Minutes
Ordinary Meeting of Council
Corryong Council Office
Tuesday 4 February 2020
Commonly used acronyms

<table>
<thead>
<tr>
<th>ABBREVIATION</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Council Officers</strong></td>
<td></td>
</tr>
<tr>
<td>CAE</td>
<td>Civil Asset Engineer</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>DIE</td>
<td>Director Infrastructure and Environment</td>
</tr>
<tr>
<td>DCP</td>
<td>Director Community and Planning</td>
</tr>
<tr>
<td>DRR</td>
<td>Director Relief and Recovery</td>
</tr>
<tr>
<td>DCOD</td>
<td>Director Corporate and Organisation Development</td>
</tr>
<tr>
<td>COCEO</td>
<td>Coordinator, Office of the CEO</td>
</tr>
<tr>
<td>MF</td>
<td>Manager Finance</td>
</tr>
<tr>
<td><strong>Government/Organisation</strong></td>
<td></td>
</tr>
<tr>
<td>ACSUM</td>
<td>Alliance of Councils and Shires of the Upper Murray</td>
</tr>
<tr>
<td>CHS</td>
<td>Corryong Health Service (formerly Upper Murray Health and Community Services)</td>
</tr>
<tr>
<td>DJPR</td>
<td>Department of Jobs, Precincts and Regions</td>
</tr>
<tr>
<td>DOT</td>
<td>Department of Transport</td>
</tr>
<tr>
<td>DELWP</td>
<td>Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td>GMW</td>
<td>Goulburn Murray Water</td>
</tr>
<tr>
<td>HRGLN</td>
<td>Hume Region Local Government Network</td>
</tr>
<tr>
<td>MAV</td>
<td>Municipal Association of Victoria</td>
</tr>
<tr>
<td>NECMA</td>
<td>North East Catchment Management Authority</td>
</tr>
<tr>
<td>NEW</td>
<td>North East Water</td>
</tr>
<tr>
<td>NEWRRG</td>
<td>North East Waste and Resource Recovery Group</td>
</tr>
<tr>
<td>RCV</td>
<td>Rural Councils Victoria</td>
</tr>
<tr>
<td>RDA</td>
<td>Regional Development Australia</td>
</tr>
<tr>
<td>RDV</td>
<td>Regional Development Victoria</td>
</tr>
<tr>
<td>THS</td>
<td>Tallangatta Health Service</td>
</tr>
<tr>
<td>VGC</td>
<td>Victorian Grants Commission</td>
</tr>
</tbody>
</table>
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<th>71</th>
</tr>
</thead>
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<td>Audit and Risk Committee (07/07/0010 – Cr Wortmann) ........................................................................</td>
<td>71</td>
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<td>19</td>
<td>Occupational Health and Safety ..............................................................................................................</td>
<td>71</td>
</tr>
<tr>
<td>19.1</td>
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<td>71</td>
</tr>
<tr>
<td>20</td>
<td>Council policies (10/01/0007-CEO) .................................................................................................</td>
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<td>20.1</td>
<td>Policies for review and adoption ...............................................................................................</td>
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</tr>
<tr>
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<td>75</td>
</tr>
</tbody>
</table>
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 Wortmann, Whitehead, Scales, Star and Tolsher

<table>
<thead>
<tr>
<th>In Attendance</th>
<th>Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms J Phelps</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Ms A Pagan</td>
<td>Director Relief and Recovery</td>
</tr>
<tr>
<td>Ms R Gadd</td>
<td>Director Infrastructure and Environment</td>
</tr>
</tbody>
</table>

3 Apologies and Granting of Leave of Absence

Nil

4 Declaration of Pecuniary Interest and/or Conflict

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

Cr Scales declared a direct financial interest in Item 10.4 – Temporary Waiver of Business Registration Renewal Fees 2020 (including food premises, prescribed accommodation and Health Act premises), due to owning a business in Towong Shire.
5 Confirmation of minutes

Ordinary Meeting 3 December 2019, the Special Meeting on 17 December 2019 and the Special Meeting on 9 January 2020.

CR TOLLSHER
CR SCALES

THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 3 DECEMBER 2019, THE SPECIAL MEETING HELD ON 17 DECEMBER 2019 AND THE SPECIAL MEETING HELD ON 9 JANUARY 2020 AS CIRCULATED BE CONFIRMED.

CARRIED

6 Petitions, joint letters and declarations

Nil

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 26 September 2019 to 28 January 2020 is included at Appendix 1.

CR STAR
CR WHITEHEAD

THAT THE INFORMATION BE NOTED.

CARRIED
## 8 Open Forum

<table>
<thead>
<tr>
<th>Name</th>
<th>Topic</th>
</tr>
</thead>
</table>
| Ms Shirley Forest  | Ms Forest addressed Council on the following issues:  
• Possibility of Rate Concessions for fire affected properties;  
• Acknowledgement of Ms Amanda Pagan, Director Relief and Recovery for her sound management of the Corryong Emergency Relief Centre. |
| Mr Peter Koopmans  | Mr Koopmans addressed Council on the following issues:  
• Lack of communication between farmers the CFA and the State Government.  
• Requested Council communicate with the Premier Daniel Andrews regarding land management;  
• Set up of satellite phones for times of emergency. |
| Mr Maurie Foun     | Mr Foun addressed Council on the following issues:  
• Thank you to: Towong Shire Council staff for their effort during the Bushfire Emergency;  
Kerissa Heritage in the Corryong Emergency Relief Centre;  
Mayor Wortmann for his leadership;  
The outdoor crews; and  
Pastor Doug Allan – PA system.  
• Request for 2 new “Pure” signs on the Jingellic/Walwa Road and 1 at Shelley with the words – “Pure Survivors and Bloody Proud of It;”  
• Firewood availability from road sides – can residents have access to the damaged trees that have been removed;  
• Further fire hazard – between Corryong and Khancoban the roadside vegetation and grass is very long and needs to be managed. |

Ms Amanda Pagan, Acting Director Relief and Recovery left the Chamber and did not return, the time being 11.15am.
Organisational improvement

9.1 Finance Report as at 31 December 2019 (06/02/0021-DCOD)

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

<table>
<thead>
<tr>
<th>Note</th>
<th>Dec-19 (Actual)</th>
<th>Dec-19 (Budget)</th>
<th>YTD (Actual)</th>
<th>YTD (Budget)</th>
<th>YTD (Variance)</th>
<th>YTD (%)</th>
<th>2019/20 Full Year (Actual)</th>
<th>2019/20 Full Year (Budget)</th>
<th>Variance</th>
<th>%</th>
<th>achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income</td>
<td>1</td>
<td>805</td>
<td>1,043</td>
<td>13,897</td>
<td>13,381</td>
<td>516</td>
<td>4%</td>
<td>18,718</td>
<td>74%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenditure</td>
<td>2</td>
<td>1,484</td>
<td>1,287</td>
<td>6,419</td>
<td>6,888</td>
<td>469</td>
<td>7%</td>
<td>17,787</td>
<td>36%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surplus/ (Deficit)</td>
<td>(679)</td>
<td>(244)</td>
<td>7,478</td>
<td>6,493</td>
<td>985</td>
<td>15%</td>
<td>931</td>
<td>803%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 1: Operating Result

Note 1:

Council’s YTD income at 31 December 2019 is $13.897 million against a budget of $13.381 million. The major items contributing to the $516,000 favourable variance includes:

- Revenue budgeted received last financial year:
  - $300,000 in State Government grant funding for the Upper Murray Events Centre. This funding was budgeted to be received in July 2019 per the funding agreement, however was recognised in June 2019 (previous financial year)
  - $200,000 in Commonwealth Government grant funding for the Upper Murray Events Centre
- Revenue recognised that was not budgeted in 2019/20:
  - $132,000 for contribution to road reconstruction
  - $55,000 for reimbursement of flood remediation works
  - $34,000 in grant funding for the roadside weeds and pests program
- Revenue received over budgeted levels:
  - $131,000 in grant funding for Financial Assistance Grants
  - $128,000 in childcare income
  - $78,000 in grant funding for kindergartens
- Revenue budgeted that has not yet been received:
  - $100,000 in grant funding for the two E-waste infrastructure upgrades at the Corryong and Tallangatta resource recovery centres

Note 2:
Council’s YTD expenditure at 31 December 2019 is $6.419 million against a budget of $6.888 million. The major items contributing to the $469,000 favourable variance includes:
  - Expenses that will be incurred later than anticipated:
    - $253,000 for employee costs
    - $170,000 for the construction of the Upper Murray Events Centre
    - 79,000 for kerbside collection
    - $51,000 for tree maintenance
    - $51,000 for the New Spin for Eskdale Cricket project

Council is operating with 77.1 Full Time Equivalent (FTE) staff at 31 December 2019 against an annual budget of 83.8 FTE. Council has a number of vacancies.

The vacant positions at the end of December include:
  - Director Community and Corporate Services
  - Manager Economic Development
  - Manager Planning
  - Trainee Parks and Gardens Operator
  - Communications Officer (Part-time)
Grant Income

<table>
<thead>
<tr>
<th>Note</th>
<th>Dec-19 (Actual)</th>
<th>YTD (Actual)</th>
<th>YTD (Budget)</th>
<th>YTD (Variance)</th>
<th>YTD (Variance) %</th>
<th>2019/20 Full Year (Budget)</th>
<th>2019/20 Full Year (Achieved) %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recurrent</td>
<td>1 65</td>
<td>1,716</td>
<td>1,499</td>
<td>217</td>
<td>14%</td>
<td>5,128</td>
<td>33%</td>
</tr>
<tr>
<td>Non-Recurrent</td>
<td>2 479</td>
<td>1,696</td>
<td>1,786</td>
<td>(90)</td>
<td>(5%)</td>
<td>1,129</td>
<td>150%</td>
</tr>
<tr>
<td>Total</td>
<td>544</td>
<td>3,412</td>
<td>3,285</td>
<td>127</td>
<td>4%</td>
<td>6,257</td>
<td>55%</td>
</tr>
</tbody>
</table>

Table 2: Grant Income

Note 1: Council’s YTD recurrent grant income at 31 December 2019 is $1.716 million against a budget of $1.499 million. The major items contributing to the $217,000 favourable variance are the Financial Assistance Grants allocation for 2019/20 and kindergarten grants being above budgeted levels.
Note 2:
Council’s YTD non-recurrent grant income at 31 December 2019 is $1.696 million against a budget of $1.786 million. The major items contributing to the $90,000 unfavourable variance includes:

- Revenue received earlier than anticipated:
  - $300,000 in State Government grant funding for the Upper Murray Events Centre. This funding was budgeted to be received in July 2019 per the funding agreement, however was recognised in June 2019 (previous financial year)
  - $200,000 in Commonwealth Government grant funding for the Upper Murray Events Centre.

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

<table>
<thead>
<tr>
<th>Recurrent Grants</th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Assistance Grants</td>
<td>1,181</td>
</tr>
<tr>
<td>Maternal and Child Health</td>
<td>122</td>
</tr>
<tr>
<td>Library</td>
<td>111</td>
</tr>
<tr>
<td>Kindergarten - Tallangatta</td>
<td>87</td>
</tr>
<tr>
<td>Kindergarten - Corryong</td>
<td>77</td>
</tr>
<tr>
<td>Municipal Emergency Resourcing Program</td>
<td>60</td>
</tr>
<tr>
<td>Kindergarten - Bellbridge</td>
<td>40</td>
</tr>
<tr>
<td>School Crossing Supervisor</td>
<td>19</td>
</tr>
<tr>
<td>Kindergarten Cluster</td>
<td>10</td>
</tr>
<tr>
<td>Premier’s Reading Challenge</td>
<td>6</td>
</tr>
<tr>
<td>Kindergarten - Walwa</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total Recurrent Grants</strong></td>
<td><strong>1,716</strong></td>
</tr>
</tbody>
</table>

Table 3: Recurrent Grant Income received
### Table 4: Non-recurrent grants

<table>
<thead>
<tr>
<th>Grant Description</th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixing Country Roads Program - Hanson Street redevelopment</td>
<td>598</td>
</tr>
<tr>
<td>Upper Murray Events Centre (Commonwealth)</td>
<td>400</td>
</tr>
<tr>
<td>Destination Tallangatta</td>
<td>266</td>
</tr>
<tr>
<td>Community Child Care Fund (Sustainability Support - Walwa)</td>
<td>92</td>
</tr>
<tr>
<td>Great River Road (State)</td>
<td>70</td>
</tr>
<tr>
<td>Flood Recovery</td>
<td>55</td>
</tr>
<tr>
<td>Neighbourhood House - Tallangatta</td>
<td>41</td>
</tr>
<tr>
<td>Weed Project</td>
<td>34</td>
</tr>
<tr>
<td>Towong Energy Saver 2019-20</td>
<td>33</td>
</tr>
<tr>
<td>Access and Inclusion</td>
<td>23</td>
</tr>
<tr>
<td>Master Plan for Active Sporting Future</td>
<td>18</td>
</tr>
<tr>
<td>Kindergarten Enrolment</td>
<td>16</td>
</tr>
<tr>
<td>Supported Parent and Playgroup</td>
<td>13</td>
</tr>
<tr>
<td>Think-Start-Grow</td>
<td>10</td>
</tr>
<tr>
<td>Kindergarten Inclusion</td>
<td>7</td>
</tr>
<tr>
<td>Blackspot Funding - Lake Road</td>
<td>6</td>
</tr>
<tr>
<td>FREEZA</td>
<td>6</td>
</tr>
<tr>
<td>Health Admin (Vulnerable persons - HACC)</td>
<td>5</td>
</tr>
<tr>
<td>Seniors Week</td>
<td>2</td>
</tr>
<tr>
<td>Youth Week</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Non-recurrent Grants</strong></td>
<td><strong>1,696</strong></td>
</tr>
</tbody>
</table>

**Total Grants Received**

<table>
<thead>
<tr>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3,412</strong></td>
</tr>
</tbody>
</table>

*Table 4: Non-recurrent grants*

**Unexpended Grants**

Where Council has received grants that are required to be expended in a specified manner, but the funds have not yet been expended, the grant is recognised as an unexpended grant. 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:

<table>
<thead>
<tr>
<th>Unexpended Grants</th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixing Country Roads Program - Hanson Street redevelopment</td>
<td>1,157</td>
</tr>
<tr>
<td>Cudgewa Netball Court upgrade</td>
<td>159</td>
</tr>
<tr>
<td>Access and Inclusion</td>
<td>135</td>
</tr>
<tr>
<td>Improved Connections Hanson Street project</td>
<td>134</td>
</tr>
<tr>
<td>Mitta Valley Mountain Bike Park (Pick My Project)</td>
<td>104</td>
</tr>
<tr>
<td>Kindergarten Enrolment</td>
<td>83</td>
</tr>
<tr>
<td>Tintaldra Boat Ramp</td>
<td>79</td>
</tr>
<tr>
<td>Fixing Country Roads Program - Bethanga intersection upgrade</td>
<td>77</td>
</tr>
<tr>
<td>Municipal Emergency Resourcing Program</td>
<td>75</td>
</tr>
<tr>
<td>Neighbourhood House - Tallangatta</td>
<td>63</td>
</tr>
<tr>
<td>Supported Parent and Playgroup</td>
<td>50</td>
</tr>
<tr>
<td>Strategic Planning - Tallangatta</td>
<td>49</td>
</tr>
<tr>
<td>New Spin for Eskdale Cricket Club</td>
<td>44</td>
</tr>
<tr>
<td>Granya Streetscape</td>
<td>40</td>
</tr>
<tr>
<td>Fixing Country Roads Program - Bethanga street sealing</td>
<td>35</td>
</tr>
<tr>
<td>Community Systems Mapping for Violence Free Living</td>
<td>35</td>
</tr>
<tr>
<td>Towong Energy Saver 2019-20</td>
<td>33</td>
</tr>
<tr>
<td>Local Government Business Collaboration</td>
<td>32</td>
</tr>
<tr>
<td>FReeZA</td>
<td>30</td>
</tr>
<tr>
<td>Country Roads and Bridges</td>
<td>27</td>
</tr>
<tr>
<td>Tallangatta Reclaimed Water Reuse</td>
<td>20</td>
</tr>
<tr>
<td>Master Plan for Active Sporting Future</td>
<td>18</td>
</tr>
<tr>
<td>Bushfire Management Overlay</td>
<td>13</td>
</tr>
<tr>
<td>TICC Banking On Our Solar Future</td>
<td>13</td>
</tr>
<tr>
<td>Think-Start-Grow</td>
<td>11</td>
</tr>
<tr>
<td>Weed Project</td>
<td>10</td>
</tr>
<tr>
<td>Improving Liveability of Older People</td>
<td>10</td>
</tr>
<tr>
<td>Health Promotions (Walk to School)</td>
<td>10</td>
</tr>
<tr>
<td>Waste Not, Want Not</td>
<td>7</td>
</tr>
<tr>
<td>Premier’s Reading Challenge</td>
<td>6</td>
</tr>
<tr>
<td>Victorian Junior Landcare and Biodiversity grant</td>
<td>5</td>
</tr>
<tr>
<td>Beat the Heat - Tree Project</td>
<td>4</td>
</tr>
<tr>
<td>Maternal and Child Health Enhancement</td>
<td>4</td>
</tr>
<tr>
<td>Drug Prevention Services - Ice</td>
<td>3</td>
</tr>
<tr>
<td>Community Development and Assistance</td>
<td>2</td>
</tr>
<tr>
<td>Respectful Relationships - Kinder</td>
<td>2</td>
</tr>
<tr>
<td>Family Violence Support</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Unexpended Grants</strong></td>
<td><strong>2,580</strong></td>
</tr>
</tbody>
</table>

Table 5: Unexpended grants
CASH POSITION

Cash on Hand

The cash position moved during the month as detailed below:

<table>
<thead>
<tr>
<th>Committed funds</th>
<th>Current Month Dec-19</th>
<th>Prior Month Nov-19</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unexpended Grants</td>
<td>2,579,919</td>
<td>2,508,048</td>
<td>71,871</td>
</tr>
<tr>
<td>Other Provisions and Reserves</td>
<td>858,964</td>
<td>858,964</td>
<td>-</td>
</tr>
<tr>
<td>Provision for Employee Entitlements</td>
<td>1,428,259</td>
<td>1,451,418</td>
<td>(23,159)</td>
</tr>
<tr>
<td>Other Committed Funds</td>
<td>17,150,771</td>
<td>17,199,483</td>
<td>(48,712)</td>
</tr>
<tr>
<td>Total committed funds</td>
<td>22,017,913</td>
<td>22,017,913</td>
<td>-</td>
</tr>
</tbody>
</table>

| Other funds              | 1,757,693            | 2,586,889          | (829,195)      | (32.1%)        |

| Total funds              | 23,775,606           | 24,604,802         | (829,195)      | (3.4%)         |

Cash holdings

| Section 86 Committee Funds | 164,215              | 164,215            | -              | 0.0%           |
| Investments/term deposits  | 23,503,257           | 24,068,845         | (565,588)      | (2.3%)         |
| Cash At Bank and On Hand   | 108,134              | 371,741            | (263,608)      | (70.9%)        |

| Total Cash holdings       | 23,775,606           | 24,604,802         | (829,195)      | (3.4%)         |

Average Interest Rate

1.72% 1.78%
**Investments**

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Product</th>
<th>Institution</th>
<th>Principal</th>
<th>Yield</th>
<th>Term</th>
<th>Rating</th>
<th>Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/07/2019</td>
<td>Term Deposit</td>
<td>ME Bank</td>
<td>1,000,000</td>
<td>1.90%</td>
<td>184 Days</td>
<td>A2</td>
<td>09/01/2020</td>
</tr>
<tr>
<td>10/04/2019</td>
<td>Term Deposit</td>
<td>Bendigo &amp; Adelaide Bank</td>
<td>1,000,000</td>
<td>2.50%</td>
<td>275 Days</td>
<td>A2</td>
<td>10/01/2020</td>
</tr>
<tr>
<td>25/06/2019</td>
<td>Term Deposit</td>
<td>Bank of Queensland</td>
<td>1,500,000</td>
<td>2.10%</td>
<td>210 Days</td>
<td>A2</td>
<td>21/01/2020</td>
</tr>
<tr>
<td>25/07/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,000,000</td>
<td>2.20%</td>
<td>180 Days</td>
<td>A2</td>
<td>21/01/2020</td>
</tr>
<tr>
<td>08/08/2019</td>
<td>Term Deposit</td>
<td>Bank of Queensland</td>
<td>1,000,000</td>
<td>1.85%</td>
<td>183 Days</td>
<td>A2</td>
<td>07/02/2020</td>
</tr>
<tr>
<td>11/11/2019</td>
<td>Term Deposit</td>
<td>National Australia Bank</td>
<td>1,000,000</td>
<td>1.58%</td>
<td>91 Days</td>
<td>A1+</td>
<td>10/02/2020</td>
</tr>
<tr>
<td>08/10/2019</td>
<td>Term Deposit</td>
<td>ME Bank</td>
<td>1,000,000</td>
<td>1.60%</td>
<td>127 Days</td>
<td>A2</td>
<td>12/02/2020</td>
</tr>
<tr>
<td>19/08/2019</td>
<td>Term Deposit</td>
<td>ME Bank</td>
<td>1,000,000</td>
<td>1.73%</td>
<td>182 Days</td>
<td>A2</td>
<td>17/02/2020</td>
</tr>
<tr>
<td>20/08/2019</td>
<td>Term Deposit</td>
<td>Bank of Queensland</td>
<td>1,000,000</td>
<td>1.75%</td>
<td>184 Days</td>
<td>A2</td>
<td>20/02/2020</td>
</tr>
<tr>
<td>09/10/2019</td>
<td>Term Deposit</td>
<td>Bendigo &amp; Adelaide Bank</td>
<td>1,000,000</td>
<td>1.50%</td>
<td>153 Days</td>
<td>A2</td>
<td>10/03/2020</td>
</tr>
<tr>
<td>17/10/2019</td>
<td>Term Deposit</td>
<td>National Australia Bank</td>
<td>1,000,000</td>
<td>1.60%</td>
<td>153 Days</td>
<td>A1+</td>
<td>18/03/2020</td>
</tr>
<tr>
<td>09/07/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,000,000</td>
<td>2.20%</td>
<td>273 Days</td>
<td>A2</td>
<td>07/04/2020</td>
</tr>
<tr>
<td>08/10/2019</td>
<td>Term Deposit</td>
<td>Westpac</td>
<td>1,000,000</td>
<td>1.56%</td>
<td>183 Days</td>
<td>A1</td>
<td>08/04/2020</td>
</tr>
<tr>
<td>11/11/2019</td>
<td>Term Deposit</td>
<td>WAW</td>
<td>500,000</td>
<td>1.75%</td>
<td>182 Days</td>
<td>A2</td>
<td>11/05/2020</td>
</tr>
<tr>
<td>18/11/2019</td>
<td>Term Deposit</td>
<td>Bank of Queensland</td>
<td>1,000,000</td>
<td>1.60%</td>
<td>182 Days</td>
<td>A2</td>
<td>18/05/2020</td>
</tr>
<tr>
<td>21/11/2019</td>
<td>Term Deposit</td>
<td>Bank of Queensland</td>
<td>1,000,000</td>
<td>1.60%</td>
<td>180 Days</td>
<td>A2</td>
<td>19/05/2020</td>
</tr>
<tr>
<td>20/11/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,000,000</td>
<td>1.90%</td>
<td>182 Days</td>
<td>A2</td>
<td>20/05/2020</td>
</tr>
<tr>
<td>11/12/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,011,967</td>
<td>1.80%</td>
<td>181 Days</td>
<td>A2</td>
<td>09/06/2020</td>
</tr>
<tr>
<td>17/12/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,000,000</td>
<td>1.80%</td>
<td>181 Days</td>
<td>A2</td>
<td>15/06/2020</td>
</tr>
<tr>
<td>18/12/2019</td>
<td>Term Deposit</td>
<td>AMP</td>
<td>1,000,000</td>
<td>1.80%</td>
<td>180 Days</td>
<td>A2</td>
<td>15/06/2020</td>
</tr>
<tr>
<td>N/A</td>
<td>Cash Management</td>
<td>Westpac</td>
<td>3,491,290</td>
<td>1.15%</td>
<td>On Call</td>
<td>A1</td>
<td>N/A</td>
</tr>
<tr>
<td>N/A</td>
<td>S86 Committee</td>
<td>Various</td>
<td>164,215</td>
<td>1.60%</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Total Investments: 23,667,473

Table 6: Investments at month end
RECEIVABLES

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

The breakdown of rates received for the year ending 30 June 2020 as well as the rates debtors balance outstanding and a comparison to last financial year is shown below:

<table>
<thead>
<tr>
<th>Rates, charges and FSPL Debtors</th>
<th>Amount Received Dec-19</th>
<th>% Collected Dec-19</th>
<th>Received YTD</th>
<th>% Collected YTD</th>
<th>Balance Outstanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates and charges levied 2019/20</td>
<td>9,017,079</td>
<td>547,344</td>
<td>6.1%</td>
<td>4,876,472</td>
<td>54.1%</td>
</tr>
<tr>
<td>Rates and charges arrears prior to 2019/20</td>
<td>820,140</td>
<td>20,083</td>
<td>2.4%</td>
<td>261,151</td>
<td>31.8%</td>
</tr>
<tr>
<td>FSPL levied 2019/20</td>
<td>1,027,254</td>
<td>50,020</td>
<td>4.9%</td>
<td>638,364</td>
<td>62.1%</td>
</tr>
<tr>
<td>FSPL arrears prior to 2019/20</td>
<td>106,953</td>
<td>2,158</td>
<td>2.0%</td>
<td>39,849</td>
<td>37.3%</td>
</tr>
<tr>
<td>Total rates and charges including FSPL levied 2019/20</td>
<td>10,044,334</td>
<td>597,364</td>
<td>5.9%</td>
<td>5,514,836</td>
<td>54.9%</td>
</tr>
<tr>
<td>Total rates and charges including FSPL arrears prior to 2019/20</td>
<td>927,093</td>
<td>22,242</td>
<td>2.4%</td>
<td>301,000</td>
<td>32.5%</td>
</tr>
<tr>
<td>Total rates and charges including FSPL and arrears</td>
<td>619,606</td>
<td></td>
<td></td>
<td>5,815,836</td>
<td>5,155,590</td>
</tr>
</tbody>
</table>

Notes

1) Rates and charges for 2019/20 were levied in August 2019. 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 (2019/20) and the arrears balances at the equivalent time in the previous financial year (2018/19).

Please note the graph below does not include any unpaid instalments from 2019/20, e.g. if a ratepayer has not paid Instalment 1 in 2019/20, it is not reflected in the below figures.

The following graph displays the number of debtors with an arrears balance greater than $200 for the current year compared to the previous financial year.

At 31 December 2019 there were 225 rates debtors with an outstanding balance greater than $200. All outstanding rates debtors at 30 June 2019 became arrears on 1 July 2019.
**Sundry Debtors**

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

<table>
<thead>
<tr>
<th>Sundry Debtors</th>
<th>Future Due Date</th>
<th>Current</th>
<th>30 Days</th>
<th>60 Days</th>
<th>90+ Days</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 2019</td>
<td>132,399</td>
<td>264,972</td>
<td>62,601</td>
<td>12,640</td>
<td>135,401</td>
<td>608,013</td>
</tr>
<tr>
<td>November 2019</td>
<td>138,146</td>
<td>710,753</td>
<td>13,252</td>
<td>-</td>
<td>155,188</td>
<td>1,017,339</td>
</tr>
<tr>
<td>Movement</td>
<td>(5,747)</td>
<td>(445,781)</td>
<td>49,349</td>
<td>12,640</td>
<td>(19,788)</td>
<td>(409,326)</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Debtor</th>
<th>Amount</th>
<th>Description</th>
<th>RO</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>21504</td>
<td>$132,407</td>
<td>Contribution to road remediation works</td>
<td>DIE</td>
<td>Invoice was resent to the debtor in November 2019 with communication received back from the debtor regarding the works. Further investigation will need to be undertaken to determine if recoverable.</td>
</tr>
<tr>
<td>21843</td>
<td>$1,432</td>
<td>Respectful relationships</td>
<td>MCS</td>
<td>Debtor has confirmed they have invoices and will be processing the reimbursement.</td>
</tr>
</tbody>
</table>
CAPITAL WORKS

The table below reports capital expenditure incurred for all capital projects with a project value greater than $100,000 for the current financial year.

<table>
<thead>
<tr>
<th>Capital Works - 2019/20</th>
<th>Note</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>Variance</th>
<th>2019/20 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixing Country Roads (Hanson Street Development)</td>
<td></td>
<td>$31,374</td>
<td>$61,000</td>
<td>$29,626</td>
<td>$2,240,790</td>
</tr>
<tr>
<td>Colac Colac Caravan Park (Amenities block upgrade)</td>
<td></td>
<td>$47,603</td>
<td>$40,000</td>
<td>$(7,603)</td>
<td>800,000</td>
</tr>
<tr>
<td>Plant replacement</td>
<td>1</td>
<td>$540,367</td>
<td>$250,000</td>
<td>$(290,367)</td>
<td>727,000</td>
</tr>
<tr>
<td>Tallangatta Holiday Park</td>
<td>2</td>
<td>$582,374</td>
<td>$649,768</td>
<td>$67,394</td>
<td>649,768</td>
</tr>
<tr>
<td>Digouts/major patching</td>
<td></td>
<td>$158,457</td>
<td>$150,000</td>
<td>$(8,457)</td>
<td>600,000</td>
</tr>
<tr>
<td>Reseal program</td>
<td></td>
<td>$183,617</td>
<td>$200,000</td>
<td>$16,383</td>
<td>600,000</td>
</tr>
<tr>
<td>Georges Creek Road (Stage 6)</td>
<td></td>
<td>$21,000</td>
<td>$20,000</td>
<td>$(1,000)</td>
<td>500,000</td>
</tr>
<tr>
<td>Walwa streetscape (2017/18)</td>
<td>3</td>
<td>$171,020</td>
<td>$500,000</td>
<td>$328,980</td>
<td>500,000</td>
</tr>
<tr>
<td>Infrastructure project (NEBFCN)</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>300,000</td>
</tr>
<tr>
<td>Reseal - Towong Street (DT)</td>
<td>4</td>
<td>$18,004</td>
<td>$282,093</td>
<td>$264,089</td>
<td>282,093</td>
</tr>
<tr>
<td>Corryong Infrastructure (Connecting Corryong)</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>273,000</td>
</tr>
<tr>
<td>Pavement construction - Hardys Road (Tallangatta)</td>
<td></td>
<td>$0</td>
<td>$20,000</td>
<td>$20,000</td>
<td>243,382</td>
</tr>
<tr>
<td>Town entrances (2017/18)</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>233,000</td>
</tr>
<tr>
<td>Fleet replacement</td>
<td>5</td>
<td>$500</td>
<td>$119,000</td>
<td>$118,500</td>
<td>204,000</td>
</tr>
<tr>
<td>Blackspot program - Lake Road (Bellbridge)</td>
<td></td>
<td>$5,965</td>
<td>$10,000</td>
<td>$4,035</td>
<td>200,000</td>
</tr>
<tr>
<td>Landfill cell #3</td>
<td></td>
<td>$19,423</td>
<td>$0</td>
<td>$(19,423)</td>
<td>200,000</td>
</tr>
<tr>
<td>Pavement construction - Wises Creek Road (Talgarno)</td>
<td></td>
<td>$0</td>
<td>$10,000</td>
<td>$10,000</td>
<td>180,000</td>
</tr>
<tr>
<td>Resheeting</td>
<td></td>
<td>$19,660</td>
<td>$0</td>
<td>$(19,660)</td>
<td>180,000</td>
</tr>
<tr>
<td>Bridge deck renewal (Callaghans Creek Bridge)</td>
<td>6</td>
<td>$16,295</td>
<td>$171,000</td>
<td>$154,705</td>
<td>171,000</td>
</tr>
<tr>
<td>Finance System</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>162,500</td>
</tr>
<tr>
<td>Bethanga streetscape - Bethanga Bay Reserve</td>
<td>7</td>
<td>$0</td>
<td>$50,000</td>
<td>$50,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Corryong Airport</td>
<td></td>
<td>$11,499</td>
<td>$0</td>
<td>$(11,499)</td>
<td>150,000</td>
</tr>
<tr>
<td>Solar panels and air conditioning treatments</td>
<td>8</td>
<td>$0</td>
<td>$50,000</td>
<td>$50,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Towong Street shopfronts/verandahs</td>
<td>9</td>
<td>$27,557</td>
<td>$150,000</td>
<td>$122,443</td>
<td>150,000</td>
</tr>
<tr>
<td>Upper Murray 2030 projects (2016/17)</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>150,000</td>
</tr>
<tr>
<td>Tallangatta swimming pool</td>
<td></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>125,000</td>
</tr>
<tr>
<td>Mitchells Bridge (Guys Forest Road)</td>
<td></td>
<td>$6,900</td>
<td>$0</td>
<td>$(6,900)</td>
<td>110,000</td>
</tr>
<tr>
<td>Shelley-Walwa Rd</td>
<td>10</td>
<td>$0</td>
<td>$100,000</td>
<td>$100,000</td>
<td>100,000</td>
</tr>
</tbody>
</table>

| | | 1,861,615 | 2,832,861 | 971,246 | 10,331,533 |

Table 8: Capital Works year ending 30 June 2020

Note 1: This variance is due to the purchase of a new garbage truck that was budgeted to be purchased in 2018/19. There is a carry forward budget amount of $655,000 which covers the purchase of a new garbage truck, tipper truck and dog trailer after completion of the 2018/19 audit unspent from prior year budgets to be added to the 2019/20 Budget of $727,000.

Note 2: Construction is progressing per schedule however invoices have not yet been received for works carried out (timing variance).
Note 3: Works are progressing however there have been delays to the original schedule.

Note 4: The reseal works commenced in early November with invoices expected to be received in January.

Note 5: Fleet replacement has been put on hold until early 2020.

Note 6: Design of the bridge has been completed with construction not yet scheduled.

Note 7: The streetscape works will commence later than anticipated with works scheduled to begin in March.

Note 8: This project has commenced with invoices yet to be received for solar panels installed. Approximately $90,000 of solar panels have been installed with invoice expected in January.

Note 9: The shopfronts project is progressing however later than anticipated (timing variance).

Note 10: The contribution to the Shelley-Walwa Road was made in June 2019 after finalising the 2019/20 Budget.

**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 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 September 2019 is 107.3%. 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.

**Fair Go Rates Policy**

On 13 December 2019, the Minister for Local Government Adem Somyurek announced the Fair Go Rates cap of 2%. This is guided by the forecast by the Department of Treasury and Finance for 2020/21.

Council currently has approval for a rate cap variation of up to 5.55% for the 2020/21 financial year.

**CR WHITEHEAD**

**CR SCALES**

**THAT THE FINANCE REPORT BE NOTED.**

*CARRIED*
9.2 Delegations and Authorisations (10/07/0001 – CEO)

Disclosure of Interests (S.80C):

This report was prepared by Mr Lenny Jenner, Lenny Jenner Consulting and Mr Vincent McFarlane, Director Corporate and Organisational Development.

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:

Most statutory bodies have a power of delegation - delegation of powers is generally considered essential to enable day-to-day decisions to be made.

The three instruments of delegation currently used to deliver on Council’s legislative responsibilities are as follows:

- Instrument of Delegation from Council to the Chief Executive Officer
- Instrument of Delegation from Council to members of Council staff relating to specified legislation.
- Instrument of Delegation from the Chief Executive Officer to Council staff.

The reason for these three instruments of delegation turns on the source of the powers of delegation.

Section 98(1) of the Local Government Act provides that a Council may, by instrument of delegation, delegate to a member of its staff any power, duty or function of a Council under the Local Government Act or any other Act, other than certain specified powers. The first two of the above delegations fall under this section and are the primary matter of this report. Further detail on each of these delegations is provided later in this report.

Section 98(2) of the Act provides that the Chief Executive Officer may, by instrument of delegation, delegate to a member of the Council staff any power, duty or function of his or her office except the power of delegation itself. The final delegation above falls under this section.
Some general features of delegation are set out in the Interpretation of Legislation Act 1984. The following principles in particular are provided for your information:

- the decision, once made, is for all legal purposes a decision of the Council itself (section 42A of the Interpretation of Legislation Act);

- the "delegate" is in much the same position as the Council itself in terms of making the decision - for example, where the decision requires that opinion be formed, the delegate's opinion can be the basis for the decision (section 42 of the Interpretation of Legislation Act);

- The fact that a delegation has been made does not affect the Council's powers in relation to the issue concerned (section 42A of the Interpretation of Legislation Act). This is subject, of course, to the rule that the delegate's decision (once made) is taken to be the decision of the Council itself. The Council can therefore find itself bound by a decision that it would not itself have made, and if this occurs the existence of this "residual" power may provide little solace.

For this reason, it is important that the Council have in place appropriate policies and guidelines under which delegation should be exercised.

**Delegation from Council to the Chief Executive Officer**

Most statutes impose limitations on the powers that may be delegated. Usually one of the powers that may not be delegated is the delegation power itself.

This limitation does not apply in respect of a delegation to the Chief Executive Officer. Under section 98 of the Local Government Act 1989 -

"(3) The instrument of delegation to the Chief Executive Officer may empower the Chief Executive Officer to delegate a power of the Council other than the power of delegation to a member of Council staff."

Thus the instrument of delegation to the Chief Executive Officer may (and currently does) empower the Chief Executive Officer to exercise various powers of the Council, including the power to delegate powers to Council officers.
The possibility that the Chief Executive Officer might further delegate Council powers does carry potential for loss of control. However, the advantage for a Council in conferring on its Chief Executive Officer the power of sub-delegation is that it need not concern itself with many of the details of Council administration, allowing the Chief Executive Officer to issue and revoke instruments of delegation at regular intervals without the need to resubmit the issue to Council.

The Council may wish to direct its Chief Executive Officer to report to it on any use made of the power of sub-delegation.

The last delegation to the Chief Executive Officer was prepared, considered and resolved at the 17 October 2017 Special Meeting of Council.

A subscription is maintained to a local government delegation update service provided by Maddocks lawyer. A draft delegation from Council to the Chief Executive Officer has been prepared based on the most recent template provided by Maddocks.

There are no proposed amendments to the current level of delegation. The draft delegation from Council to the Chief Executive Officer is attached for your consideration at Appendix 2.

**Delegation from Council to Council staff relating to specified legislation**

Other Acts also empower a Council to delegate certain powers, duties or functions. For example, section 188 of the Planning and Environment Act 1987 and section 58A of the Food Act 1984, empower Councils to delegate their powers under those Acts to members of Council staff.

There is a presumption that a power of delegation cannot be sub-delegated in the absence of express authority to do so.

A number of relevant statutes, including the Planning and Environment Act, the Food Act, Part 9B of the Environment Protection Act and Part III of the Health Act, contain specific powers of delegation, but do not contain an expressed power of sub-delegation. Therefore, it is assumed that the power of delegation cannot be sub-delegated. This means it is necessary for the delegation to come from Council to the staff members directly.
The last delegation to Council Officers was prepared, considered and resolved at the 17 October 2017 Special Meeting of Council.

A draft delegation from Council to Council staff has been prepared based on the latest template provided by Maddocks. All proposed amendments to the current level of delegation to Council staff have been recorded as tracked changes for your consideration at Appendix 3.

**Use of Council Officer Position titles**

A recurring problem with delegations to Council officers is that changes occur in personnel - if delegations are to named officers, each time a new officer is appointed a further instrument of delegation must be made. A solution to this problem is to delegate to the title of the person who, for the time being, occupies a specified office - for example, to the "Manager, Financial Services".

**Council's Organisational restructure**

Council is fully aware of the organisational restructure that was implemented in November and December 2019 with full effect in January 2020. This involved the appointment of three Directors as well as a number of new Coordinator level positions. The new staff positions and changes in associated titles has been incorporated into the instrument of delegation from Council to Council staff.

In addition, the impact of the recent bushfires has generated a significant new emergency recovery role for Towong Shire Council. Both State and Federal Governments have pledged funding commitments to Victorian municipalities where communities have been severely impacted by the bushfires. In consultation with the State Government, Council has been encouraged to establish a new directorate to plan, coordinate and deliver Council's community led recovery efforts. Again, these organisational changes and the new positions have been incorporated into the instrument of delegation from Council to Council staff.

Unlike delegations to special committees, there is no express legislative provision for the Council to "require" officers to report to Council at intervals about decisions made under the delegation. However, officers are employees of Council, so this requirement can be imposed as one of the requirements of the job. One approach is to have the Chief Executive Officer report to Council at regular intervals about decisions made by officers under delegation.
**Documentation**

Whatever reporting requirements are imposed on each delegate, it is important that decisions and actions taken under delegations be properly documented.

If the delegations were not in place, the exercise of functions, powers and duties of Council would be recorded in the minute book of the Council.

It is possible that decisions taken under delegation will be reviewed in other spheres (i.e. internal or management review, Council review, Ombudsman, Administrative Appeals Tribunal, Magistrates' (or higher) Court). Therefore a proper record of delegated action must be kept to ensure that the decision or action can be substantiated at a later date. The detail and method of recording will depend on the nature of the power duty or function. However, the need for proper documentation should be uppermost in the minds of all delegates.

**Register of delegations**

Under section 98 of the Local Government Act a register of delegations to members of Council staff must be kept. It is prudent to keep in that register a record of all delegations from the Council to members of Council staff, whether those delegations are authorised by the Local Government Act alone, or whether they are also authorised under specific purpose legislation. A register of delegations is maintained for this purpose.

**Review of delegations**

A review of Council delegations to Council staff is required within 12 months of local government elections (s98). A further review of delegations is scheduled following the October 2020 Council elections.

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.
Budget Impact:

Nil.

Risk Assessment:

A subscription is maintained to a local government delegation update service provided by Maddocks lawyers. The most recent delegations report from Maddocks was received on Friday 31 January 2020. This service ensures that the delegation document is a complete listing of all the relevant legislative sections available for delegation by Council.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The delegations have been reviewed against the most recent delegations template provided by Maddocks and clearly indicate where a change to the current delegation is proposed.

It is recommended that the delegations be considered as attached.

CR TOLSFER
CR STAR

DELEGATION TO CHIEF EXECUTIVE OFFICER:

IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 98(1) OF THE LOCAL GOVERNMENT ACT 1989 (THE ACT) AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION, COUNCIL RESOLVES THAT:

1. THERE BE DELEGATED TO THE MEMBER OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICE REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER, THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT.
2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT.

3. ON THE COMING INTO FORCE OF THE INSTRUMENT THE PREVIOUS DELEGATION TO THE CHIEF EXECUTIVE OFFICER INSTRUMENT IS REVOKED.

4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENTS MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT.

5. IT IS NOTED THAT THE INSTRUMENT INCLUDES A POWER OF DELEGATION TO MEMBERS OF COUNCIL STAFF, IN ACCORDANCE WITH S 98(3) OF THE ACT.

DELEGATION TO MEMBERS OF COUNCIL STAFF:

IN THE EXERCISE OF THE POWERS CONFERRED BY SECTION 98(1) OF THE LOCAL GOVERNMENT ACT 1989 (THE ACT) AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION, COUNCIL RESOLVES THAT:

1. THERE BE DELEGATED TO THE MEMBERS OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICES OR POSITIONS REFERRED TO IN THE ATTACHED INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF, THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT.

2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT.

3. ON THE COMING INTO FORCE OF THE INSTRUMENT ALL PREVIOUS COUNCIL DELEGATIONS TO MEMBERS OF COUNCIL STAFF (OTHER THAN THE CHIEF EXECUTIVE OFFICER) ARE REVOKED.

4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENTS MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT.

CARRIED
9.3 Occupational Health and Safety Report (06/04/0212-DCOD)

Disclosure of Interests (S.80C):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety 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:

This report is a bi-monthly progress report on Risk Management and Occupational Health and Safety activities throughout the organisation.

Current Progress:

Strategic risk / OHS activity

Safety Management System – Action Plan progress

An audit to review Council’s Safety Management System and current OHS practices against the requirements of Australian Standards was undertaken by JLT from 30 October to 2 November 2018. An action plan has been implemented to address identified gaps, with risks prioritised for action.

The status of the actions at 6 January 2020 was:

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Progress through the remaining actions is continuing with 12 of those actions relating to developing and managing Risk Registers.
Municipal Association of Victoria (MAV) Liability Mutual Insurance (LMI) Mandatory Compliance Review

MAV Insurance provide public liability insurance cover to Council. They conduct biennial reviews of all members of the insurance scheme as a means of assessing members’ level of compliance against their established internal policies, procedures and plans.

JLT conducted their audit visit on 16 August 2018. Council achieved a compliance rating of 73%. An action plan has been implemented to address identified gaps.

The status of the actions at 6 January 2020 was:

<table>
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The outstanding High risk action relates to sourcing appropriate training for Council Officers who inspect roads and footpaths. We are finding it difficult to source appropriate training – OHS Officer will liaise with the Insurer (who did the review) and ask for their assistance in sourcing training. Other progress has been slow but we are moving on most items. Eight of the outstanding Medium risk actions include management of sporting and non-sporting reserves, which will be addressed early 2020.

Operational risk / OHS activity

WorkCover incidents

There are currently four open WorkCover claims. Information pertaining to these items has been provided under separate cover.

Public Liability incidents

Since the last report there have been four Public Liability incidents relating to minor cuts to feet and fingers at the Pools – these were addressed by applying First Aid. An additional incident occurred with a gastro outbreak at a Kindergarten, which was managed according to Department of Education documented processes.
**Other OHS activity**

**Corryong Aerodrome**

A recent Audit of the management of the Corryong Aerodrome has identified some areas for improvement. One of those which is being addressed is the requirement to have a Drug and Alcohol Management Plan which complies with the Civil Aviation Safety Regulations 1988. Council staff are currently working on the preparation of the plan and it will be submitted to CASA shortly.

**Asbestos Management**

A review of our Asbestos management process and the implementation of an Asbestos Management Procedure has commenced and will be completed by 29 February 2020.

**Health Surveillance**

There are a number of Health Surveillance issues which are currently being addressed. A minor delay has occurred due to changed legislation. The issues to be addressed are:

- A draft Health Surveillance procedure has been developed and will be circulated to the relevant staff for comment, review and adoption.
- A draft Immunisation Register has been developed and will be circulated to the relevant staff for comment, review and adoption.
- Audiometric (hearing) tests and hearing conservation training for all Outdoor workers has been completed and further task-specific noise surveys are currently being considered
  - *The OHS Officer will progress this item as required in early 2020*

**Changes to workplace manslaughter laws in Victoria**

As many as 30 people are killed in workplaces across Victoria every year. The Andrews Labour Government has taken the necessary steps to making workplace manslaughter a criminal offence.

Under new laws, employers who negligently cause a workplace death will face fines of up to $16.5 million and individuals will face up to 20 years in jail.
The offence will fall under the existing Occupational Health and Safety Act 2004, and will apply to employers, self-employed people and “officers” of the company or organisation.

The new laws will also apply when an employer’s negligent conduct causes the death of a non-employee, ensuring all Victorians are safe in and around workplaces.

As a result of this, Council staff will:

- Review Risk Assessments on high risk Plant and equipment (By 30/4/20)
- Review the content of our Safe Work Method Statements (SWMS) (By 30/4/20)
- Monitor and spot-check compliance to our SWMS (By 30/4/20 and ongoing)
- Revisit our Contractor management process (By 31/3/20)

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Nil.

**Risk Assessment:**

Nil.

**Community Consultation/Responses:**

Nil.

**Discussion/Officers View:**

It is the Officer’s view that Council is continuing to make progress in addressing Council’s Risk Management and Occupational Health and Safety responsibilities.
9.4 Leave Request Chief Executive Officer (Personnel-CEO)

The Chief Executive Officer seeks Council approval to take leave for the period Thursday 20 February 2020 to Tuesday 10 March 2020.

During the period of leave it is recommended that Mr Lenny Jenner, of Lenny Jenner Consulting, be appointed the Acting Chief Executive Officer.

9.5 Council Plan Priorities (07/05/0036-DCOD)

The Council Plan Priorities report is presented quarterly however due to the bushfire emergency the report will be presented at the March 2020 Council Meeting.
9.6 Action Sheet Report (06/05/0010-CEO)

A report showing the progress on actions from the 3 December 2019 Council Meeting is attached at Appendix 4.

CR STAR
CR TOLSher

THAT THE REPORT BE NOTED.

CARRIED

10 Bushfire Relief and Recovery

10.1 Australian Government $1m Bushfire Recovery Grant (02/02/0013–CEO)

Disclosure of Interests (S.80C):

This report was prepared by Ms Juliana Phelps, Chief Executive 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:

The Upper Murray bushfire started in New South Wales on 29 December 2019, across the river from Walwa (Victoria). The bushfire developed quickly and could not be contained at first attack. Under deteriorating fire weather conditions, the fire rapidly expanded. The fire spotted into Victoria on 30 December 2019 and continued to grow rapidly.

Emergency warnings were issued for the Towong localities of Burrowye, Cudgewa, Cudgewa North, Guys Forest, Mount Alfred, Pine Mountain, Tintaldra and Walwa. An evacuation order was issued from 6.00 am Friday 3 January for the area. A State of Disaster was declared by the Premier for areas of Victoria including Towong Shire on 2 January 2020 and extended through to midnight on Saturday 11 January 2020.

Current indications are that the bushfire has damaged 553 properties and affected approximately 308,000 hectares (approximately 45% of the 6,635km² area of Towong
Shire). We believe at least 42 homes (19 being primary residences) have been either destroyed or damaged to an extent that people cannot remain living in them. There has also been significant fencing and farm infrastructure losses, such as fodder reserves, machinery and hay sheds. Current indications are that stock losses are about 5833 in the North East Upper Murray fire zone.

In the north east agricultural impacts include field crops (926 ha), hay and silage (19,827 t), pasture (34,831 ha), softwood plantation (791 ha), wool sheds (23), dairy sheds (2), machinery sheds (88) and hay sheds (128) and irrigation pumps (15).

The assessment of municipal and public asset damage is currently being undertaken. At this stage we are aware of the following:

- The Corryong landfill cell liner has been damaged due to the landfill burning. The landfill shed and loader have also been destroyed.
- The playground equipment at Cudgewa has been damaged.
- Two recently installed timber viewing platforms at lookouts on the Murray River Road (Farran’s and Newman’s) together with tourism signage has been damaged.
- Touzells bridge (timber bridge over Cudgewa Creek) has been damaged and cannot be used. A Bailey’s bridge is being arranged.
- The Man from Snowy River shed and contents at the Corryong Recreation Reserve have been damaged as well as the Men’s Shed and the shed material for the Historic Machinery Club’s new shed (which was in construction at the time of the fire).
- Many white posts and signage (including township signage) have been destroyed.

On Thursday 9 January 2020 Council was advised that the Australian Government would make an initial payment of $1 million to Council to provide immediate assistance with bushfire recovery.

The grant may be spent on projects and activities that Council deems essential for the recovery and renewal of our communities, including:

- Rebuilding damaged or destroyed council assets such as key local roads, bridges and community facilities;
- Employing additional local staff to take on specialist recovery or planning roles to help coordinate and plan the rebuilding effort;
- Hosting new public activities and events to bring communities together and attract visitors back to affected regions; and
- Immediate maintenance and repairs to relief and evacuation centres.
Council is required to develop a Program of Works within three months and report back to the Commonwealth in 12 months’ time.

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Whilst there will be an initial positive impact on Council’s cash flow, all funds will be allocated and spent on bushfire recovery related activities and therefore there will be no effect on Council’s bottom line.

**Risk Assessment:**

Nil.

**Community Consultation/Responses:**

At this early stage no community consultation has been undertaken in relation to the allocation of the funds. It is proposed that Council staff work with the Community Recovery Committee’s to determine how the funds should be allocated.

**Discussion/Officers View:**

This support from the Liberal/Nationals Government is extremely welcome, particularly given our very limited financial resources. In order for the bushfire recovery to be locally led, it is proposed that the Council staff work up a draft Program of Works in conjunction with the impacted Communities and present this to Council for consideration at the March Council meeting.
CR STAR
CR TOLSGHER

THAT:

1. COUNCIL WRITE TO THE PRIME MINISTER TO EXPRESS ITS THANKS TO THE LIBERAL AND NATIONALS GOVERNMENT FOR THE $1MILLION BUSHFIRE RECOVERY GRANT;

2. STAFF LIAISE WITH REPRESENTATIVES FROM THE FIRE AFFECTED COMMUNITIES TO DEVELOP A DRAFT PROGRAM OF WORKS; AND

3. A DRAFT PROGRAM OF WORKS BE PRESENTED TO THE MARCH COUNCIL MEETING FOR COUNCIL’S CONSIDERATION.

CARRIED

10.2 State Government $2.2m Bushfire Recovery Grant (02/02/0013–CEO)

Disclosure of Interests (S.80C):

This report was prepared by Ms Juliana Phelps, Chief Executive 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:

As an immediate and initial response to the devastating Upper Murray bushfires, the Victorian Government has advised that a funding package of $2.2 million will be provided to Council for the next 12 months to support increased organisational capacity and the appointment of bushfire recovery staff. This will enable a comprehensive, locally-led community recovery effort to be developed and implemented effectively. The funding will allow the engagement of additional staff, based in the Upper Murray, to manage and coordinate the recovery effort.
The package will also provide for appropriate resourcing for associated expenses including office accommodation, travel and the funding of program operating costs.

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Whilst there will be an initial positive impact on Council's cash flow, all funds will be allocated and spent on bushfire recovery related activities and therefore there will be no effect on Council's bottom line.

**Risk Assessment:**

Nil.

**Community Consultation/Responses:**

Council staff are working with the affected communities to develop the Towong Shire Council Community Recovery and Resilience Plan. The State funding will assist with employing staff based in the Upper Murray, who will assist with the implementation of the Plan.

**Discussion/Officers View:**

This support from the State Government is extremely welcome, particularly given our very limited capacity to resource the recovery effort. The funding package will ensure that the recovery is driven at the local level and responds to community needs and priorities. The funding agreement with the State was signed by the Chief Executive Officer on 30 January 2020. A budget for the funding is currently being prepared and will be provided to Council as soon as possible.
CR WHITEHEAD
CR TOLSHER

THAT:

1. COUNCIL WRITE TO THE PREMIER THE HON DANIEL ANDREWS TO EXPRESS
   ITS THANKS TO THE STATE GOVERNMENT FOR THE $2.2 MILLION
   BUSHFIRE RECOVERY FUNDING AND INVITE THE PREMIER TO VISIT THE
   FIRE AFFECTED AREAS;

2. COUNCIL ENDORSE THE ACTION OF THE CHIEF EXECUTIVE OFFICER IN
   SIGNING THE FUNDING AGREEMENT; AND

3. THE DRAFT TOWONG SHIRE COUNCIL COMMUNITY RECOVERY AND
   RESILIENCE PLAN, AND THE RELIEF AND RECOVERY DIRECTORATE
   STRUCTURE AND CORRESPONDING BUDGET BE PRESENTED TO COUNCIL
   AT THE EARLIEST OPPORTUNITY.

CARRIED
10.3 Farm Shed Exemption Policy (02/02/0013-CEO)

Disclosure of Interests (S.80C):

This report was prepared by Mr Greg Pinkerton, Director Planning and Corporate Services, Indigo Shire Council, on behalf of Chief Executive Officer, Ms Juliana Phelps. At the time of preparation of the report, the officers did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

The purpose of this report is to recommend that Council provides a limited building permit exemption for farmers wishing to rebuild following the recent fires.

The recent bushfires have significantly impacted the shire’s farming community and Council has already received many inquiries from farmers wishing to commence the process of rebuilding damaged or lost buildings. Despite the Council’s desire to support affected property owners to recover in the most efficient manner possible, Council does have a statutory obligation to ensure that the recovery process is done in a manner that is compliant with the usual rules.

There is, however, one limited exemption that is available under the Building Regulations to assist in fast-tracking the process of rebuilding some specific classes of farming building. This exemption is a little complex in its application but essentially refers to buildings that are generally referred to as ‘farm sheds’. For clarity this building classification is detailed in the “Discussion” section of this report.

The exemption removes the need for a building permit to be issued for a specific class of buildings. In addition to the building description it is recommended that Council sets out a number of conditions for this exemption. These are contained in the recommended resolution and are shown below with notes to explain the recommended inclusion.

a. The building is a Class 10a building as specified in the National Construction Code.
   • This is the only class of building that can be exempted by Council. Details of the building type can be found in the discussion section below.

b. It is to be constructed within an area that was impacted by the 2019/20 fire event.
   • Buildings in unaffected areas will still be required to obtain a building permit.
c. To be constructed on farm land and used for farming purposes.
   - The exemption in the Building Regulations only applies to “a Class 10 building that is to be constructed on farm land and used for farming purposes”.

d. The building will commence prior to 1 January 2022 and be completed prior to 1 January 2023.
   - This clarifies that this is a temporary exemption for the purposes of fire recovery and not an ongoing exemption. Two years has been recommended as a reasonable timeframe, however this may require revision if recovery is slower than expected.
   - The dates specify that all exempt buildings must be finished by 1 January 2023. After this time a building permit will be required.

e. A site plan and building information be provided to Council for assessment prior to the exemption being granted.
   - This enables the assessment in part f to be completed and also allows for any planning or siting issues to be identified.

f. The building is to be built by a suitably qualified and experienced company using plans, materials and construction methods that are considered by Council staff to be appropriate for a building of its type.
   - This requirement clarifies that buildings are to be professionally constructed using appropriate materials and construction methods.
   - Whilst not strictly required in the exemption it is recommended that this condition be used to give a degree of oversight and risk management to this exemption process.

The last condition adds a degree of process to the exemption that is considered to be a bare minimum level of oversight. In practice this would require a farmer to submit a basic application for exemption that contained a basic level of information.

This would be assessed by Council’s building team. If a prima facie assessment of this application indicates that the building is to be constructed in a suitable way using suitable materials then the exemption would apply. If, however, a property owner submitted a proposal that did not meet this basic standard then a building permit could be required. The inclusion of this condition assists with managing the risks of this exemption.
Discussion:

The intent of this report is to provide a mechanism for Council to assist farmers to rebuild some of the low-risk buildings in a quick and cost-effective way. This simple intent becomes somewhat more complex when overlaying this intent with the legislation and regulations. The following commentary is provided to ensure transparency and to explain that a short assessment will be required to ensure that each building meets the criteria for exemption. This is an important message for the farming community because the headline of “Farm Shed Exemption” must be tempered with some disclaimers about exactly what can, and cannot be exempted from a planning permit.

Regulation 280 of the Building Regulations 2018 allows a Council to exempt a Class 10 building that is to be constructed on farm land and used for farming purposes from all or any of the requirements of the Building Regulations. This does not remove the need to obtain other permits or approvals such as planning permits prior to constructing the shed.

Buildings used for farming purposes can typically have one of three classifications in the National Construction Code (NCC).

These are:

- **Class 7 building**
  A Class 7 building is a storage type building and could include a building used for the storage of goods including the storing of chemicals, animal feed or machinery.

- **Class 8 building**
  A Class 8 building is a process-type building and could include a building used as a factory however the definition also includes buildings used for the packing of produce, altering or repairing equipment or machinery.

- **Class 10a building**
  A class 10a building is a non-habitable building including a private garage, carport, shed or the like. This suggests that all Class 10a buildings are Class 7 or 8 buildings however the explanatory information of the NCC suggests that not all Class 7 or 8 buildings are appropriately classified as Class 10a buildings. Buildings used for farming type purposes are often very diverse in nature, occupancy, use and size. The classification of a building is determined by the purpose for which it is designed, constructed or adapted to be used. The explanatory information of the NCC notes that classifying a building as a Class
10 should only occur if a classification of Class 7 or 8 would not be more appropriate.

The NCC has definitions of “farm building” and “farm shed” which are certain Class 7 and 8 buildings used for farming purposes.

**Farm building** means a Class 7 or 8 building located on land primarily used for farming that is:
(i) used in connection with farming; or
(ii) used primarily to store one or more farm vehicles; or
(iii) a combination of (i) and (ii); and
   (a) in which the total number of persons accommodated at any time does not exceed one person per 200m² of floor area or part thereof, up to a maximum of 8 persons; and
   (b) with a total floor area of not more than 3500m².

**Farm shed** means a single storey Class 7 or 8 building located on land primarily used for farming that is:
(i) used in connection with farming; or
(ii) used primarily to store one or more farm vehicles; or
(iii) a combination of (i) and (ii); and
   (a) occupied neither frequently nor for extended periods by people;
   (b) in which the total number of persons accommodated at any time does not exceed 2; and
   (c) with a total floor area of more than 500m² but not more than 2000m².

The explanatory information of the NCC tends to suggest that if people are likely to be employed in the building to stack or pack materials/produce, then it may be more appropriate to classify the building as a Class 7 or 8 rather than a Class 10 building.

The building’s size, purpose operations and the extent to which people are employed in the building are all relevant factors to take into account when determining the classification of the building and therefore its ability to be exempted under Regulation 280.

To be eligible for exemption from the need to obtain a Building Permit a shed must be located on land that is used for farming and the shed must be used for farming purposes. Examples might include buildings such as the traditional farm hayshed or machinery shed.
Buildings that are used for processing such as dairies, produce or packing sheds cannot be classed as 10a (as they are inhabited for extended periods) and cannot be provided with the exemption. Likewise a large hayshed used primarily for warehousing and distribution (i.e. not associated with the farming use of the land) would be a Class 7 building and would not be eligible for the exemption.

This interpretation is supported by advice in the Victorian Building Authority Practice Note 67-2018 Application of the Building Codes of Australia to Farm Buildings, which provides the following commentary on distinguishing between Class 10a, 7 or 8 buildings:

“Consideration of the proposed use of a building is critical including the use of the building as a workplace. If the proposed use is associated with farming and no process or commercial activity is to be undertaken in the building, the relevant building surveyor (RBS) may consider it appropriate to classify the building as a Class 10a. For instance, this would include a hay shed or farm machinery shed where a mechanic may attend occasionally to carry out repairs to equipment in the shed.

However, if mechanical repairs were to be carried out on a commercial basis for other farmers, the RBS may decide the correct classification is Class 8.

Where persons are likely to be employed for the processing of produce, the RBS may determine the correct classification as Class 8. If a building is being occupied by employees engaged in the storage of produce for sale by wholesale, the RBS may determine a classification of Class 7b building.

For further guidance—
If persons are likely to be employed to stack materials/produce in a storage building or remove materials/produce from a storage building then a classification of Class 7b may be appropriate.
If persons are likely to be employed to pack or process materials/produce within a building then a classification of Class 8 may be appropriate.
If persons are likely to be employed to feed, clean or collect produce from animals or plants within a building then a classification of Class 8 may be appropriate.”
In practice it is not necessary for a person seeking an exemption to understand these classifications or regulations. Council staff will provide information and assist applicants to ensure that exemptions are identified early in the process and fast-tracked without charge.

Legislation

BUILDING REGULATIONS 2018 - REG 280

Exemption for Class 10 buildings on farm land
(1) The relevant council may exempt a Class 10 building that is to be constructed on farm land and used for farming purposes from all or any of the requirements of these Regulations.
(2) If the relevant council grants an exemption from all of these Regulations under subregulation (1), a building permit and certificate of final inspection under the Act are not required for that building.

A Class 10 building includes one or more of the following sub-classifications:
(1) Class 10a is a non-habitable building including a private garage, carport, shed or the like.
(2) Class 10b is a structure that is a fence, mast antenna, retaining wall or free standing wall or swimming pool or the like.
(3) Class 10c is a private bushfire shelter.

"farm land" has the same meaning as it has in section 2(1) of the Valuation of Land Act 1960;

VALUATION OF LAND ACT 1960 - SECT 2

Definitions
(1) In this Act unless inconsistent with the context or subject-matter—
    farm land means any rateable land—
    (a) that is not less than 2 hectares in area;
    (b) that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities; and
    (c) that is used by a business—
        (i) that has a significant and substantial commercial purpose or character;
(ii) that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
(iii) that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating;

Risk Assessment:

The building regulations exist for very good reasons and allowing buildings of any type to be constructed outside of this legislation does bring with it an increased risk to property owners and the community. It is therefore suggested that a blanket exemption for all Class 10a buildings in the fire-affected farming area, with no oversight at all, is inappropriate. For this reason additional conditions have been included in the recommended resolution to ensure that building construction is given a brief oversight by Council staff and that staff have the ability to withhold an exemption if it is considered that the proposal is unsuitable or inappropriate (based on a prima facie assessment of the proposal).

Budget Impact:

The provision of this exemption will reduce Council’s building permit application income for the period of the exemption. An accurate assessment of this financial impact is difficult to provide at this stage and may not be possible until a full assessment of the damage is completed.

As a counterbalance to the reduced income, staff workload for exempt buildings will be significantly reduced, however all applications will still require some staff time, even if they result in an exemption and no cost savings are anticipated from this temporary exemption process.

Community Consultation/Responses:

If adopted, this resolution will be:
- Communicated via Council’s website and Facebook Page.
- Form part of recovery communications.
- Notified to customer service staff and building staff.
- Notified to local building practitioners.
Key messages for this communication are:

- Council has provided an exemption for certain buildings in fire-affected areas. Generally speaking this applies only to unoccupied farm sheds.
- Exempted buildings will not require a building permit. Planning and other regulations may still apply.
- The exemption is the maximum possible under the building regulations.
- Exemptions will still require a basic application that includes a site plan and basic building documentation.
- Low risk buildings will be exempted wherever possible, however some buildings may still require a building permit.
- For more information on this exemption please contact Council staff.

Discussion/Officers View:

Council has an opportunity under Regulation 280 of the Building Regulations 2018 to assist farmers in their fire recovery efforts. This regulation has a number of complexities and conditions and it is recommended that Council adds a number of additional conditions to lower the risk of this exemption.

Despite these complexities, this opportunity allows for a large number of important farming-related buildings to bypass the usual process and be fast-tracked through Council.

CR SCALES
CR TOLSHED

THAT COUNCIL:

1. PROVIDES A BUILDING PERMIT EXEMPTION (IN ACCORDANCE WITH REGULATION 280 OF THE BUILDING REGULATIONS 2018) FOR BUILDINGS THAT MEET THE FOLLOWING CRITERIA:

   A. THE BUILDING IS A CLASS 10A BUILDING AS SPECIFIED IN THE NATIONAL CONSTRUCTION CODE.
   B. IT IS TO BE CONSTRUCTED WITHIN AN AREA THAT WAS IMPACTED BY THE 2019/20 FIRE EVENT.
   C. IT IS TO BE CONSTRUCTED ON FARM LAND AND USED FOR FARMING PURPOSES.
   D. THE CONSTRUCTION WILL COMMENCE PRIOR TO 1 JANUARY 2022 AND BE COMPLETED PRIOR TO 1 JANUARY 2023.
E. A SITE PLAN AND BUILDING INFORMATION BE PROVIDED TO COUNCIL FOR ASSESSMENT PRIOR TO THE EXEMPTION BEING GRANTED.

F. THE BUILDING IS TO BE BUILT BY A SUITABLY QUALIFIED AND EXPERIENCED COMPANY USING PLANS, MATERIALS AND CONSTRUCTION METHODS THAT ARE CONSIDERED BY COUNCIL STAFF TO BE APPROPRIATE FOR A BUILDING OF ITS TYPE.

2. NOTES THAT THIS ACTION WILL REMOVE THE NEED FOR A BUILDING PERMIT FOR THESE BUILDINGS AND THEREFORE NO SUCH PERMIT WILL BE ISSUED;

3. NOTES THAT THIS DOES NOT REMOVE THE NEED TO OBTAIN OTHER PERMITS OR APPROVALS (SUCH AS PLANNING PERMITS) THAT MAY BE REQUIRED PRIOR TO CONSTRUCTING THE SHED;

4. CONFIRMS THAT NO BUILDING FEE WILL BE PAYABLE FOR THESE EXEMPT CONSTRUCTIONS; AND

5. CONFIRMS THAT NO BUILDING FEE WILL BE PAYABLE FOR OWNER BUILDERS WHO APPLY FOR A BUILDING PERMIT FOR THE BUILDINGS THAT MEET THE CRITERIA LISTED IN PART 1.

CARRIED

PLANNING PERMIT REQUIREMENTS

CR SCALES
CR WHITEHEAD

THAT COUNCIL ENDORSE:

1. THAT NO PLANNING FEE WILL BE PAYABLE IN RELATION TO APPLICATIONS FOR PLANNING PERMITS FOR BUILDINGS MEETING THE CRITERIA SET OUT BELOW:

   A. THE BUILDING IS A CLASS 10A BUILDING AS SPECIFIED IN THE NATIONAL CONSTRUCTION CODE.
   B. IT IS TO BE CONSTRUCTED WITHIN AN AREA THAT WAS IMPACTED BY THE 2019/20 FIRE EVENT.
   C. IT IS TO BE CONSTRUCTED ON FARM LAND AND USED FOR FARMING PURPOSES.
D. THE CONSTRUCTION WILL COMMENCE PRIOR TO 1 JANUARY 2022 AND BE COMPLETED PRIOR TO 1 JANUARY 2023.
E. A SITE PLAN AND BUILDING INFORMATION BE PROVIDED TO COUNCIL FOR ASSESSMENT PRIOR TO THE EXEMPTION BEING GRANTED.

CARRIED

Cr Scales left the Chamber, the time being 11.34am.

10.4 Temporary waiver of business registration renewal fees 2020 (including food premises, prescribed accommodation and Health Act premises) (02/02/0013–CEO)

Disclosure of Interests (S.80C):

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

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

Background/History:

With the recent bushfire events occurring both within Towong Shire and neighbouring shires over the December and January holiday periods there have been significant losses and damage to property and infrastructure as well as a significant impact on businesses with a significant loss of trade over the Christmas and New Year holiday period.

This report is to consider waiving/refunding business registration renewal fees for 2020 (including food premises, prescribed accommodation and Health Act premises) to assist businesses across Towong Shire in the aftermath of the recent bushfires.

Impact on Council Policy:

Nil.
State Government Policy Impacts:

Nil.

Budget Impact:

Council raised invoices in November 2019 to approximately 80 businesses across the Shire totalling approximately $29,000 for food premise, prescribed accommodation and Health Act premise registration renewal fees for 2020. This is an annual renewal fee and is payable by these businesses based on categories they trade under within the Health Act.

Risk Assessment:

Nil.

Community Consultation/Responses:

There has been no community consultation in relation to this matter.

Discussion/Officers View:

It is the Officer’s view that in light of the impact of the bushfires, in terms of loss of trade over the new year period, that it is appropriate for Council to consider waiving business registration renewal fees totalling approximately $29,000 (including food premise, prescribed accommodation and health act premises) and refunding those business that have already paid for 2020.

CR WHITEHEAD
CR TOLSHIER

THAT COUNCIL WAIVE THE 2020 BUSINESS REGISTRATION RENEWAL FEES (INCLUDING FOOD PREMISE, PRESCRIBED ACCOMMODATION AND HEALTH ACT PREMISES) AND REFUND THOSE BUSINESSES THAT HAVE ALREADY PAID.

Cr Scales returned to the Chamber following the conclusion of Item 10.4, the time being 11.38am.
10.5 Urgent Item - Bushfire Emergency (Cr Wortmann)

Cr Wortmann requested that one item of Urgent Business be admitted in relation to thanking all emergency services organisations, volunteer organisations, support agencies and individuals who have assisted with the Bushfire Emergency.

**CR STAR**  
**CR SCALES**

THAT THE ITEM OF URGENT BUSINESS BE ADMITTED.  

CARRIED

**CR TOLSHER**  
**CR SCALES**

THAT COUNCIL:

1. THANK ALL THE EMERGENCY SERVICES ORGANISATIONS, SUPPORT AGENCIES, VOLUNTEER ORGANISATIONS AND INDIVIDUALS, AND THOSE STAFF AND COUNCILLORS FROM OTHER MUNICIPALITIES WHO HAVE PROVIDED ASSISTANCE DURING THE BUSHFIRE CRISIS; AND

2. THANK COUNCIL STAFF FOR THEIR OUTSTANDING EFFORTS AND COMMITMENT TO THE TOWONG SHIRE COMMUNITIES.

CARRIED
11 **Community wellbeing**

11.1 **Community Services Report (04/07/0055-DCP)**

The Community Services report is presented quarterly however due to the bushfire emergency the report will be presented at the March 2020 Council Meeting.

12 **Asset management**

12.1 **Asset Management report (01/07/0004-DIE)**

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

This report was prepared by Ms Rachael Gadd, Director Infrastructure and Environment.

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

**Background/History:**

This report is a bi-monthly report on Asset Management activities throughout the Shire for the period of 1 November to 31 December 2019.

**Hanson Street**

Design plans are being finalised with VicRoads and an application has been lodged for a Memorandum of Authority (MOA) with VicRoads for the approval of the final design plans and traffic management plans. Works are planned to commence in late April pending weather.

**Walwa Main Street works**

Works in Walwa are nearing completion with kerb, channel, landscaping and car parking areas shortly to be finalised in front of the Bush Nursing Centre and primary school. Kerb surrounds for trees in Shelley Walwa Road are programmed for completion in February 2020.
Destination Tallangatta

The first coat of line marking in Tallangatta’s CBD was completed in December. The second coat is programmed for February. Plans are being finalized for the redevelopment of The Triangles based on community consultation.

Bethanga (Council Plan 2019/20)

A preliminary landscaping plan for Bethanga has been developed and is currently under review.

Eskdale (Council Plan 2020/21)

The Eskdale streetscape civil works are now complete. Plans are underway for landscaping to be undertaken to tidy up areas impacted by the construction.

2019/2020 Reseal Program

Resealing works have been completed in Towong Street, Tallangatta. The remaining roads in the reseal program will be completed in 2020.

Akuna Avenue Streetscape

Works are continuing on the footpath connection from the recreation reserve to the Tallangatta Bowling Club.

Tallangatta Caravan Park Redevelopment

This project is now 95% complete with a certificate of occupancy issued for the toilets and amenities blocks. Goulburn Murray Water have completed landscaping around the buildings. The glamping tents have been installed and a design for the interior is underway.

Upper Murray Events Centre

Works on the Upper Murray Events Centre are progressing with the slab complete and framing almost complete. The project is still on track to be finished before the Man from Snowy River Bush Festival in early April 2020.
Hardys Road Upgrade

Requests for quotes have been requested from a number of contractors for the supply and construction of culverts, gravel and pavement works for the upgrade of Hardys Road. A contractor has also been engaged to commence roadside tree pruning prior to the commencement of this project in early 2020.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

<table>
<thead>
<tr>
<th></th>
<th>Dec 2019 YTD (Actual)</th>
<th>Dec 2019 YTD (Budget)</th>
<th>Dec 2019 YTD (Variance)</th>
<th>Dec 2019 YTD (Variance) %</th>
<th>2019/20 Full Year (Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering/Technical services</td>
<td>34,433</td>
<td>40,370</td>
<td>(5,937)</td>
<td>(15%)</td>
<td>71,000</td>
</tr>
<tr>
<td>Building services</td>
<td>29,026</td>
<td>25,000</td>
<td>4,026</td>
<td>16%</td>
<td>55,000</td>
</tr>
<tr>
<td>Environmental health</td>
<td>27,447</td>
<td>28,000</td>
<td>(553)</td>
<td>(2%)</td>
<td>36,000</td>
</tr>
<tr>
<td>Road maintenance (including bridges)</td>
<td>440,686</td>
<td>451,228</td>
<td>(10,542)</td>
<td>(2%)</td>
<td>847,174</td>
</tr>
<tr>
<td>Parks and gardens</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>531,592</td>
<td>544,598</td>
<td>(13,006)</td>
<td>(2%)</td>
<td>1,009,174</td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering/Technical services</td>
<td>755,798</td>
<td>745,018</td>
<td>(10,780)</td>
<td>(1%)</td>
<td>1,540,337</td>
</tr>
<tr>
<td>Building services</td>
<td>77,970</td>
<td>76,000</td>
<td>(1,970)</td>
<td>(3%)</td>
<td>152,000</td>
</tr>
<tr>
<td>Environmental health</td>
<td>45,797</td>
<td>45,750</td>
<td>(47)</td>
<td>(0%)</td>
<td>91,500</td>
</tr>
<tr>
<td>Road maintenance (including bridges)</td>
<td>489,349</td>
<td>644,496</td>
<td>155,147</td>
<td>24%</td>
<td>1,288,992</td>
</tr>
<tr>
<td>Parks and gardens</td>
<td>278,229</td>
<td>329,076</td>
<td>50,847</td>
<td>15%</td>
<td>658,151</td>
</tr>
<tr>
<td>Plant items (fuel and maintenance)</td>
<td>397,174</td>
<td>397,182</td>
<td>8</td>
<td>0%</td>
<td>814,863</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>2,044,317</td>
<td>2,237,521</td>
<td>193,204</td>
<td>9%</td>
<td>4,545,843</td>
</tr>
<tr>
<td><strong>Net Income / (Expenditure)</strong></td>
<td>(1,512,725)</td>
<td>(1,692,923)</td>
<td>180,198</td>
<td>(11%)</td>
<td>(3,536,669)</td>
</tr>
</tbody>
</table>

Note 1: Savings in salaries and wages due to vacant positions

Risk Assessment:

Nil.
Community Consultation/Responses:

Nil.

Discussion/Officers View:

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

<table>
<thead>
<tr>
<th>CR STAR</th>
<th>CR TOLShER</th>
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</tbody>
</table>

THAT THE REPORT BE NOTED.  

12.2 Black Spot Program – Lake Road Development (01/05/00275-DIE)

Disclosure of Interests (S.80C):

This report was prepared by Mr Husham Al-Jawad, Engineer/Projects Manager. 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:

In August 2019, the Victorian State Government approved funding under the Black Spot Program for Council to undertake road safety works on Lake Road at Bellbridge. The project will see road safety initiatives developed along Lake Road at various locations from the Lake Road and Murray River Road intersection for up to 6.0 km including upgrade of the intersection at Lake Road / Kurrajong Gap Road. The works include pavement widening and upgrade of the road shoulders, installation of Ezy-guard, pavement marking and traffic signage.

Impact on Council Policy:

Tenders were advertised on the Council website on 4 November 2019, in accordance with the requirements of Council's Procurement Policy. The tender closing date was 29 November 2019.
A number of parties downloaded the tender documents from www.tenders.net, however only one conforming tender was received. In order to get additional quotations for the project, requests from particular contractors were sought to execute the relevant works. Quotes were received from Szabolics (pavement construction), North Eastern Roadmarkers (Pavement marking), Artcraft (Signage), KERBLINE (Concrete works), LFT Bitumen (Reseal modified binder) and T. A. Lindsay (Ezy guard).

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

This project is funded by the State Government with a total budget of $179,000 (excl. GST) ($8,658 VicRoads administration and $170,342 for construction) through the Black Spot Program.

**Risk Assessment:**

The evaluation criteria included assessment of the tenderer’s experience, financial viability, OHS requirements, availability and ability to meet the works requirements. The Contractors are required to provide certificates of currency for Public Liability and Workcover insurance upon project commencement. The project requires the contractors to have site safety management plans in place.

**Community Consultation/Responses:**

The improvement of Lake Road was requested by the Bellbridge and Bethanga community through the Bellbridge and Bethanga Community Forum 2017. A community survey was also conducted in 2018 where 98% agreed to proceed with the road development.

**Discussion/Officers View:**

We have received one tender from Council’s tender website (Hutchinson Civil) with a total cost of $233,700 (excl. GST). This cost is over the allocated funding for the project ($170,342 excl. GST). A comparison spreadsheet which has been provided to Council under separate cover was used to undertake the detailed tender evaluation between Hutchinson Civil and other individual contractors. All contractors have
experience in the delivery of similar projects, capacity to deliver to the timelines, insurance and Workplace Health and Safety Systems.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Price</th>
<th>Rank</th>
<th>rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Individual contractors</td>
<td>$130,927.24</td>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>2. Hutchinson Civil</td>
<td>$233,700.00</td>
<td>2</td>
<td>78.01</td>
</tr>
</tbody>
</table>

The total project cost for the Lake Road development with individual contractors is $130,927.24. An additional cost to determine safe speeds through the curves and conduct a post construction Road Safety Audit will be $6,740. Remaining funds will be available as contingency.

The preferred contractors to perform the works on site are detailed as below:

<table>
<thead>
<tr>
<th>Descriptions</th>
<th>Szabolics</th>
<th>LFT Bitumen</th>
<th>Ezy guard</th>
<th>KERBLINE</th>
<th>Artcraft signs</th>
<th>NE Roadmarkers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pavement Widening</td>
<td>35,900.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reseal ER10</td>
<td></td>
<td>7,900.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ezy Guard</td>
<td></td>
<td></td>
<td>12,450.92</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete works</td>
<td></td>
<td></td>
<td></td>
<td>5,125.20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>56,716.12</td>
</tr>
<tr>
<td>Pavement marking</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12,835.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>130,927.24</strong></td>
</tr>
<tr>
<td>Determine advisory speed &amp; conduct RSA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>6,740.00</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Budget (RRV)</th>
<th>Construction</th>
<th>Determine advisory speed &amp; RSA</th>
<th>Total Expenses</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>170,342.00</td>
<td>130,927.24</td>
<td>6,740.00</td>
<td>137,667.24</td>
<td>32,674.76</td>
</tr>
</tbody>
</table>

**CR TOLSHER**  
**CR SCALES**  
THAT THE MATTER BE DEFERRED TO THE NEXT COUNCIL MEETING.  
CARRIED
12.3 Removal of grazing licence on unused roads and opening of road for public access - 356 Soldier Settlers Road (01/07/0004-DIE)

Disclosure of Interests (S.80C):

This report was prepared by Ms Rachael Gadd, Director Infrastructure and Environment.

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:

Property number 319464 located at 356 Soldier Settlers Road. This property is currently accessed as an existing access track that extends west from Soldier Settlers Road. The track is within an unused road reserve. At the end of this unused road reserve the track winds through an adjacent landholder’s paddock to the boundary of property number 319464. The use of this track is by informal agreement with adjacent landholders and is not considered to be legal access. A plan of the access arrangements is provided in Appendix 5 to this report.

The section of track in the adjacent landholder’s paddock is covered by an easement on title which establishes legal access from the property boundary to the end of the unused road reserve. To enable legal access through to Soldier Settlers Road, the owner of property number 319464 has requested that Council open this road reserve for public access.

The track has been the primary access for property number 319464 for many years. The owner now wishes to sell the property but cannot do so without the establishment of legal access to Soldier Settlers Road. Recent approval was granted to open the first fifty meters of this unused road reserve to enable the construction of a driveway for a new residential property by an adjacent landholder.

The owners of property number 319464 wish to sell their property and has previously had a sale fall through as they haven’t been able to establish legal access to the property prior to the sale. This has resulted in the request to open the road.
Impact on Council Policy:

Council’s Road Construction Policy requires that:

- all roads to be opened are to be fenced on both sides (including the removal of existing grids and gates).
- provides for the option of an agreement under section 173 of the Planning and Environment Act 1987 for access on a road which may be constructed to a standard that ensures year round all weather access for emergency vehicles and the conditions applying to such an agreement.
- the requirements and cost apportionment to apply where roads upgrades are requested by property owners or residents in advance of Council’s adopted Capital Works Program
- roads for public use are declared and any Department of Environment Land Water and Planning issued grazing licenses are removed prior to the commencement of any road construction activities. At Council’s discretion a Local Laws grazing permit will be considered once road construction is complete.

State Government Policy Impacts:

Nil.

Budget Impact:

There will be no impact to Council’s budget allocations. All costs are to be borne by the landholder requesting access. This is based on past cases of a similar nature.

Risk Assessment:

Nil.

Community Consultation/Responses:

Consultation has been undertaken with the owner of property number 319464 who requested the road to be opened to enable the sale of his property.

Separate phone conversations have also occurred with both the owners of 326 Soldier Settlers Road who are the holders of the grazing license. They have not provided consent to the removal of the license.
Discussion/Officers View:

There are a number of examples across the Shire where properties are ‘landlocked’ with no legal access but have informal access through an adjacent land holder’s property by agreement. Council generally becomes aware of these examples due to a change of ownership or where issues arise between neighbours. It has been standard Council practice to resolve these issues as they arise to remove any further issues for all parties involved. Opening unused road reserves and removing grazing licences facilitates and is consistent with Council’s Road Construction Policy and past practice. It is recommended that a request is sent to DELWP to remove the grazing license and to open the unused road reserve. It is also recommended that the costs of any subsequent survey, fencing and road upgrades are assigned to the property owner requesting the legal access to be established to be consistent with past practices.

CR STAR
CR TOLSHER

THAT COUNCIL ENDORSE:

1. THE REMOVAL OF THE GRAZING LICENSE HELD ON THE UNUSED ROAD, BY THE OWNERS OF 356 SOLDIER SETTLERS ROAD;

2. THE OPENING OF THE UNUSED ROAD RESERVE LOCATED BETWEEN 356 SOLDIER SETTLERS ROAD AND 358 SOLDIER SETTLERS ROAD TO PROVIDE LEGAL ACCESS TO PROPERTY NUMBER 319464 IN ACCORDANCE WITH COUNCIL’S ROAD CONSTRUCTION POLICY; AND

3. THAT THE COSTS OF ANY SURVEY, FENCING OR ROAD UPGRADE REQUIREMENTS ARE ASSIGNED TO THE PROPERTY OWNER REQUESTING THE LEGAL ACCESS.

CARRIED
13 **Land-use planning**

No Planning Reports.

14 **Environmental sustainability**

14.1 **Environmental Sustainability report (01/07/0004-DIE)**

**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:**

This report is a quarterly report on Environmental Sustainability activities throughout the Shire.

**E-waste**

The construction of e-waste sheds are now complete with the addition of four roller doors for risk/safety at the Corryong and Tallangatta Resource Recovery Centres. The signage and stillage’s are in place to enable public delivery of E-waste to the sheds.

Public access E-waste stillage’s will be placed in the Corryong Information Centre and the Tallangatta library. These are for residents to dispose of small E-waste items including household batteries, mobile phones and computer accessories.

**Corryong Landfill Cells**

The design for the next six landfill cells at the Corryong Resource Recovery Centre are complete. An application for a Works Authority from the Environmental Protection Agency (EPA) has been developed to enable the construction of the next cell.
Concrete Crushing
The concrete crushing contract for the Corryong and Tallangatta Resource Recovery Centres, Old Walwa Landfill and Sandy Creek stacksite has been awarded to Walsh’s Wodonga, works of crushing are to be completed January 2020.

Halls Pit Crush
The Halls pit crush was awarded to Jacksons Earthmoving. The crush was completed in December 2019 and resulted in 4,500m³ of 40 minus material for use in road maintenance activity.

Tree Management
2019 Tree Inspections

| New Trees planted 2018-19 (Data Collection only) |          |
| Proactive inspection high risk areas (Scheduled Inspections) | 1115 |
| Proactive inspection other (Avenues) | 1222 |
| Reactive inspection high risk areas (Customer calls) | 110 |
| Reactive inspection other area (Customer Calls) | 15 |
| Total | 2509 |

Budget Impact

<table>
<thead>
<tr>
<th>Income</th>
<th>Dec 2019 (Actual)</th>
<th>Dec 2019 (Budget)</th>
<th>Dec 2019 YTD (Variance)</th>
<th>Dec 2019 YTD (Variance)</th>
<th>2018/19 Full Year (Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerbside collection</td>
<td>1,045,533</td>
<td>1,056,000</td>
<td>(10,467)</td>
<td>(1%)</td>
<td>1,056,000</td>
</tr>
<tr>
<td>Waste facilities management</td>
<td>440,557</td>
<td>433,211</td>
<td>7,346</td>
<td>2%</td>
<td>595,011</td>
</tr>
<tr>
<td>Total Income</td>
<td>1,486,090</td>
<td>1,489,211</td>
<td>(3,121)</td>
<td>(0%)</td>
<td>1,651,011</td>
</tr>
<tr>
<td>Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kerbside collection</td>
<td>260,287</td>
<td>338,153</td>
<td>77,866</td>
<td>23%</td>
<td>676,305</td>
</tr>
<tr>
<td>Waste facilities management</td>
<td>89,220</td>
<td>107,769</td>
<td>18,549</td>
<td>17%</td>
<td>289,537</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>349,507</td>
<td>445,921</td>
<td>96,414</td>
<td>22%</td>
<td>965,842</td>
</tr>
<tr>
<td>Net Income / (Expenditure)</td>
<td>1,136,583</td>
<td>1,043,290</td>
<td>93,293</td>
<td>9%</td>
<td>685,169</td>
</tr>
</tbody>
</table>

Note 1 - savings of $45k garbage trucks operational costs, $13k tipping costs at Albury Landfill, $10k bulk bins (timing)
Impact on Council Policy:
Nil.

State Government Policy Impacts:
Nil.

Risk Assessment:
Nil.

Community Consultation/Responses:
Nil.

Discussion/Officers View:
The Environmental Sustainability area is making progress in relation to the Council Plan.

CR WHITEHEAD
CR TOLSHER

THAT THE REPORT BE NOTED. CARRIED
14.2 Contribution to North East Waste Resource and Recovery Group (07/01/0050 – DIE)

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:


The North East WRRG is one of seven waste and resource recovery groups in Victoria legislated under the EP Act 1970.

North East WRRG works in partnership with seven Local Governments and three Alpine Resorts located in North East Victoria which includes Towong Shire Council, to deliver waste and resource recovery projects of regional significance.

Council’s partnership with the North East WRRG includes financial and staff time. The value of the contribution is calculated based on an amount ($1.05) per head of population for each Council with the total for Towong Shire Council during the 2020/21 financial year being $6,284.

Almost $140,000 in funding is contributed by Councils and Alpine Resorts for waste and resource recovery projects and initiatives that are determined by each Council and Alpine Resort through consultation via an individual survey, group planning sessions and the Local Government Waste Forum.


The table on the next page provides an outline of the approved projects this funding has supported for the 2019/20 financial year:
### ONGOING PROGRAMS/PROJECTS 2018/2019

<table>
<thead>
<tr>
<th>PROJECTS</th>
<th>DESCRIPTION</th>
<th>BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCHOOL ENVIRONMENT EDUCATION DIRECTORY (SEED)</td>
<td>The Schools Environment Education Directory (SEED) is a partnership program funded with the North East Catchment Management Authority. SEED supports schools by maintaining a dedicated website for environmental education with readymade units as well as running three School Environment Days (SED) annually throughout the Region. North East WRRG will continue to support the program through the employment/hosting of the officer who implements the program.</td>
<td>$15,000</td>
</tr>
<tr>
<td>RESOURCE SMART SCHOOLS (RSS) PROGRAMS</td>
<td>Resource Smart Schools is the State program aimed at engaging schools in sustainability. Schools sign up and work through a CORE module as well as 4 other modules, one of which includes Waste. The program aims for a holistic approach including the integration of the units into the curriculum, the program is endorsed by the Department of Education and Early Childhood. North East WRRG will continue support schools completing the waste unit of RSS.</td>
<td>$15,000</td>
</tr>
<tr>
<td>THE LIVING BIN</td>
<td>Continued facilitated support for the Living Bin program: pre-season and post-season meetings, overseeing of the champion program and supporting education/infrastructure collaterals.</td>
<td>$12,500</td>
</tr>
<tr>
<td>TRAINING &amp; TOUR</td>
<td>Proposed budget of continued $10K for training pool which Technical advisory support (TAS) officers can access for refresher training of facility staff or TAS representatives: eg: OH&amp;S, contract management, data training, grant application writing etc.</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

**SUBTOTAL:** $52,500

### ADDITION PROJECTS FOR 2018/19

<table>
<thead>
<tr>
<th>BASIC PROJECT DESCRIPTION</th>
<th>BUDGET ESTIMATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for a waste management strategy templates</td>
<td>Facilitate training for the support of strategic templates (delivered in 17/18) to enable better opportunities for greater collaboration and consistency in the Region.</td>
</tr>
</tbody>
</table>
| Improving operations and increasing resource recovery of aggregate/masonry/soils (AMS) | Following on from AMS study conducted in 17/18 priority sites accepting AMS would be identified and be improved through:  
- hardstand areas,  
- improved signage,  
- possible surveillance cameras, and  
- Implementation of proper procedures for the acceptance of AMS (trade and householders). | $75,000 |
| Regional Optimisation Study | To deliver an optimisation study which:  
- improves understanding of the strategic and operational opportunities for waste and resource recovery in North East Victoria;  
- maps out the strategic opportunities to better inform future investment for waste and resource recovery in North East Victoria; and  
- ultimately guides the future directions for individual local governments and alpine resorts (and a regional perspective) to advance environmental, economic and social outcomes. | $80,000 funding contribution |
| Project Management | Project Management costs 20% of project cost not including SEED & RSS (approximate) | $33,500 |

**SUBTOTAL:** $193,500

**LG FUNDED PROJECTS 2018/2019 TOTAL:** $240,200
The following direction was provided at the recent LG Waste Forum in relation to funding priorities for the 2020/21 financial year:

- Further review required of the $15,000 funding commitment towards the Resource Smart Program;
- The funding commitment of $20,000 to the SEED program should continue;
- Funding support of $12,500 for the Living Bin program would be discontinued; and
- The training and tour initiative should continue with $10,000 funding support to be provided.

Scoping of the following further initiatives will be completed for consideration by the Forum at the next meeting to be held in March 2020.

- Community Education and consistent regional messaging;
- EPA Reform – the potential of support to ensure compliance with the new standards;
- Possibility of further support for a regional data project – with a focus on commercial and industrial waste;
- Unlicensed closed landfills; and
- Residual waste strategy.

**Impact on Council Policy:**

Council staff are currently conducting a Waste Services review and a report will be provided to Council at a future Workshop.

**State Government Policy Impacts:**

- Circular Economy Policy
- Recycling Industry Strategic Plan
- North East Waste and Resource Recovery Implementation Plan
- Victorian Organics Resource Recovery Strategy

**Budget Impact:**

The annual expenditure required for Council’s membership to North East WRRG is $6,284.00.
Risk Assessment:

 Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

This financial contribution enables Council to access a larger program of waste and resource recovery initiatives through collaboration with other Councils and Alpine Resorts across North East Victoria. Council can influence how these funds are allocated to ensure they are of value to Towong Shire, through the joint planning and approval process involving the LG Waste Forum.

The Victorian Government is about to release the Circular Economy Policy which will be a platform for major change and Local Government will be required to help lead the implementation of this. Our partnership with North East Victorian Councils, Alpine Resorts and the North East WRRG will allow us to jointly plan and implement the priorities of the Circular Economy Policy.

CR TOLSHER  
CR WHITEHEAD

THAT A FINANCIAL CONTRIBUTION OF $6,284 BE MADE TO THE NORTH EAST WRRG FOR JOINT WASTE AND RESOURCE RECOVERY INITIATIVES OF REGIONAL SIGNIFICANCE FOR THE 2020 YEAR.

CARRIED
15 Economic and tourism development

15.1 Economic Development report (05/01/0001-CEO)

The Economic Development report is presented quarterly however due to the bushfire emergency the report will be presented at the March 2020 Council Meeting.

16 Councillor Reports

16.1 2020 Bellbridge Australia Day Community Awards (Cr Wortmann)

<table>
<thead>
<tr>
<th>Date of Meeting/Event:</th>
<th>26 January 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key information presented/discussed at meeting:</td>
<td>The Australia Day Awards at the Berringa Community Centre began with a delicious breakfast provided by the Bellbridge Lake Hume Rotary Club. Which the large crowd in attendance enjoyed immensely. The ceremony began with John Parry MC welcoming everyone. The Naval Cadets then performed Australia Day Flag Raising. John then introduced our Guest speaker Mr Lawrence Money and a quick profile of Lawrence’s career. Lawrence Money was a newspaper columnist for 37 years before leaving The Age in 2016 after 50 years in journalism. He was twice named Victoria’s columnist as a winner of the Melbourne Press Club’s Quill Award. A multifaceted man, Lawrence has written six books, appeared on ABC and commercial radio, designed a family board game and, in a busy retirement, has become stand up comedian with a show part of the recent 2019 Melbourne International Comedy Festival called Loose Change.</td>
</tr>
</tbody>
</table>
Lawrence gave his speech which was fantastic, it contained humour but left everyone in attendance with a lot to consider and reflect on.

I was called upon to respond and announce the Australia Day Awards and Mr Lawrence Money helped with awards presentations to the recipients. Framed certificates of appreciation were presented to the following:
Bethanga CFA
Talgarno CFA
Granya CFA
Berringa Cert Team
For their efforts responding to the recent bushfires.

I then announced the Award for the Community Group of the Year. Which was the Rotary Club of Bellbridge Lake Hume. The Club is very active in the community and their list achievements are extensive as follows:
They organise the Australia Day Awards in conjunction with the Towong Shire. They also supply the breakfast on Australia Day.
They run The Lake Hume Bicycle Challenge.
The Club conducts the Salvation Army Red Shield Appeal and collections.
The Club hosts the Christmas in July for Peninsula Seniors.
In partnership they conduct the two day Lake Hume Fishing Classic.
At Christmas they present the Carols at Bellbridge.
They also present awards to students at Bethanga and Talgarno Primary Schools.
Mr Colin McGinnity accepted the award on behalf of the Club and expressed his surprise and gratitude.
The last Award was for the Citizen of the Year and the recipient was Mr Greg Hayes. Greg contributes his to organisations such as Beyond Blue, World Vision, Catchment Management Authority, Albury Wodonga Cancer Centre, Department of Agriculture Better Beef Project to name a few organisations. Locally he is a “working” member of many organisations and has held executive roles on the following:
- The Wises Creek - Talgarno Landcare Group
- Mitta to Murray Blackberry Action Group
- Talgarno CFA
- Talgarno Hall Committee

In his spare time he writes an informative and factual weather related article for the Berringa Community News.
He is also a local beef farmer.
Greg was very surprised by the award.

<table>
<thead>
<tr>
<th>Members Comments Thoughts:</th>
<th>Nil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Required:</td>
<td>Nil</td>
</tr>
<tr>
<td>Additional Info Available:</td>
<td>Nil</td>
</tr>
</tbody>
</table>

CR TOLSHER
CR SCALES

THAT THE REPORT BE NOTED.

CARRIED
17  **Urgent business**

Refer to Item 10.5.

18  **Committee minutes**

18.1 **Audit and Risk Committee (07/07/0010 – Cr Wortmann)**

The unconfirmed minutes of the Audit and Risk Committee meeting held Tuesday 17 December 2019 are attached at Appendix 6 for information.

<table>
<thead>
<tr>
<th>CR SCALES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR WHITEHEAD</td>
</tr>
</tbody>
</table>

THAT THE UNCONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING BE NOTED.

CARRIED

19  **Occupational Health and Safety**

19.1 **OHS Committee (06/04/0212-DCCS)**

The unconfirmed minutes of the meeting held on Thursday, 19 December 2019 have been circulated to Councillors under separate cover.

<table>
<thead>
<tr>
<th>CR WHITEHEAD</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR STAR</td>
</tr>
</tbody>
</table>

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

CARRIED
20 Council policies (10/01/0007-CEO)

20.1 Policies for review and adoption

The following policies are tabled for review (Appendix 7). Comments should be provided to the nominated Council officer by 3 March 2020.

- Community use of Council Meeting Spaces and Facilities (DCCS)
- Councillor Resources (DCCS)
- Human Rights (DCCS)
- Investment (DCCS)
- Issue Resolution (DCCS)
- Kerbside Refuse and Recycling Collection (DTS)
- No Smoking (DCCS)
- Social Media (DCCS)

The following policies were tabled for review at the 12 November 2019 Council Meeting and are presented at Appendix 8 for adoption. Please note that recommended changes are shown in coloured text.

- Audit Committee Charter (DCOD)
- Computer and Mobile Device Use (DCOD)
- Councillor Correspondence (DCOD)
- OHS (DCOD)
- OHS Constitution (DCOD)
- Risk Management (DCOD)

CR WHITEHEAD
CR SCALES

THAT THE FOLLOWING POLICIES AS AMENDED/PRESENTED BE ADOPTED:

- AUDIT COMMITTEE CHARTER
- COMPUTER AND MOBILE DEVICE USE
- COUNCILLOR CORRESPONDENCE
- OHS
- OHS CONSTITUTION
- RISK MANAGEMENT

CARRIED
20.2 Procurement Policy (10/01/0004-CEO)

Disclosure of Interests (S.80C):

This report was prepared by Vincent McFarlane, Director Corporate and Organisational Development.

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:

It is a requirement of the Local Government Act 2019 that Council’s procurement policy be reviewed annually.

The policy was reviewed and approved by Council in February 2019.

The policy was updated on 2 July 2019 where spend thresholds were increased. This was done to increase operational efficiency and minimise impediments to staff carrying out Council business.

The objectives of the procurement policy are to:
- achieve value for money for ratepayers
- ensure open and fair competition
- ensure openness and transparency of the decision-making process
- achieve high standards of probity, accountability and risk management
- achieve compliance with legislation
- promote Environmental Sustainability
- seek to support local procurement
- progress Council’s commitment to continuous improvement and collaboration.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.
Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil

Discussion/Officers View:

The policy has been extensively reviewed and updated and is presented at Appendix 9. Some areas have been expanded and new sections added.

Changes include:

• Clarifying that all amounts in the document are inclusive of GST
• Addition of a section 6.3 Governance.
• Update to section 6.5 Delegations. Clarification of decisions not delegated and comprehensive review of Council staff delegations to reflect the new organisational structure.
• Expansion and formalisation of the Procedural Exemption process. Sets out a documented process, set approval at CEO level and ensure all Procedural Exemptions are reported to the Audit and Risk committee.
• Addition of 6.7 Grant Monies to guide how procurement occurs should council decide to allocate grants to community groups and if other agencies (State Government) require Council to manage grants on behalf of community groups.
• Addition of section 6.8 Collaborative Procurement.

CR STAR
CR WHITEHEAD

THAT COUNCIL ADOPT THE PROCUREMENT POLICY AS PRESENTED.

CARRIED
21 **Sealing of documents**

No documents for sealing.

22 **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.

There were no Confidential Reports.
There being no further business the meeting closed at 12.19pm.

Minutes confirmed this ............ day of ...................... 2020.

______________________________
Mayor