME	TOPIC
Mr Lloyd Hamilton	Mr Hamilton spoke to item 12.1 Planning Application – 2018/027.
Ms Sarah Goldsworthy	Ms Goldsworthy spoke to item 12.1 Planning Application – 2018/027.
Mrs Pauline Jauchius	Mrs Jauchius spoke to item 12.1 Planning Application – 2018/027.
Mrs Denise Anderson	Roy Williams Park tree removal and replacement
Mr Fraser Reynolds	Mr Reynolds spoke to item 12.1 Planning Application – 2018/027.
Ms Louise Kelly	Ms Kelly spoke in relation to the recent 'Narrows Survey'.

D Snaith left the Council Chamber at 10.47am.

D Snaith returned to the Council Chamber at 10.50am.

**CR WHITEHEAD
CR TOLSHER**

**THAT COUNCIL BRING FORWARD ITEM 12.1 - PLANNING APPLICATION
2018/027 FOR CONSIDERATION.**

CARRIED

S Taylor entered the Council Chamber at 10.54am.

Council considered Item 12.1 – Planning Application 2018/027.

8.2 Roy Williams Park tree removal and replacement (07/05/0007-DTS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Andrew O’Connell, Technical Officer.

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:

Roy Williams Park

In October 2016 a request was received from a Bellbridge resident to have two Silky Oak trees removed as they were damaging a retaining wall at their property of 16 Craig Drive which backs onto Roy Williams Park.

Initially Council denied the request. An Engineer’s report was subsequently obtained and confirmed the tree roots were contributing to the damage of the retaining wall.

Council staff agreed to remove the two Silky Oak trees identified in the Engineer’s report, providing the trees replaced in the park were in line with the future path linking Lyndon Avenue to Craig Drive.

On the 12 January 2018 Council’s Technical Officer undertook community engagement by presenting a plan and accompanying letter to residents in the surrounding area of the park. The results are attached at **Appendix A**.

The following is a summary of correspondence to and from the resident of 16 Craig Drive, Bellbridge:

- On 19 February 2018 a complaint was received that the trees chosen to replace the Silky Oaks trees would be too large and are deciduous.
Appendix B.
- On 20 February 2018 a request was received regarding the species selected, *"of trees you wish to plant we will no longer have any view at all"* was one of

the reasons not to plant Manchurian trees to replace the Silky Oaks trees.

Appendix C.

- On 11 April and 9 May 2018 the residents were sent another tree species selection for consideration for the park, which was also opposed.
Appendix D.
- On 25 May 2018 an email was received opposing the planting of trees in the park. **Appendix E.**
- On 6 June 2018 a request was received to provide results of the community engagement survey conducted by Council's Technical Officer in January 2018. The results were not forwarded due to privacy reasons. **Appendix F.**
- On 12 June 2018 an email was received, formally requesting Council not proceed with the proposed tree planting in Roy Williams Park. A document purporting to be a 'Petition' was also attached with signatures from the immediate residents to Roy Williams Park. The 'Petition' indicated that there were sufficient trees with the trees already planted above the tennis courts.
Appendix G.

Budget Impact

Nil.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Community consultation was conducted via letter drop and house visits for those residents who live in the immediate area of Roy Williams Park. There were no

objections from the residents received during the officer's engagement. Three weeks after the Silky Oaks trees were removed, a complaint was received from the resident at 16 Craig Drive whose property adjoins the area where the trees were removed.

Discussion/Officers View:

All communication has been from the resident who requested the Silky Oaks trees to be removed because of the damage they were causing to the retaining wall. Council staff approved the removal of the trees for safety concerns, it was not to stop damage to the wall, instead it was to allow the resident to address the poor wall condition and make it safe. Recent emails indicate that the prime reason may have been in relation to the view.

Research on Manchurian Trees show that growth can be 10-12m high and 6-8m wide, not the 20m high by 10m wide as stated in the correspondence attached. The survey / petition conducted by the resident refers to the nine (9) trees planted above the tennis court as being sufficient.

**CR WHITEHEAD
CR TOLSHER**

THAT COUNCIL SUSPEND STANDING ORDERS THE TIME BEING 11.21AM.

CARRIED

**CR WHITEHEAD
CR TOLSHER**

THAT COUNCIL RESUME STANDING ORDERS THE TIME BEING 11.33AM.

CARRIED

**CR WHITEHEAD
CR STAR**

THAT COUNCIL MEET WITH INTERESTED PERSONS WITHIN THE NEXT SIX WEEKS TO PROGRESS DISCUSSIONS ON IMPROVEMENTS AT ROY WILLIAMS PARK.

CARRIED

9 Organisational improvement

9.1 Finance Report as at 31 May 2018 (06/02/0021-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	May-18 (Actual) \$'000	May-18 (Budget) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %	2017/18 Full Year (Budget) \$'000	2017/18 Full Year (Achieved) %	2017/18 Full Year (Forecast) \$'000
Income	1	2,278	656	15,207	13,516	1,691	13%	14,394	106%	18,045
Expenditure	2	776	725	8,638	8,721	83	1%	14,522	59%	13,668
Surplus/ (Deficit)		1,502	(69)	6,569	4,795	1,774	37%	(128)	(5,130%)	4,377

Table 1: Operating Result

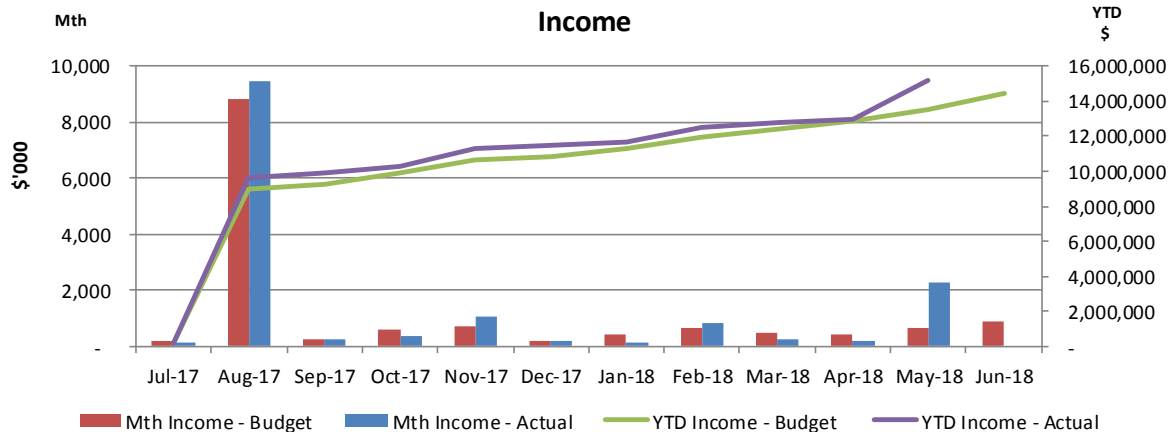
Note 1:

Council's YTD income at 31 May 2018 is \$15.20 million against a budget of \$13.51 million. The major items contributing to the \$1.69 million favourable variance include:

- Revenue received that was not budgeted in 2017/18:
 - \$725,000 in Roads to Recovery funding has been brought forward from the 2018/19 allocation. There is also an additional \$371,000 that has been received in May however this is a timing variance with this amount budgeted to be received in June 2018
 - \$241,000 in Financial Assistance Grants from the Victorian Grants Commission (VGC). The final allocation was \$46,000 greater than originally advised. Refer to the Grant Income section for further details
 - \$99,000 for interest on investments
 - \$79,000 for the final reimbursement of the Corryong Kindergarten upgrade
 - \$70,000 grant income for strategic planning in Tallangatta from the Victorian Planning Authority
 - \$69,000 grant income for the Tallangatta netball court upgrade

- Revenue budgeted but has not yet been received:
 - \$266,000 for the Destination Tallangatta project

Council has forecast to receive \$18.04 million in total income by 30 June compared to the budget of \$14.39 million. In addition to the variances above, Council has received notification that approximately 50% of the 2018/19 allocation from the Commonwealth Government's Financial Assistance Grants will be paid in advance in June 2018. Therefore, this revenue will be recognised in the 2017/18 financial year. This payment in advance is expected to be approximately \$2.00 million.



Note 2:

Council's expenditure at 31 May 2018 is \$8.64 million against a budget of \$8.72 million. The major items contributing to the \$83,000 favourable variance include:

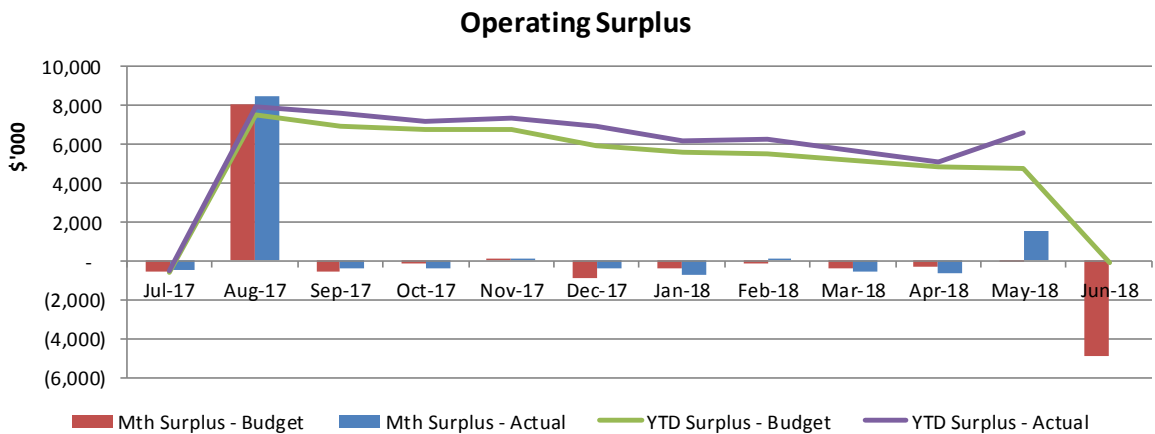
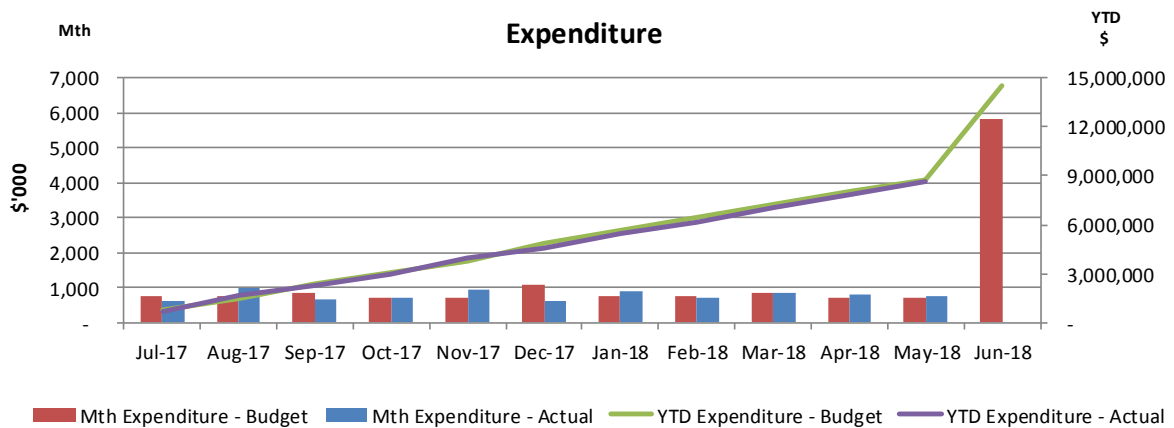
- Expenses that were not budgeted for in 2017/18:
 - \$651,000 for works to repair flood damaged infrastructure. This is expected to be reimbursed by the State Government once all works are complete (timing difference)

- Expenses that will be incurred later than anticipated:
 - \$187,000 in plant costs
 - \$71,000 for Rural Councils Victoria Secretariat services
 - \$73,000 in staffing costs in corporate services with the timing of leave taken and the timing of recruitment into the Manager Corporate Services role, Team Leader Customer Service and current Communications Officer vacancy
 - \$34,000 for planning consultants

- Expense savings in 2017/18 are:
 - \$143,000 in staffing costs for long day care services due to operating at less than 100% capacity
 - \$70,000 in operating costs for the North East Bushfire Camera Network

- \$58,000 in staffing costs in the planning department with a reduced FTE resourcing level being implemented and administration being provided by existing resources
 - \$48,000 in staffing costs for maternal and child health services due to operating with reduced resourcing
 - \$48,000 in staffing costs due to reduced tip opening hours
- YTD 31 May 2018 Council is operating with 71.2 Full Time Equivalent (FTE) staff against an adjusted budget of 75.0 FTE.

Note: The original budgeted FTE did not include the long daycare service staff of 3.4 FTE. Including these staff would result in an adjusted budget of 75.0 FTE.



Grant Income

	Note	May-18 (Actual) \$'000	YTD (Actual) \$'000	YTD (Budget) \$'000	YTD (Variance) \$'000	YTD (Variance) %	2017/18 Full Year (Budget) \$'000	2017/18 Full Year (Achieved) %	2017/18 Full Year (Forecast) \$'000
Recurrent	1	2,023	4,397	2,995	1,402	47%	3,290	134%	6,425
Non-Recurrent	2	131	964	861	103	12%	1,223	79%	1,560
Total		2,154	5,361	3,856	1,505	39%	4,513	119%	7,985

Table 2: Grant Income

Note 1:

Council's YTD recurrent grant income at 31 May 2018 is \$4.39 million against a budget of \$2.99 million. The major items contributing to the \$1.40 million favourable variance include:

- Revenue received that was not budgeted:
 - \$725,000 in Roads to Recovery funding has been brought forward from the 2018/19 allocation. There is also an additional \$371,000 that has been received in May however this is a timing variance with this amount budgeted to be received in June 2018
 - The budget for the Federal Government's Financial Assistance Grants was based on preliminary advice regarding the total amount of the allocation and the expected timing of payments. The final allocation was \$46,000 higher and the timing of payments varied from the preliminary advice. As a result of these changes Financial Assistance Grants are \$240,000 greater than budgeted (\$46,000 is a permanent difference with \$194,000 related to the timing of the payments).
 - \$59,000 has been received above the budgeted amount for kindergartens including funds for the Occasional Care program

Note 2:

Council's YTD non-recurrent grant income at 31 May 2018 is \$964,000 against a budget of \$861,000. The major items contributing to the \$103,000 favourable variance are:

- \$266,000 was budgeted but has not yet been received for the Destination Tallangatta project

- Revenue received that was not budgeted:
 - \$79,000 as the final reimbursement for the Corryong Kindergarten upgrade
 - \$70,000 for strategic planning in Tallangatta from the Victorian Planning Authority
 - \$69,000 towards the construction of a second netball court at Rowen Park Tallangatta
 - \$45,000 for the final payment for the Narrows project
 - \$38,000 for supported playgroups
 - \$30,000 for the roadside weeds project
 - \$20,000 for the final instalment for the Corryong Swimming Pool upgrade

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

	\$'000
Recurrent Grants	
Roads to Recovery (R2R)	1,396
Financial Assistance Grants - General Purpose Funding	1,370
Financial Assistance Grants - Local Roads Funding	970
Maternal and Child Health	151
Library	112
Corryong Pre School	101
Tallangatta Pre School	82
Municipal Emergency Resourcing Program	60
Community Access	39
Berringa Pre School	31
Weed Project	30
Pre-School Cluster	26
School Crossing Supervisor	15
Occasional Child Care	8
Health Admin	6
Total Recurrent Grants	4,397
Non-Recurrent Grants	
Destination Tallangatta - NSRF	531
Corryong Pre School Capital Grants	79
Tallangatta Multi-sport Precinct	76
Strategic Planning - Tallangatta	70
Tallangatta Neighbourhood House	61
L2P Program	47
The Narrows Project	45
Parents and Playgroups	38
Corryong Swimming Pool Upgrade Grant	20
Dartmouth RV Dump Point	18
Council Building Energy Grant	14
Freeza Funding	12
Skate Park Connections - Tallangatta	10
Drug Prevention Services - Ice	10
Community Health and Wellbeing	10
Foundation for Rural and Regional Renewal Grant	4
Seniors Week	2
Beat the Heat - Tree Project	2
Mitta North Rd Intersection Improvement	(85)
Total Non-Recurrent Grants	964
Total Grants Received	5,361

Table 3: Grant Income received

Note: Due to a change in scope of the Mitta North Road intersection upgrade, the funding provided by VicRoads (\$85,000) in 2016/17 has now been returned to VicRoads and VicRoads will engage their contractors to carry out the full scope of works.

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:

	\$' 000
Unexpended Grants	
Roads to Recovery (R2R)	494
Community Access	131
Walwa Streetscape	80
Strategic Planning - Tallangatta	70
Improved Connections Hanson Street project	50
Tallangatta Neighbourhood House	48
Country Roads and Bridges	41
Flood Recovery Officer	40
Parents and Playgroups	37
Library	35
Local Gov Business Collaboration	32
Freeza Funding	25
L2P Program	24
Dartmouth RV Dump Point	18
Council Building Energy Grant	14
Bushfire Management Overlay	13
Kinder Enrolment	12
Children Services Review	10
Improving Liveability of Older People	10
Skate Park Connections - Tallangatta	10
Drug Prevention Services - Ice	10
Weed Project	6
Beat the Heat - Tree Project	4
Maternal and Child Health Enhancement	4
Foundation for Rural and Regional Renewal Grant	4
Total Unexpended Grants	1,222

Table 4: Unexpended Grants

CASH POSITION

Cash on Hand

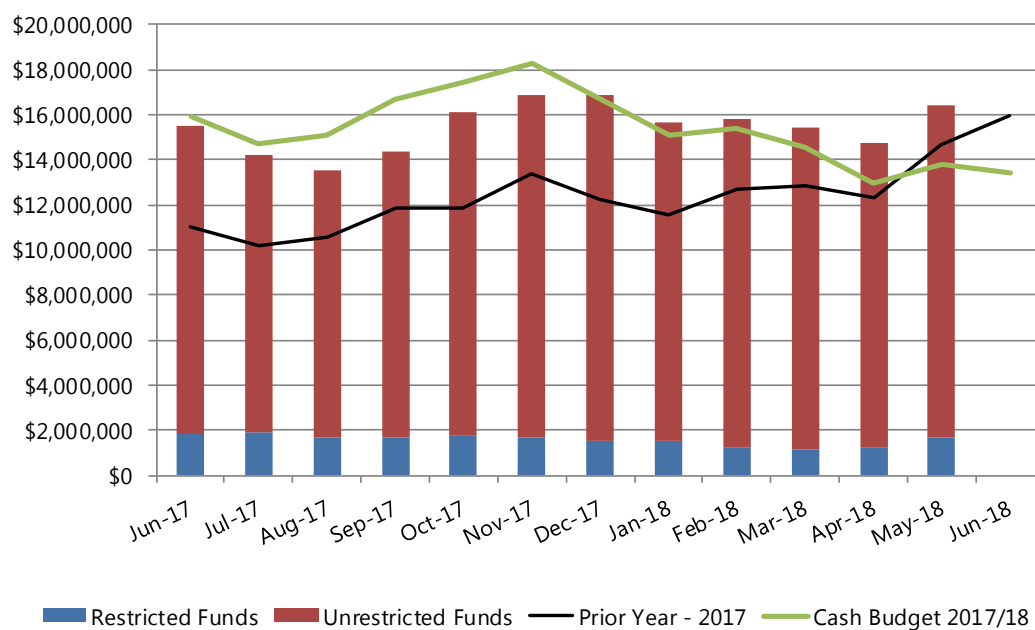
The cash position moved during the month as detailed below:

	Current Month May-18 \$	Prior Month Apr-18 \$	Variance	
			\$	%
Restricted and unrestricted funds				
Unexpended Grants	1,222,120	664,228	557,892	84.0%
Other Provisions and Reserves	496,999	525,102	(28,103)	(5.4%)
Restricted Funds	1,719,119	1,189,330	529,789	44.5%
Provision for Employee Entitlements	1,274,358	1,120,839	153,519	13.7%
Committed Funds	9,975,987	9,863,024	112,963	1.1%
Other Unrestricted Funds	3,443,073	2,596,246	846,827	32.6%
Total Unrestricted Funds	14,693,418	13,580,109	1,113,309	8.2%
Total restricted and unrestricted funds	16,412,537	14,769,439	1,643,098	11.1%

Cash holdings

Section 86 Committee Funds	196,445	196,445	-	0.0%
Investments/term deposits	15,738,394	14,445,996	1,292,398	8.9%
Cash At Bank and On Hand	477,697	126,998	350,699	276.1%
Total Cash holdings	16,412,537	14,769,439	1,643,098	11.1%

Average Interest Rate	2.41%	2.54%
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Investments

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

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
9/02/2018	Term Deposit	WAW	887,729	2.60%	368 Days		11/02/2019
19/02/2018	Term Deposit	Bank of Queensland	1,000,000	2.55%	182 Days	A2	20/08/2018
5/04/2018	Term Deposit	AMP	1,000,000	2.65%	278 Days	A1	8/01/2019
12/04/2018	Term Deposit	ME Bank	1,000,000	2.70%	187 Days	A2	16/10/2018
18/04/2018	Term Deposit	Bendigo & Adelaide Bank	1,000,000	2.60%	180 Days	A2	15/10/2018
8/05/2018	Term Deposit	Bank of Queensland	1,000,000	2.70%	184 Days	A2	8/11/2018
13/09/2017	Term Deposit	AMP	1,000,000	2.60%	273 Days	A1	13/06/2018
9/10/2017	Term Deposit	Bendigo & Adelaide Bank	1,000,000	2.55%	273 Days	A2	9/07/2018
9/01/2018	Term Deposit	ME Bank	1,000,000	2.60%	184 Days	A2	11/07/2018
9/11/2017	Term Deposit	Bank of Queensland	1,000,000	2.60%	273 Days	A2	9/08/2018
20/11/2017	Term Deposit	Bank of Queensland	1,000,000	2.60%	273 Days	A2	20/08/2018
20/11/2017	Term Deposit	ME Bank	1,000,000	2.57%	273 Days	A2	20/08/2018
13/04/2018	Term Deposit	Westpac	1,000,000	2.64%	185 Days	A1+	15/10/2018
N/A	Cash Management	Westpac	2,850,665	1.55%	On Call	A1	N/A
N/A	S86 Committees	Various	196,445	1.60%	N/A		N/A
Total Investments			15,934,840				

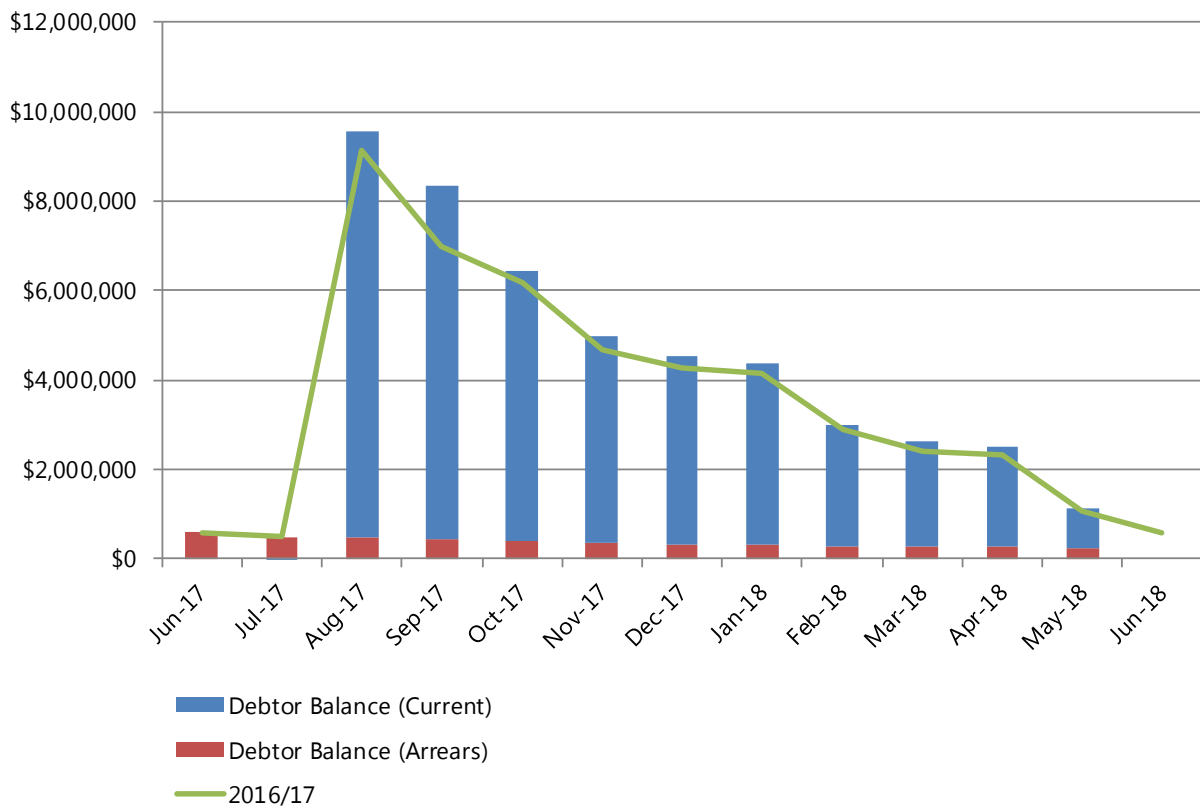
Table 5: Investments at month end

RECEIVABLES

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

The breakdown of rates received for the current month and year-to-date as well as the rates debtors balance outstanding and a comparison to last financial year is shown below:

Rates, charges and FSPL Debtors						
	Amount	Received	% Collected	Received	Collected	Balance
	\$	May-18	May-18	YTD	YTD	Outstanding
	\$	\$	%	\$	\$	\$
Levied 2017/18	9,304,466	1,374,050	14.8%	8,423,833	90.5%	880,633
Arrears prior to 2017/18	577,651	8,917	1.5%	330,733	57.3%	246,918
Total Charges		1,382,967		8,754,565		1,127,552

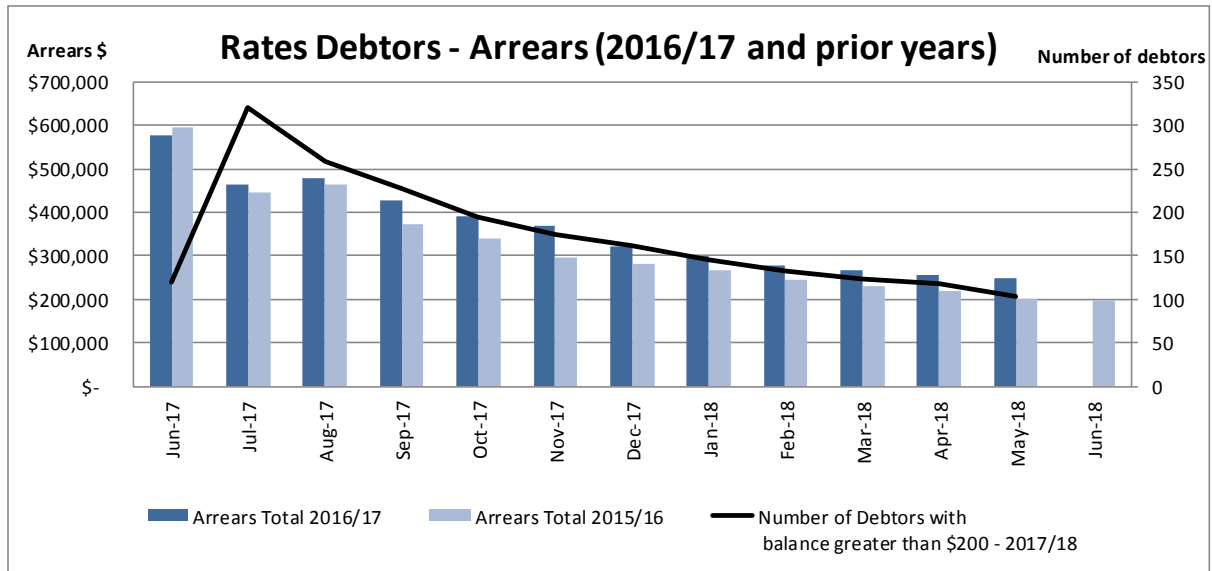


Notes

1) Rates and charges for 2017/18 were levied in August 2017. Quarterly instalments are due at the end of September, November, February and May.

Debt Collection

The graph below compares the arrears balances as at the end of each month for the current financial year (2017/18) and the arrears balances at the equivalent time in the previous financial year (2016/17). The number of debtors with a balance greater than \$200 relates to the 2017/18 financial year.

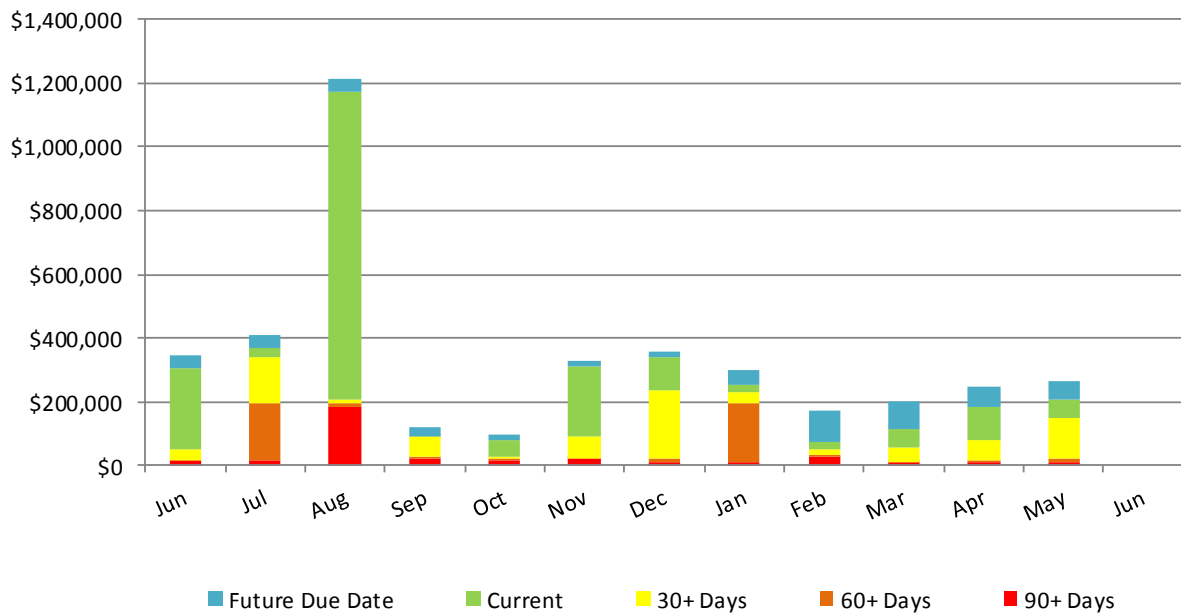


At 31 May 2018, there were 103 rates debtors with an outstanding balance of greater than \$200. This is a decrease of 14 debtors since 30 April 2018.

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
	\$	\$	\$	\$	\$	\$
May 2018	63,031	56,731	128,171	7,908	11,393	267,234
April 2018	65,842	103,232	67,306	801	12,836	250,016
Movement	(2,811)	(46,501)	60,865	7,107	(1,443)	17,217



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

Debtor	Amount	Description	RO	Notes
Debtor 10261	\$1,355	Building and contents insurance	BP	Contact has been made with a current committee member. We are awaiting a response to confirm when payment will be made.
Debtor 18925	\$3,250	Community contribution	BP	A meeting was scheduled for July and November 2017 however the debtor's representative was unable to attend due to ill health. A further invitation has been extended to attend on 3 April 2018 which they were unable to attend with an invitation for the 5 June has been extended.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	BP	This debt is unlikely to be collected due to outstanding queries that were not addressed at the time the debt was incurred. Recommend that this be written off in June.
Debtor 20210	\$1,100	Fees	BP	This debt is unlikely to be collected. Debtor has progressed through all avenues of debt collection with the next step incurring significant legal charges that are highly unlikely to be recoverable from the debtor. Recommend that this be written off in June.

Table 6: Significant debtors > 90 days

LOCAL ROADS

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

Local Roads and Bridges Capital Works

Local Roads and Bridges Infrastructure - Capital	Note	YTD Actual \$	YTD Budget	Variance \$	Annual Budget \$
410 Road Construction	1	1,110,312	1,290,642	180,330	1,290,642
411 Pavement Reconstruction	1	-	100,000	100,000	100,000
416 Sealing		-	-	-	-
417 Resealing		566,972	550,000	(16,972)	550,000
420 Drainage Construction		25,942	30,000	4,058	30,000
421 Digouts	2	521,456	475,000	(46,456)	650,000
422 Resheeting	3	156,682	112,982	(43,700)	180,000
432 Footpaths	4	262,108	110,000	(152,108)	145,000
433 Kerb and Channel	5	91,805	150,000	58,195	655,000
442 Guardrails		16,729	30,000	13,271	30,000
450 Bridge Construction	6	267,862	100,000	(167,862)	100,000
Total		3,019,868	2,948,624	(71,244)	3,730,642

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

Note 1:

Works on Towong Street are delayed due to the contractor not being available until later than anticipated.

Note 2:

Digouts/major patching are ahead of schedule (timing variance).

Note 3:

Resheeting has commenced earlier than anticipated and progressing ahead of schedule (timing variance).

Note 4:

Strategic path links works undertaken from the carry forward capital works from 2016/17.

Note 5:

Kerb and channel works for Hanson Street Corryong are on hold until the outcome of the Building Better Regions funding application is received.

Note 6:

The culvert on Lake Road has been renewed using funding brought forward from the Roads to Recovery program. Timber for the bridge re-decking on Guys Forrest and McHargs bridges has arrived and works are scheduled pending dry weather (timing variance).

Local Roads and Bridges Maintenance

The table below shows maintenance of local roads and bridges. Flood damage works are reported in Table 9 later in this report.

Local Roads and Bridges Infrastructure - Maintenance	Note	YTD Actual	YTD Budget	Variance	Annual Budget
		\$	\$	\$	\$
301 Inspections		469	-	(469)	-
302 Survey and Design		34,453	35,000	547	35,000
304 Pavement Maintenance		128,549	145,500	16,951	148,000
306 Grading		418,715	447,000	28,285	452,000
308 Shoulder Maintenance		91,164	88,000	(3,164)	98,000
310 Drainage Maintenance		183,015	164,500	(18,515)	167,000
312 Call Outs		12,624	19,000	6,376	20,000
324 General Roadside Maintenance		68,222	65,500	(2,722)	73,000
328 Tree Maintenance	1	134,787	118,500	(16,287)	122,000
330 Footpath Maintenance		5,708	7,750	2,042	8,000
331 Kerb and Channel Maintenance		-	5,000	5,000	5,000
334 Roadside Treatments		-	14,000	14,000	15,000
336 Signs Maintenance		9,099	11,000	1,901	12,000
338 Linemarking		4,966	8,000	3,034	10,000
340 Guideposts	2	16,799	7,000	(9,799)	7,000
342 Guardrail		850	3,750	2,900	5,000
346 Fire Access Tracks		5,176	4,587	(589)	5,000
346 Bridge Maintenance	3	34,053	30,000	(4,053)	30,000
Total		1,148,649	1,174,087	25,438	1,212,000

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

The Local Roads and Bridges maintenance program is budgeted based on the type of work proposed to be undertaken, such as grading, drainage maintenance, pavement maintenance, bridge maintenance, etc. When the maintenance program is actually implemented, the most recent asset inspection data available is used to inform or alter the maintenance program to accommodate the maintenance needs with the greatest priority. This enables the impact of ongoing weather conditions and/or recent significant weather events to be factored into the program. Whilst the type of work proposed may alter from that originally proposed, the total maintenance program is kept within the total annual budget (\$1.24 million for 2017/18).

Note 1:

Tree maintenance and tree planting has progressed earlier than anticipated (timing variance).

Note 2:

Whilst carrying out the shoulder maintenance program additional guidepost replacement was required over anticipated replacement levels.

Note 3:

Bridge maintenance has been undertaken in response to inspections using unexpended grant funding still remaining under the Country Roads and Bridges program.

Flood repairs and maintenance

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
313 Storm/Flood Damage		651,117	-	(651,117)	-
Total		651,117	-	(651,117)	-

Table 9: Local Roads and Bridges – Flood damage works

Flood damage works are expected to be reimbursed through the State Government’s Natural Disaster Financial Assistance (NDFA) program.

A summary of the claims made and progress of reimbursements are provided in the table below.

Precinct	Total claimed \$	Claim Submitted	NDFA accepted	VicRoads assessing	VicRoads Approved	Money Received
Project Mgr	\$ 14,189.99	30/11/2007	yes	in progress		
Peninsula	\$ 57,468.69	15/12/2017	yes	in progress		
Bullioh	\$ 6,461.66	30/11/2017	yes	in progress		
Cudgewa	\$ 11,717.55	30/11/2017	yes	in progress		
Bunroy	\$ 15,707.28	30/11/2017	yes	in progress		
Mount Alfred	\$ 284.58	30/11/2017	yes	in progress		
Georges Creek	\$ 20,197.34	30/11/2017	yes	in progress		
Mitta Valley	\$ 135,055.85	30/11/2017	yes	in progress		
Tallangatta Valley	\$ 38,841.33	30/11/2017	yes	in progress		
Granya	\$ 2,038.88	30/11/2017	yes	in progress		
Bethanga	\$ 36,080.16	30/11/2017	yes	in progress		
Fairyknowe	\$ 7,833.31	30/11/2017	yes	in progress		
Corryong	\$ 5,788.43	30/11/2017	yes	in progress		
Talgarno	\$ 23,440.24	28/11/2017	yes	in progress		
Yabba	\$ 58,496.43	28/11/2017	yes	in progress		

Total	\$ 433,601.72
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\$ -

Council officers have been working with representatives from VicRoads (who are assessing the claim) to finalise payment. The VicRoads representative has been on extended leave and returns in late June 2018. An update will be sought on her return.

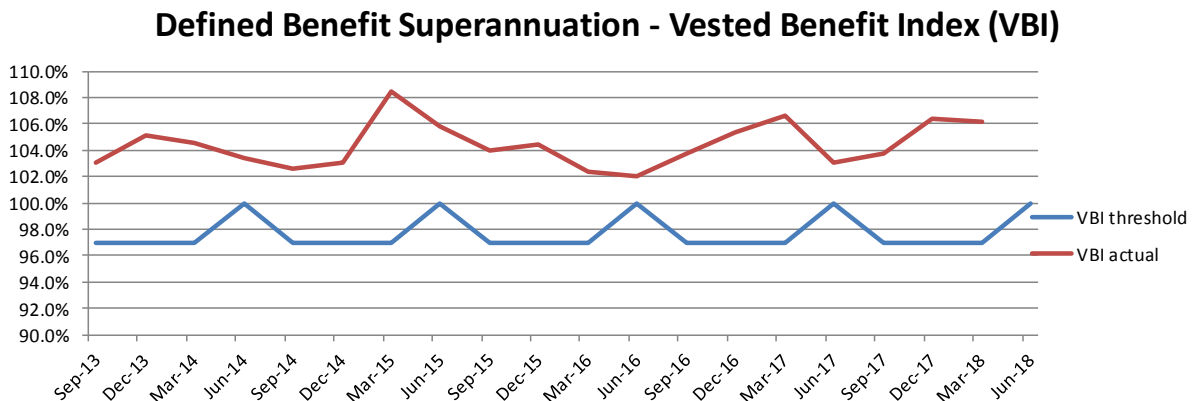
OTHER FINANCIAL MATTERS

Defined benefit superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme to ensure that the liabilities of the fund are covered by the assets of the fund. There are nine (9) current employees covered by this superannuation fund. In addition there is a liability for former employees.

In summary, the Vested Benefits Index (VBI) is the measure required to be used to determine whether there is an unfunded liability.

A VBI must generally be kept above a fund’s nominated shortfall threshold. The estimated VBI released by Vision Super for March 2018 is 106.2%. The graph below shows Vision Super’s VBI performance against the fund’s nominated VBI threshold.



If the actual VBI falls below the above VBI thresholds, a funding call will be initiated which will mean Council will have to provide additional funding to the Defined Benefit fund to ensure that the liabilities of the fund can be met.

CR TOLSHER
CR STAR

THAT THE FINANCE REPORT BE NOTED.

CARRIED

9.2 Adopted Budget 2018/19 - Amendment (06/02/0081-DCCS)

Disclosure of Interests (S.80C):

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

At the time of preparation or presentation 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 2018/19 Budget, including updated Strategic Resource Plan and Long Term Financial Plan, was adopted at the Special Council Meeting held on 26 June 2018. The 2018/19 Budget was adopted with a 4.80% rate increase.

The relevant extract from Council's resolution is shown below:

3. *THE PROPOSED BUDGET 2018/19, WITH THE FOLLOWING AMENDMENTS:*
 - a. *UPDATE OPERATING REVENUE TO REFLECT THE EXPECTED FINANCIAL ASSISTANCE GRANTS ALLOCATION FOR 2018/19*
 - b. *INCREASE THE BUDGET ALLOCATION FOR OPERATING EXPENDITURE BY \$67,000 AND CAPITAL EXPENDITURE BY \$335,000 AS DETAILED IN APPENDIX 1 TO ENSURE THAT THE ORGANISATION IS BEST PLACED TO DELIVER ON COUNCIL'S PRIORITIES*
 - c. *INCREASE THE BUDGET ALLOCATION FOR OPERATING EXPENDITURE BY \$45,000 TO REFLECT THE CURRENT ENTERPRISE AGREEMENT POSITION (1.5% ANNUAL WAGE AND SALARY INCREASE)*
 - d. *UPDATE THE RATES IN THE DOLLAR FOR LEVYING OF GENERAL RATES BASED ON THE NEW GENERAL REVALUATION DATA (AS FOLLOWS IN PART 8 OF THIS RECOMMENDATION*
 - e. *INCLUDE REFERENCE TO THE BROADER RANGE OF MASTERPLANS THAT COUNCIL HAS ASSISTED IN THE DEVELOPMENT OF*
 - f. *INCLUDE CLEARER REFERENCE IN THE BUDGET FOR THE COUNCIL PLAN STRATEGIES THAT HAVE BEEN EXTRACTED FROM THE COUNCIL PLAN 2017-2021,*

IS ADOPTED AS THE BUDGET 2018/19 FOR THE PURPOSES OF SECTION 127 OF THE LOCAL GOVERNMENT ACT 1989 WITH AN INCREASE TO GENERAL RATE INCOME OF 4.80%.

8. *PURSUANT TO SECTION 161 OF THE LOCAL GOVERNMENT ACT 1989, COUNCIL DECLARES THE FOLLOWING RATE IN THE DOLLAR FOR EACH TYPE OF RATE TO BE LEVIED, WITH THE DEFINITION OF EACH TYPE OR CLASS OF LAND CONTAINED WITHIN THE 2018/19 BUDGET:*

<i>Type or class of land</i>	<i>2018/19 \$/CIV</i>
<i>General rate for rateable residential properties (100%)</i>	<i>0.004253</i>
<i>General rate for rateable rural residential properties (100%)</i>	<i>0.004253</i>
<i>General rate for rateable rural properties (90%)</i>	<i>0.003828</i>
<i>General rate for rateable business properties (95%)</i>	<i>0.004040</i>
<i>General rate for rateable undeveloped residential properties (360%)</i>	<i>0.015311</i>

.....

CARRIED

Upon incorporating final Council-approved budget amendments into the Budget 2018/19 document, it has been identified that the summary valuation data received from the Valuer-General Victoria for the 2018 Revaluation was incorrect. It has been confirmed that this was due to internal system errors within the valuation program used by the Valuer-General Victoria and that there are other councils with similar issues. This incorrect valuation data was subsequently used by Council officers to calculate the rates in the dollar for all rating categories within the Shire. As a consequence the rates in the dollar adopted are higher than they should be and if they were applied would result in Council exceeding the 4.8% rate increase that was agreed (and the 5.55% higher rate cap that has been approved by the Essential Services Commission).

This has since been resolved with the Valuer-General Victoria and updated summary valuation data has been received. The originally adopted rates in the dollar and the corrected rates in the dollar are shown in the table below.

Type or class of land	Originally adopted Rates in the dollar \$/\$CIV	Corrected Rates in the dollar \$/\$CIV
General rate for rateable residential properties	0.004253	0.004211
General rate for rateable rural residential properties	0.004253	0.004211
General rate for rateable rural properties	0.003828	0.003790
General rate for rateable business properties	0.004040	0.004000
General rate for rateable undeveloped residential properties	0.015311	0.015158

Impact on Council Policy:

Nil.

State Government Legislation:

The Budget 2018/19 has been prepared in accordance with the relevant sections and regulations of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014 and has been adopted by the regulated timeframe.

If the rates in the dollar are not adjusted to reflect the correct valuations, then this could result in Council being non-compliant with the Fair Go Rates System.

Budget Impact:

There is no material change to the budget, with the changes being recommended only impacting on the distribution of the general rates revenue and not the total amount being collected. Council will still only collect the \$6.21 million in general rates as per the adopted Budget 2018/19.

Community Consultation/Responses:

Community consultation has not been undertaken, as this change is deemed to not materially impact the financial operations and position of Council and therefore does not require the public exhibition process of a revised budget per Sections 128 and 130 of the Local Government Act.

Risk Assessment:

This may have had an impact on Council's compliance with the Fair Go Rates System and have resulted in ratepayers being levied higher rates if it had not been identified and resolved. Adopting revised rates in the dollar will ensure compliance with Victorian Government policy.

Discussion/Officers view:

It is the Council officer's view that the updated rates in the dollar be adopted to ensure that ratepayers are levied rates in accordance with Council's rate increase decision and to ensure compliance with the State Government's Fair Go Rates System.

**CR WHITEHEAD
CR STAR**

THAT:

PURSUANT TO SECTION 161 OF THE LOCAL GOVERNMENT ACT 1989, COUNCIL DECLARES THE FOLLOWING RATE IN THE DOLLAR FOR EACH TYPE OF RATE TO BE LEVIED, WITH THE DEFINITION OF EACH TYPE OR CLASS OF LAND CONTAINED WITHIN THE 2018/19 BUDGET:

Type or class of land	2018/19 \$/\$CIV
General rate for rateable residential properties (100%)	0.004211
General rate for rateable rural residential properties (100%)	0.004211
General rate for rateable rural properties (90%)	0.003790
General rate for rateable business properties (95%)	0.004000
General rate for rateable undeveloped residential properties (360%)	0.015158

CARRIED

9.3 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 August 2018.

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

9.4 Council Plan Priorities (07/05/0036-DCCS)

The bi-monthly update on the 2017-2021 Council Plan priorities is attached at [Appendix 2](#) for information.

**CR STAR
CR WHITEHEAD**

THAT THE REPORT BE NOTED.

CARRIED

9.5 Action Sheet Reports (06/05/0010-CEO)

A report showing the progress on actions from the 5 June 2018 Council Meeting is attached at [Appendix 3](#).

**CR TOLSHER
CR STAR**

THAT THE REPORT BE NOTED.

CARRIED

9.6 Performance Reporting Graphs (DCCS)

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

**CR WHITEHEAD
CR TOLSHER**

THAT THE REPORT BE NOTED.

CARRIED

10 Community wellbeing

10.1 Community Services Report (04/07/0055-DCCS)

The Community Services report is presented every second month. The next report is due in August 2018.

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

Cr Tolsher declared a conflict of interest in Item 10.2 Tallangatta Library Opening Hours because of a close association. Cr Tolsher's wife is employed by Council at the Tallangatta Library.

Cr Tolsher left the Chamber the time being 11.54am.

10.2 Tallangatta Library Opening Hours (04/08/0006-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Ms Vicki Pitcher, Manager 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 the 1 August 2017 Council Meeting, Council agreed to trial alternative operating hours for the Tallangatta Library. This was in response to community feedback and a community survey that indicated a preference to the library being open on Saturday mornings and on one evening per week.

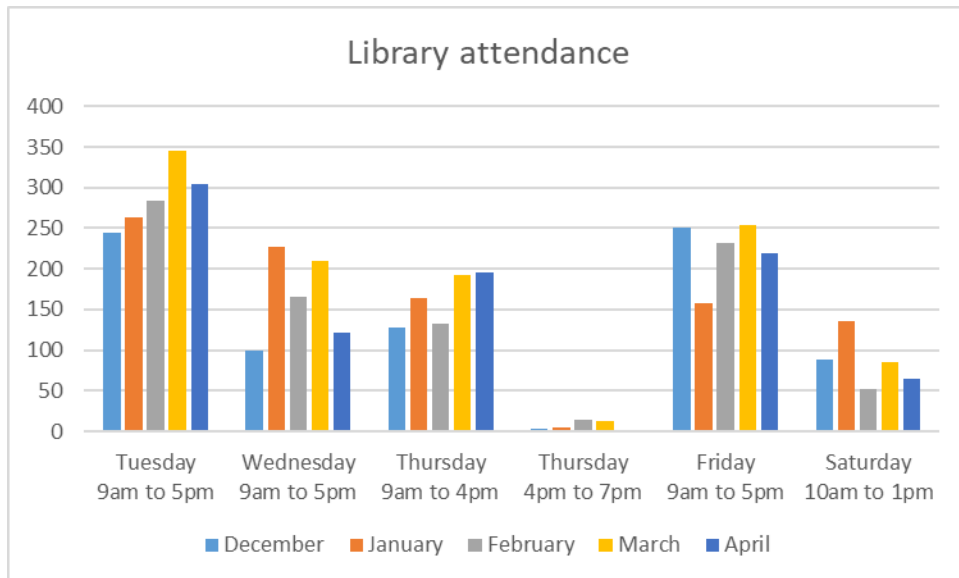
The operating hours trialled from mid-November 2017 to date were:

Monday	Closed
Tuesday	9am to 5pm
Wednesday	9am to 5pm
Thursday	9am to 7pm
Friday	9am to 5pm
Saturday	10am to 1pm
Sunday	Closed

The following table outlines the usage figures during the trial period.

Library attendance	Tuesday 9am to 5pm	Wednesday 9am to 5pm	Thursday 9am to 4pm	Thursday 4pm to 7pm	Friday 9am to 5pm	Saturday 10am to 1pm
December	244	99	128	4	250	88
January	263	227	164	5	158	136
February	284	166	133	15	232	52
March	346	210	192	13	254	85
April	304	121	196	2	220	65
Totals	1441	823	813	39	1114	426

As can be seen above, the Saturday morning session was well attended however, Thursday evenings created little interest. This is demonstrated graphically below.



Impact on Council Policy:

This recommendation aligns with the Council Plan strategy to *Review Library Services* (2.5) and to increase library collection usage (Community Wellbeing).

State Government Policy Impacts:

Nil.

Budget Impact:

The cost of operating the Tallangatta Library prior to the trial was \$90,259 per annum. The annualised cost under the trial hours was \$95,965. The recommendation on ongoing hours will result in annual operating costs for the Tallangatta Library of \$91,889, a marginal increase (\$1,630) on the original cost of operation.

Risk Assessment:

The trialled opening hours for the Tallangatta Library were in response to feedback on the community's wish to have access to library services outside of normal business hours. The trial provides data to inform the ongoing position in relation to operating hours of the Tallangatta Library. The community has indicated its preferences for attending the library over the trial period.

Community Consultation/Responses:

There was extensive community consultation in 2017 with the Tallangatta community in considering operating hours that could be trialled for the Tallangatta Library. The community has indicated its preferences for attending the library over the trial period, clearly supporting Saturday mornings and demonstrating little interest in Thursday evenings. No other feedback has been received from the community in relation to the trialled hours.

Discussion/Officers View:

Based on the evidence collected, it is recommended to retain the Saturday service but to cease offering extended hours on a Thursday evening. This continues to provide access to library services outside of the standard business hours on weekdays, which restricts access to Tallangatta residents who may work or be educated in neighbouring towns. Saturday morning access also contributes to vibrant main street activity, which in turns enhances the local business customer base.

**CR WHITEHEAD
CR STAR**

THAT:

- 1. THE RESULTS FROM THE TALLANGATTA LIBRARY HOURS TRIAL BE NOTED;
AND**
- 2. THE TALLANGATTA LIBRARY ONGOING HOURS OF OPERATION, EFFECTIVE
FROM 6 AUGUST 2018, BE CONFIRMED AS:**

MONDAY	CLOSED
TUESDAY TO FRIDAY	9AM TO 5PM
SATURDAY	10AM TO 1PM
SUNDAY	CLOSED

CARRIED

Cr Tolsher returned to the Chamber the time being 11.57am.

**CR STAR
CR TOLSHER**

**THAT COUNCIL RETURN TO ITEM 12.1 – PLANNING APPLICATION 2018/027 OF
THE AGENDA.**

CARRIED

11 Asset management

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

The Asset Management report is presented every second month. The next report is due in August 2018.

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

Item 12.1 – Planning Application 2018/027 was brought forward and considered after Item 8 – Open Forum.

12 Land-use planning

12.1 Planning Application 2018/027 – Construction of a Dwelling - 358 Soldier Settlers Road (313850-SP)

Application Details	
Applicant	Mr Colin Jauchius
Proposal	Construct a dwelling on the property.
Application Lodged	28/05/2018
Notice and Submissions	Notice to surrounding properties: Yes Notice on site: No Notice in newspaper: No Number of objections: Two

Property Details	
Property Address	358 Soldier Settlers Road
Land Description	CA 6 SEC 10 Parish Wagra Lot 102 LP112470
Land Area	Approx. 305ha
Existing Use	Agriculture

Planning Provisions	
Zone	RAZ Rural Activity Zone
Overlays	Part ESO Environmental Significance Overlay and Part BMO Bushfire Management Overlay
State Planning Policy Framework	Clause 14.01-2 Sustainable Agricultural Land Use Clause 14.02-1 Catchment Planning and Management
Local Planning Policy Framework	Clause 22.02 Rural Dwellings Clause 22.08 Effluent Disposal and Water Quality
Particular Provisions	NA
Restrictive covenants	Nil
Permit Triggers	Clause 35.08-1 – A permit is required to use the land for a dwelling. Clause 35.08-4 - A permit is required for buildings or works associated with a use in Section 2. Clause 42.03-2 – A permit is required to construct a building or construct or carry out works.

Disclosure of Interests (S.80C):

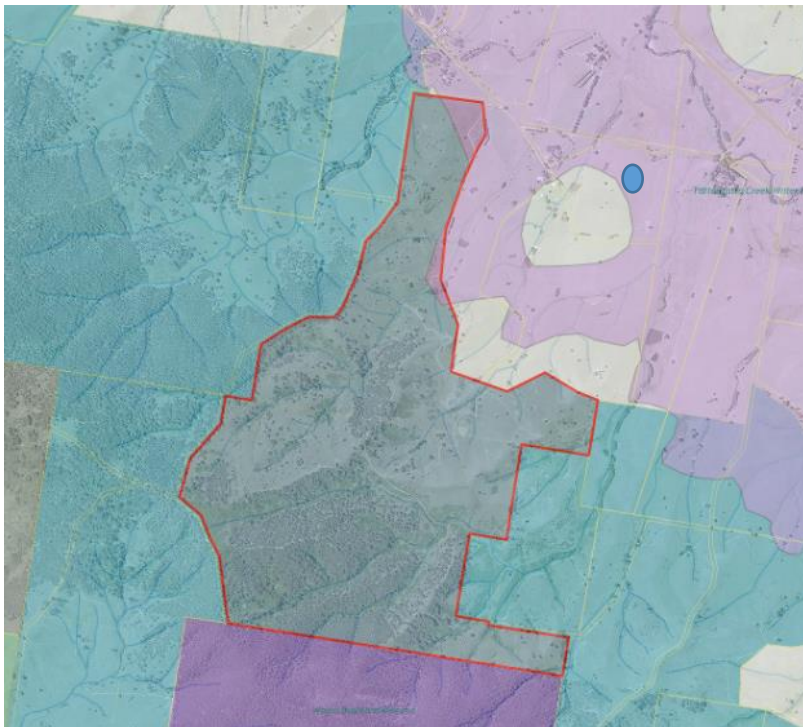
This report was prepared by Ms Shannon Neil, Senior Planner.

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 property is located at 358 Soldier Settlers Tallangatta Valley, within the Rural Activity Zone. The site is partially encumbered by the Environmental Significance Overlay and the Bushfire Management Overlay 1. The proposed house site is not covered by either overlay.

The property is currently used for minimal agricultural use, dog rescue / retraining and has a number of sheds on the property. There are a number of waterways that traverse the property.



Site History

There are two (2) previous permits for dwellings on this property, however these have not been built, both permits have now lapsed. The most recent application 2013/071 was for two (2) dwellings in a similar location to that which has been applied for in this application. This previous application received two (2) objections, opposing the siting of the proposed dwellings. An amendment to the application

was made, reducing the number of dwellings to one (1) and changing the siting of the dwelling. Following the amendment to the application both objections were withdrawn.

This property has a history of local laws issues, with unregistered dogs, the number of dogs at the properties and reports the owners are living on the property in buildings not approved as a dwelling. The matter has been discussed with Council's Building Surveyor and it is understood that an inspection will be conducted at the property.

Proposal

The proposal is to construct a dwelling on the property. The dwelling is a relocatable dwelling being moved from Melbourne to the property. The applicants have had brief discussions with the building department in relation to this building.

The proposed location of the dwelling is towards the front of the property (as shown on the map above). This is a similar location, to the original proposed location in application 2013/071 that received objections.

TOWONG PLANNING SCHEME CONTEXT

State Planning Policy Framework (SPPF)

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Clause 14.01-2 Sustainable Agricultural Land Use

To encourage sustainable agricultural land use

The property is approximately 305ha in total. There is currently no approved habitable dwelling on the property, a dwelling on the property will not significantly impact the agricultural use of the land, but will allow for the owners to reside at the property and conduct the agricultural use of the land.

Clause 14.02- Catchment Planning and Management

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

The proposed dwelling meets the required setbacks to waterways and a land capability assessment has been provided to show the effluent can be maintained and treated onsite.

Impact on Council Policy:

Local Planning Policy Framework (LPPF)

The following Local Planning Policies are relevant to this application:

Clause 22.02 Rural Dwellings

- *To safeguard high quality agricultural land for productive purposes to ensure that new dwellings do not undermine the productive agricultural base of the municipality.*
- *To limit new housing development on high quality and versatile agricultural land and prevent the residential use of high quality agricultural land.*
- *To ensure that dwellings do not prejudice or adversely impact on rural activities carried out on the land and in the general area and to avoid potential amenity impacts between rural and agricultural activities and dwellings in rural areas.*
- *To ensure that the dwellings are sited so as to avoid wherever possible land designated as being of high quality agricultural land or containing environmental hazards such as flooding, inundation, erosion or fire.*
- *Ensure that landscape and environmental values are considered, protected and enhanced and to ensure that dwellings constructed on rural lots are compatible with the environmental characteristics of the area.*
- *To discourage dwellings in isolated or remote locations where there is an inadequacy of road access, an increased fire risk, or if access construction would lead to loss of environmental values.*
- *To encourage the consolidation of rural land holdings, particularly in the Farming Zone.*
- *To ensure that dwellings constructed on rural lots have the capacity to treat and retain all wastes on site and can manage domestic waste water without degrading the environment.*
- *To ensure that new rural dwellings do not increase the level of fire risk and that such development includes adequate fire protection measures.*

The proposed dwelling construction site is free from environmental hazards such as flooding, bushfire risk or at risk of erosion. The site is currently accessed off Soldier Settlers Road, the application proposes to use this exiting access.

The proposal will not exacerbate environmental hazards, have significant landscape impacts or impact on high quality agricultural land.

Clause 22.08 Effluent Disposal and Water Quality

- *Ensure water quality and human and animal health is not affected by development.*
- *Ensure that effluent disposal systems are suitable to the soil type and topography of the site, and are appropriately located away from environmentally sensitive features.*
- *To ensure effluent is not discharged off site.*
- *To ensure that the density of effluent disposal systems is suitable to the soil type and topography of the site.*
- *To ensure alternative effluent disposal systems such as package treatment plants which treat the effluent to a higher standard than conventional septic systems are used preferentially within the Shire.*
- *Ensure that landscape and environmental values are considered, protected and enhanced.*

The proposed dwelling meets the required setbacks to waterways and a land capability assessment has been provided to show the effluent can be maintained and treated onsite.

Zoning

Clause 35.08 Rural Activity Zone

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.*
- *To ensure that use and development does not adversely affect surrounding land uses.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone. To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Any application within the RAZ must meet the decision guidelines of this zone.

General Issues –

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use and development and whether the proposal is compatible with adjoining and nearby land uses.

The proposed dwelling is to be sited in a manner that will not impact on catchment values.

The proposed siting of the dwelling is approximately 200 metres from the nearest dwelling, 350 metres from another adjoining dwelling and 690 metres from another adjoining dwelling. This is considered to be a suitable buffer distance to avoid amenity impacts on neighbouring properties.

Agricultural Issues –

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

The size of the land is suited to agricultural pursuits and the proposal will support this use.

Environmental Issues –

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land

including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

The proposed siting of the dwelling is outside the Environmental Significance Overlay, native vegetation removal is not required and the provided land capability assessment supports that the land can treat and maintain effluent wholly within the boundaries of the property, without impacting on the nutrient loads of nearby waterways and native vegetation.

Design and Siting Issues –

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

The proposed dwelling exterior will be weatherboard, with a corrugated colourbond roof. There is existing planted vegetation along the northern boundary of the property nearby the proposed dwelling site that will aid in filtering the view of the property from the nearby adjoining dwellings. The proposed site is elevated and will overlook adjoining properties in the area, this is not unusual in rural undulating landscapes. The adjoining properties have existing vegetation around between the proposed dwelling and the existing dwellings that will also filter the views of the proposed dwelling.

The proposed development will not require traffic management measures.

Overlays

There are no overlays that encumber the proposed dwelling site.

General Provisions

Clause 65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act. The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The application for a dwelling has been assessed in accordance with the State and Local Planning Policies and against the purposes of the Rural Activity Zone. The proposed dwelling site is not encumbered by any overlays. The application does not propose any native vegetation removal and there are no environmental hazards/risks associated with the proposed dwelling site.

The applicants have stated some earthworks will be required at the site, specific details will need to be provided and approved by Council prior to any works commencing if a permit is approved.

Budget Impact:

There is no material impact on the Council budget other than the ordinary potential for any decision on a planning application to proceed to VCAT where Council would generally be required to meet its own costs.

Risk Assessment:

Nil.

CONSULTATION/REFERRALS

Referral Responses

Referral Details	
GMW	No objection with conditions

Advertising

Public notice was sent to adjoining property owners in accordance with Clause 66 of the planning scheme.

Community Consultation/Responses:

Objections

Council received two (2) objections in relation to the application. Full objections are attached in the [Appendix 5](#).

Objector	Objection Grounds	Response
Ms Sarah Goldsworthy	Privacy, safety of children, driveway access, noise	<p>Ms Goldsworthy has objected to the proposed location of the dwelling as she feels it is an invasion of their privacy. The proposed dwelling is sited approximately 200 metres to the south-west of Ms Goldsworthy's dwelling with minimal vegetation between the two properties. The proposed dwelling will be elevated above the Ms Goldsworthy's property, however as stated earlier this is not grounds for refusal or unusual in rural undulating landscapes.</p> <p>Ms Goldsworthy claims the owners of the property are living there illegally (to be investigated by the planning</p>

		<p>and building departments in due course) and that they are running a puppy farm on the property with more than 15 breeders. Compliance inspections have shown that the total number of breeding dogs was below the number that would trigger the need for a planning permit. At the moment the dogs are housed considerable distance from the adjoining properties, Ms Goldsworthy fears if the dwelling is allowed in the proposed location, the dogs would also be moved closer to the adjoining properties increasing the risk of confrontation between the dogs and adjoining property owners. Ms Goldsworthy has very young children and given the history of the dogs escaping the property, fears her children would not be safe playing outside.</p> <p>Current access to the property is through a road reserve, Ms Goldsworthy is concerned an application to open this road reserve to construct legal access will result in the loss of a grazing license. This is not a planning consideration as these leases are not a permanent agreement to the use of the land. The construction of an internal driveway will run along the southern boundary of Ms Goldsworthy's property. Ms Goldsworthy has raised concerns about the number of visitors with caravans entering the site, without a formal complaint to investigate the use of land for accommodation without a permit, this is not a planning issue for consideration in the context of this application.</p> <p>Ms Goldsworthy is concerned about the noise impacts from the dogs on the property and again is concerned if the dwelling is approved the dogs may be moved closer to adjoining properties, making the noise unbearable.</p>
<p>Mr Lloyd Hamilton</p>	<p>Location of dwelling, setbacks to boundaries, impact on amenity.</p>	<p>Mr Hamilton is concerned the dwelling will be overlooking their property. As the proposed dwelling is elevated above all the properties in the area, it will be overlooking most adjoining properties. As earlier stated, this is not unusual in undulating rural landscapes. The proposed dwelling meets all setbacks as required by the Schedule to the Rural Activity Zone. The application for a dwelling in the proposed location will not cause significant amenity impacts. The objectors allude to the general living conditions and the existing state of the</p>

		property as grounds for amenity impact. These are not matters that can be considered in relation to the proposal. The design of the dwelling will be in keeping with that of other rural dwellings in the area.
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Discussion/Officers View:

The application for a dwelling at 358 Soldier Settlers Road is in accordance with the State and Local Policies of the Towong Planning Scheme and meets the requirements of the Rural Activity Zone. A site visit has determined the location of the dwelling is suitable and in keeping with the general aesthetic of the area.

There are multiple suitable sites for a dwelling to be sited on this property, which would not attract objections from adjoining property owners. It is likely if the site was changed to what was previously approved under permit 2013/071, the application would not have received objections.

It is the Officer's view that a Notice of Decision to issue a Planning Permit for Planning Application 2018/027 for the development and use of land at 358 Soldier Settlers Road for the purposes of a dwelling be granted.

**CR TOLSHER
CR WHITEHEAD**

THAT COUNCIL SUSPEND STANDING ORDERS THE TIME BEING 11.09AM.

CARRIED

**CR TOLSHER
CR STAR**

THAT COUNCIL RESUME STANDING ORDERS THE TIME BEING 11.13AM.

CARRIED

**CR TOLSHER
CR STAR**

THAT ITEM 12.1 - PLANNING APPLICATION 2018/027 BE DEFERRED TO LATER IN THE MEETING TO ALLOW THE APPLICANT AND OBJECTORS TO DISCUSS AN ALTERNATE SITING OF THE DWELLING.

CARRIED

S Taylor left the Council Chamber at 11.17am.

**CR WHITEHEAD
CR STAR**

**THAT ITEM 21.2 ROY WILLIAMS PARK BE BROUGHT FORWARD FOR
CONSIDERATION.**

CARRIED

Item 21.1 – Roy Williams Park was brought forward and considered at Item 8.2.

**After consideration of Item 10.2 - Tallangatta Library Opening Hours, Council
returned to Item 12.1 - Planning Application 2018/027.**

**S Taylor returned to the Council Chamber at 12.00pm and reported to Council
the outcome of the discussion between the applicant and objectors.**

**CR WHITEHEAD
CR STAR**

**THE ITEM 12.1 PLANNING APPLICATION 2018/027 BE DEFERRED TO LATER IN
THE MEETING TO ALLOW THE MANAGER PLANNING TO REVIEW THE
RECOMMENDED PLANNING CONDITIONS IN LIGHT OF THE OUTCOME OF THE
DISCUSSION BETWEEN THE APPLICANT AND OBJECTOR IN RELATION TO THE
SITING OF THE DWELLING.**

CARRIED

S Taylor left the Council Chamber 12.05pm.

Council returned to Item 11.1 – Asset Management report.

**After consideration of Item 20 – Sealing of Documents, Council returned to
Item 12.1 - Planning Application 2018/027.**

**S Taylor returned to the Council Chamber at 12.15pm and recommended an
amendment to the recommended conditions (refer 1.a(vi)).**

**CR WHITEHEAD
CR STAR**

THAT COUNCIL ISSUE A NOTICE OF DECISION TO ISSUE A PLANNING PERMIT FOR PLANNING APPLICATION 2018/027 FOR DEVELOPMENT AND USE OF LAND AT 358 SOLDIER SETTLERS ROAD BEING MORE PARTICULARLY DESCRIBED AS CA 6 SEC 10 PARISH WAGRA LOT 102 LP112470 FOR THE PURPOSES OF A DWELLING, IN ACCORDANCE WITH THE ENDORSED PLANS AND SUBJECT TO THE FOLLOWING CONDITIONS:-

FURTHER PLANS TO BE SUBMITTED

- 1. BEFORE THE DEVELOPMENT COMMENCES, PLANS TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE SUBMITTED TO AND APPROVED BY THE RESPONSIBLE AUTHORITY. WHEN APPROVED, THE PLANS WILL BE ENDORSED AND WILL THEN FORM PART OF THE PERMIT. THE PLANS MUST BE DRAWN TO SCALE WITH DIMENSIONS AND THREE COPIES MUST BE PROVIDED. THE PLANS MUST BE GENERALLY IN ACCORDANCE WITH THE PLANS SUBMITTED WITH APPLICATION BUT MODIFIED TO SHOW:**
 - a. THE SITE PLAN TO BE AMENDED TO SHOW THE LOCATION OF THE DWELLING, SHED AND EFFLUENT DISPOSAL AREA INCLUDING:**
 - i. DISTANCES TO PROPERTY BOUNDARIES**
 - ii. DISTANCE TO LAKE HUME TOP OF SUPPLY LEVEL (MEASURED FROM THE 192.0M AHD LEVEL)**
 - iii. DISTANCES TO ALL WATERWAYS ON THE SITE**
 - iv. DISTANCES TO ALL DAMS ON THE SITE**
 - v. DISTANCES TO ALL DRAINAGE LINES ON THE SITE**
 - vi. RELOCATION OF THE DWELLING 20-30 M TO THE EAST OR THE SOUTHEAST TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY**
 - b. SCALED AND DIMENSIONED PLANS OF THE APPROVED BUILDINGS. THESE PLANS MUST INCLUDE DIMENSIONED FLOOR AND ELEVATION PLANS OF ALL THE APPROVED BUILDINGS AND A SCHEDULE OF MATERIALS AND COLOURS. ONCE APPROVED THESE PLANS WILL FORM PART OF THE PERMIT.**
- 2. THE DEVELOPMENT MUST BE IN ACCORDANCE WITH THE ENDORSED PLANS FORMING PART OF THIS PERMIT AND MUST NOT BE ALTERED WITHOUT THE PRIOR WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY.**

EXTERNAL CLADDING

- 3. THE EXTERNAL MATERIALS OF THE BUILDINGS AND THE FINISHED COLOURS OF ANY ABOVEGROUND WATER STORAGE TANKS MUST BE CONSTRUCTED OF MATERIALS OF NEUTRAL EARTHY TONES TO PROTECT THE RURAL CHARACTER OF THE AREA TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. NO MATERIALS WITH A HIGHLY REFLECTIVE SURFACE SHALL BE USED. FOR THE PURPOSE OF THIS CONDITION "HIGHLY REFLECTIVE" SHALL INCLUDE UNPAINTED ALUMINIUM, ZINC OR SIMILAR MATERIALS.**

WASTE WATER MANAGEMENT CONDITIONS

- 4. A SEPTIC SYSTEM MUST BE INSTALLED IN ACCORDANCE WITH THE LAND CAPABILITY ASSESSMENT CONDUCTED BY DAMIEN PORTA (DATED DECEMBER 2014)**
- 5. DETAILS ON THE SECONDARY TREATMENT ARE TO BE PROVIDED TO AND APPROVED BY COUNCIL'S ENVIRONMENTAL HEALTH OFFICER, ONCE APPROVED THESE PLANS WILL BE ENDORSED AND WILL THEN FORM PART OF THIS PERMIT.**
- 6. ENSURE APPROPRIATE SETBACKS FROM WATERWAYS, BUILDINGS AND BOUNDARY FENCES ARE OBSERVED.**

ACCESS CONDITIONS

- 7. A 'WORKS WITHIN ROAD RESERVE' PERMIT IS REQUIRED PRIOR TO THE CONSTRUCTION OF NEW CROSSOVERS AND/OR DRIVEWAYS.**
- 8. CONSTRUCTION OF THE CROSSOVER MUST BE IN ACCORDANCE WITH COUNCIL'S INFRASTRUCTURE DESIGN MANUAL AS SPECIFIED IN THE 'WORKS WITHIN ROAD RESERVE' PERMIT, TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 9. THE INTERNAL ACCESS WAY MUST BE CONSTRUCTED TO A STANDARD THAT ENABLES ALL WEATHER ACCESS FOR EMERGENCY SERVICES VEHICLES.**

GOULBURN MURRAY WATER CONDITIONS

- 10. ALL CONSTRUCTION AND ONGOING ACTIVITIES MUST BE IN ACCORDANCE WITH SEDIMENT CONTROL PRINCIPLES OUTLINED IN 'CONSTRUCTION TECHNIQUES FOR SEDIMENT POLLUTION CONTROL' (EPA, 1991).**
- 11. NO BUILDINGS OR WORKS ARE TO BE CONSTRUCTED WITHIN 30 METRES OF ANY WATERWAYS OR ON ANY DRAINAGE LINES.**

12. ALL WASTEWATER REQUIRING DISPOSAL TO LAND MUST BE TREATED TO A STANDARD AND DISPOSED OF IN ACCORDANCE WITH THE LAND CAPABILITY ASSESSMENT LCA_201361_REV0 PREPARED BY SJE CONSULTING. THE SYSTEM MUST BE AN EPA APPROVED SYSTEM, INSTALLED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE RELEVANT EPA CODE OF PRACTICE AND CERTIFICATE OF APPROVAL.

13. THE WASTEWATER DISPOSAL AREAS MUST BE KEPT FREE OF ALL INFRASTRUCTURE INCLUDING BUILDINGS, DRIVEWAYS, TANKS AND SERVICE TRENCHING AND MUST BE PLANTED WITH APPROPRIATE VEGETATION TO MAXIMISE ITS PERFORMANCE. STORM WATER MUST BE DIVERTED AWAY. A RESERVE WASTEWATER DISPOSAL FIELDS OF EQUIVALENT SIZE TO THE PRIMARY DISPOSAL FIELDS MUST BE PROVIDED FOR USE IN THE EVENT THAT ANY PRIMARY FIELD REQUIRES RESTING OR HAS FAILED.

***** END OF GOULBURN MURRAY WATER CONDITIONS *****

PERMIT EXPIRY

14. THIS PERMIT WILL EXPIRE IF ONE OF THE FOLLOWING CIRCUMSTANCES APPLIES:

- a) THE DEVELOPMENT IS NOT COMMENCED WITHIN TWO YEARS OF THE DATE OF THIS PERMIT.**
- b) THE DEVELOPMENT IS NOT COMPLETED WITHIN FOUR YEARS OF THE DATE OF THIS PERMIT.**
- c) THE USE IS NOT COMMENCED WITHIN TWO YEARS OF THE DEVELOPMENT BEING COMPLETED.**

THE RESPONSIBLE AUTHORITY MAY CONSIDER EXTENDING THE PERIODS REFERRED TO ABOVE IF A REQUEST IS MADE IN WRITING IN ACCORDANCE WITH SECTION 69 OF THE *PLANNING AND ENVIRONMENT ACT, 1987*.

******* END OF CONDITIONS *******

CARRIED

S Taylor left the Council Chamber at 12.17pm and did not return.

Council returned to Item 9.1 – Finance Report as at 31 May 2018.

13 Environmental sustainability

13.1 Environmental Sustainability report (01/07/0004)-DTS)

The Environmental Sustainability report is presented every second month. The next report is due in August 2018.

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

14 Economic and tourism development

14.1 Economic Development Report (05/01/0001-CEO)

The Economic Development report is presented every second month. The next report is due in August 2018.

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

15 Councillor Reports

15.1 MAV Rural and Regional Planning Conference (Cr Star)

Date of Meeting/Event:	31 May-1 June 2018
Key information presented/discussed at meeting:	<p>A well-attended conference with 220 attendees were given the opportunity to engage in 23 sessions involving 36 speakers sharing their wisdom to the audience over the two days.</p> <p>Many examples of planning issues and solutions were the highlight, however the examples of the scale of change and current development in shires with a lot more financial resources than Towong Shire brought home the fact the Towong Shire needs to diversify its economy and really push the limits on value adding our products if we are not to be left further behind the more affluent areas of rural and regional Victoria, including our nearest neighbours.</p> <p>Sustainable growth, new technologies, energy and water efficiencies, transport access/ connectivity and reinvigorated towns with stories to tell and strong relationships to culture, art and retail were identified early in the conference as common goals to many regional communities.</p> <p>Words of wisdom like "Focus on the opportunities rather than the challenges" highlighted the need to first educate local residents about what is going on in their own area as this is the first step to instilling confidence in the local product so that the community develops confidence in itself before inviting others from beyond to also believe in the local product.</p> <p><u>Celebrate the successes often.</u></p>

	<p>Jobs and connectivity were the two key factors that influence people's decisions of where to live. Access to education, active life styles, housing affordability and health and safety concerns are others. There is the need to look through the lens of what life could be like in year 2050. Local prosperity must be linked with the prosperity of the younger generation.</p> <p>Regular and authentic civic engagement with clear goals upper most in mind is vital to better decision making, builds trust, real life adds value with more ideas and resources and is beneficial to improved participation. Look for barriers to communication. Use as an opportunity to educate the community. Best practice community engagement and tenders win more contracts. Perception bias (that things are worse than they really are) needs to be managed through initial engagement to address a community's fear of change.</p> <p>Air BnB – used by people now as a business model, affecting housing affordability. DELWP strategic committee need to look at planning regs as this may affect housing and settlement strategies. Local laws may be able to regulate and include a registration process with mandatory code of conduct.</p> <p>Internally digital and portable "Smart Planning" councils are the trend-online interface provides easy to view policy, identifies gaps, clarifies regional policies with State, online mapping improving Tourism is the 3rd largest export industry in Victoria and the 2nd largest employer in regional Victoria. Victoria is the 2nd fastest growth state for employment. The Visitor Economy involves business, education, residents and tourists. 71% of the regional Victoria visitor economy are Melbourne people. 53% of Melbourne residents have not spent one night in regional Victoria in 3 years> enormous</p>
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	<p>opportunity to grow regional economies if more Melbournians choose to visit.</p> <p>Developing the Visitor Economy through Event Tourism is vital for rural regions. Future success is people focussed, the younger visitor demographic is growing at double digit levels. There are four stages of a visitor's journey- Inspired to act/convert to make a booking/the experience and service level provided while visiting/advocating to others. Councils need to be involved at all levels of the visitor journey. Visit Victoria has the goal of achieving 320,000 jobs in tourism by 2025, a 5% pa growth trajectory. Regional Victoria currently receives 11.7% of domestic visitor market and 10% of the international visitor market. Visit Victoria aims to raise the figure to 22.1% of the domestic market. 1% equates to \$500-750 million. It is expected that expenditure growth in regional Victoria due to domestic overnight tourism will rise by 15% this year.</p> <p>Possible Actions</p> <ol style="list-style-type: none">1. Identify all the positive statistics about the Towong Shire and share with the locals all the good things about living here ie statistics relating to the shire's strengths with figures indicating the scale of importance of agriculture and other industries to our economy "Write a shire prospectus for potential investors" Shire SWOT analysis.2. With the Local Government Act Review, there will be a requirement for councils to have a community engagement policy with emphasis on having a self-evaluating process developed by the community in order to increase motivation for involvement ie use of postcard surveys, listening stations around towns, 10yrs and up student input, street art, stickers on infrastructure, large group sessions, facilitated
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	<p>small groups, social media, Q&A newsletters, target more impacted groups – a combination is likely in order to involve as many people as possible.</p> <ol style="list-style-type: none">3. Look for opportunities to proactively educate the community on hot topics. To minimise the “white ants”, set rules, use a panel process or direct council consultation.4. Onscreen app/ connectivity highlighting attractions and businesses (Visitors don’t see borders)- developing unique visitor propositions are essential, develop “own” brand for something in the wider region, connect visitors with “Big” nature and wildlife, create a strong touring route proposition, opportunities to revitalise culture ie silo culture, unlock iconic experience with iconic service (glamping, boutique accommodation), councils need to look at new events that can drive visitation, develop appropriate infrastructure ie accommodation, event components, and have a greater awareness in achieving a common goal “What does Towong Shire stand for as a tourist destination?, more than one council could work on one event.
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15.2 RDA Ovens and Murray Regional Assembly (Cr Tolsher)

Cr Tolsher gave a verbal report and advised that a written report would be provided for the next meeting.

15.3 Snowy Mountains 2.0 Information Evening (Cr Whitehead)

Verbal report

15.4 Corryong Rotary Club Changeover (Cr Scales)

Cr Scales advised that a written report would be provided for the next meeting.

**CR WHITEHEAD
CR TOLSHER**

THAT THE COUNCILLOR REPORTS BE NOTED.

CARRIED

16 Urgent business

Nil.

17 Committee minutes

No Committee Minute reports.

18 Occupational Health and Safety

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

The unconfirmed minutes of the meeting held on 21 June 2018 are attached at [Appendix 6](#) for information.

**CR TOLSHER
CR WHITEHEAD**

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

CARRIED

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

The following policies are tabled for review ([Appendix 7](#)). Comments should be provided to the Responsible Officer by 7 August 2018.

- Disabled Access Funding
- Disability Access
- Employee Recognition
- Flexi Time

The following policies were tabled for review at the 1 May Council Meeting and are presented at [Appendix 8](#) for adoption.

- Access to Waste Disposal and Recycling Outlets (DTS)
- Healthy Eating (DCCS)
- Tree (DTS)
- Young Person Award (EA)

**CR WHITEHEAD
CR TOLSHER**

THAT THE FOLLOWING POLICIES AS PRESENTED BE ADOPTED:

- **ACCESS TO WASTE DISPOSAL AND RECYCLING OUTLETS**
- **HEALTHY EATING**
- **TREE**
- **YOUNG PERSON AWARD**

CARRIED

20 Sealing of documents

No documents for sealing.

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

**CR TOLSHER
CR WHITEHEAD**

THAT THE MEETING BE CLOSED TO THE PUBLIC TO CONSIDER INFORMATION CONSIDERED UNDER SECTION 89(2)(d) OF THE LOCAL GOVERNMENT ACT TO BE CONFIDENTIAL THE TIME BEING 12.06PM.

CARRIED

**CR TOLSHER
CR STAR**

THAT THE MEETING BE RE-OPENED TO THE PUBLIC, THE TIME BEING 12.17PM.

CARRIED

21.1 Tender Assessment - Great River Road Artwork (05/02/0162-EDO)

**CR WHITEHEAD
CR TOLSHER**

THAT:

- 1. THE GREAT RIVER ROAD ARTWORK CONTRACT BE AWARDED TO AGENCY OF SCULPTURE FOR \$150,000; AND**
- 2. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN AND SEAL THE CONTRACT DOCUMENTS SUBJECT TO SATISFACTORY NEGOTIATION REGARDING THE MOUNT ALFRED GAP SITE.**

CARRIED

There being no further business the meeting was closed at 12.24 pm.

Minutes confirmed this day of 2018.

Mayor